

Official Journal

of the European Communities

ISSN 0378-6978

L 166

Volume 34

28 June 1991

English edition

Legislation

Contents

I Acts whose publication is obligatory

★ Council Regulation (EEC) No 1812/91 of 24 June 1991 imposing a definitive anti-dumping duty on imports of espadrilles originating in the People's Republic of China and definitively collecting the provisional anti-dumping duty	1
Commission Regulation (EEC) No 1813/91 of 27 June 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal	7
Commission Regulation (EEC) No 1814/91 of 27 June 1991 fixing the premiums to be added to the import levies on cereals, flour and malt	9
Commission Regulation (EEC) No 1815/91 of 27 June 1991 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	11
Commission Regulation (EEC) No 1816/91 of 27 June 1991 fixing the sluice-gate prices and levies for poultrymeat	14
Commission Regulation (EEC) No 1817/91 of 27 June 1991 fixing the sluice-gate prices and levies on pigmeat	19
Commission Regulation (EEC) No 1818/91 of 27 June 1991 fixing the sluice-gate prices and levies for eggs	24
Commission Regulation (EEC) No 1819/91 of 27 June 1991 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin	27
Commission Regulation (EEC) No 1820/91 of 27 June 1991 fixing the export refunds on pigmeat	29
Commission Regulation (EEC) No 1821/91 of 27 June 1991 fixing the export refunds on poultrymeat	33
Commission Regulation (EEC) No 1822/91 of 27 June 1991 fixing the export refunds on eggs	37

Price : ECU 12

(Continued overleaf)

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

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

Commission Regulation (EEC) No 1823/91 of 24 June 1991 opening individual sales by invitation to tender for the export of vinous alcohol held by intervention agencies	39
* Commission Regulation (EEC) No 1824/91 of 27 June 1991 fixing for the 1991/92 marketing year, the threshold prices for cereals and for certain classes of flour, groats and meal	41
* Commission Regulation (EEC) No 1825/91 of 27 June 1991 fixing the accession compensatory amounts applicable to Spain to cereals for the 1991/92 marketing year and the coefficient to be used for calculating the amounts applicable to processed products	42
* Commission Regulation (EEC) No 1826/91 of 27 June 1991 laying down the accession compensatory amounts applicable to Portugal in the cereals sector for the 1991/92 marketing year and the coefficient to be used for calculating the amounts applicable to processed products	43
Commission Regulation (EEC) No 1827/91 of 27 June 1991 fixing the import levies on live cattle and on beef and veal other than frozen	45
Commission Regulation (EEC) No 1828/91 of 27 June 1991 fixing the import levies on frozen beef and veal	49
Commission Regulation (EEC) No 1829/91 of 27 June 1991 fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90	53
Commission Regulation (EEC) No 1830/91 of 27 June 1991 fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables	55
Commission Regulation (EEC) No 1831/91 of 27 June 1991 on a decision to make no award in respect of the ninth partial invitation to tender for white sugar issued in connection with the standing invitation to tender referred to in Regulation (EEC) No 963/91	56
Commission Regulation (EEC) No 1832/91 of 27 June 1991 fixing the export refunds on malt	57
Commission Regulation (EEC) No 1833/91 of 27 June 1991 fixing the corrective amount applicable to the refund on malt	59
Commission Regulation (EEC) No 1834/91 of 27 June 1991 fixing the corrective amount applicable to the refund on cereals	61
Commission Regulation (EEC) No 1835/91 of 27 June 1991 fixing the export refunds on rice and broken rice	64
Commission Regulation (EEC) No 1836/91 of 27 June 1991 fixing the corrective amount applicable to the refund on rice and broken rice	68
Commission Regulation (EEC) No 1837/91 of 27 June 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1	71
Commission Regulation (EEC) No 1838/91 of 27 June 1991 fixing the import levies on white sugar and raw sugar	74

Commission Regulation (EEC) No 1839/91 of 27 June 1991 fixing the import levy on molasses	76
---	----

II *Acts whose publication is not obligatory*

Council

91/308/EEC :

* Council Directive of 10 June 1991 on prevention of the use of the financial system for the purpose of money laundering	77
Statement by the representatives of the Governments of the Member States meeting within the Council	83

91/309/EEC :

* Council Decision of 10 June 1991 on the conclusion of an Agreement in the form of an exchange of notes on the further extension of, and amendments to, the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States	84
Agreement in the form of an exchange of notes on the further extension of, and amendments to, the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States	85

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1812/91

of 24 June 1991

imposing a definitive anti-dumping duty on imports of espadrilles originating in the People's Republic of China and definitively collecting the provisional anti-dumping duty

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic community⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal from the Commission, submitted after consultation within the Advisory Committee as provided for by that Regulation,

Whereas,

A. PROVISIONAL MEASURES

- (1) Commission Regulation (EEC) No 3798/90⁽²⁾ imposed a provisional anti-dumping duty on imports of espadrilles originating in the People's Republic of China falling within CN codes ex 6404 19 90 and ex 6405 20 99. This duty was extended for a period of two months by Regulation (EEC) No 1051/91⁽³⁾.

B. SUBSEQUENT PROCEDURE

- (2) Following the imposition of the provisional anti-dumping duty, the Chinese Chamber of Commerce for Import and Export of Light Industrial Products and Arts-Crafts, hereinafter referred to as the 'Chinese Chamber of Commerce', acting on behalf of the three producer/exporters specified in Regulation (EEC) No 3798/90, who were joined by a fourth producer/exporter — the Shanghai Stationery and Sporting Goods Import and Export Corporation — which had not previously made itself known to the Commission, requested, and was granted, a hearing by the Commission. The Chinese Chamber of Commerce also made its views known in writing.
- (3) The three importers' associations which had previously responded, together with three importers and a group of nine importers who had not previously

made themselves known to the Commission, also requested, and were granted, hearings and made their views known in writing.

- (4) The complainant also requested, and was granted, a hearing.
- (5) The parties concerned were informed of, and implemented, all the procedures for exercising their rights under Article 7 (4) of Regulation (EEC) No 2423/88.

In particular, they were informed in writing, at their own request, of the essential facts and considerations upon which the Commission proposed to base its recommendation that a definitive duty be imposed with definitive collection of the amounts secured by way of the provisional duty. They were also given the opportunity to make comments after receiving this information.

- (6) The Commission studied these reactions and took account of a number of the views expressed in its definitive conclusions, which are approved by the Council.

- (7) The Commission's dumping investigation covered the period from 1 January 1988 to 31 December 1988. Several parties criticized the choice of this reference period on the grounds that it was too remote from the initiation of the proceedings.

In addition to the reasons given by the Commission in recital (8) of Regulation (EEC) No 3798/90, where this selection was justified in terms of the Commission's determination to gather the fullest possible and most easily verifiable information from generally small Community producers and importers, the Council considers that this selection will have only a limited effect on the measure itself. None of the indicators points to a fall in the normal value in 1989.

C. PRODUCT COVERED BY THE INVESTIGATION

- (8) The group of importers mentioned in (3) above asked the Commission to reconsider its provisional conclusions, as set out in recitals (9) and (10) of

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 365, 28. 12. 1990, p. 25.

⁽³⁾ OJ No L 107, 27. 4. 1991, p. 1.

Regulation (EEC) No 3798/90, with a view to drawing a distinction between type A espadrilles and type B espadrilles. These two types are described in detail in recital (9) of Regulation (EEC) No 3798/90.

This request was based on the argument that consumers are motivated by quite different criteria in opting for one or other of the two types, and that importers apply different marketing strategies to the two types, which should be reflected in the prices.

- (9) The Commission takes the view that all espadrilles having unheeled soles no thicker than 2,5 cm constitute a single product for the purposes of these proceedings. The physical characteristics and uses of espadrille types A and B are similar.

However, the Commission notes that espadrille types A and B have different CN codes.

Furthermore, the Commission concedes that the physical differences brought to its attention by the importers, which appear to be largely well-founded, may have an effect on prices.

- (10) Consequently, as regards the dumping margin, the difference in selling prices, the injury threshold and the level of duty, the Council considers it appropriate that a distinction be drawn between espadrille types A and B.

D. DUMPING

(a) Normal value

- (11) Since the People's Republic of China does not have a market economy, the Commission, in its preliminary investigation, based its calculation of the normal value on data collected in another non-Community market economy country, in accordance with the provisions of Article 2 (5) of Regulation (EEC) No 2423/88. To this end, the Commission decided that Uruguay constituted an appropriate reference country and — for the reasons set out in recital (16) of Regulation (EEC) No 3798/90 — calculated the normal value on the basis of the constructed value of similar products in that country, determined by adding the production cost of the espadrilles and a reasonable profit margin.

- (12) Several of the parties concerned criticized the selection of Uruguay as reference country, suggesting that the normal value should instead be constructed in Bangladesh, a country which they argued has more in common with China than Uruguay.

In response to this argument, in October 1990 the Commission endeavoured to secure the cooperation of espadrille producers in Bangladesh. Eventually, in February 1991 two Bangladeshi producers informed the Commission that they were prepared to cooperate in the procedure, but:

- one of them, having started production in September 1989, was able to supply full information only for 1990,
- and the other, having also only recently started production (in 1988, according to the information received by the Commission), was in a position to supply data only for 1989 and 1990.

Given:

- the fact that these offers of cooperation were made at a very late stage in the investigation by recently established producers, whose production costs were likely to be influenced by expenses or other factors associated with the starting up of a new operation,
- the implications of changing the reference period, which would have been necessary had it been decided to take data supplied by these producers into account,

the Commission takes the view that the selection of Uruguay as reference country is appropriate and not unreasonable.

- (13) Nevertheless, having regard to the necessity of distinguishing between espadrille types A and B, and given the apposite arguments advanced in respect of certain physical differences and import charges affecting the comparability of the prices presented by the Chinese Chamber of Commerce, the Commission elected to modify its calculations concerning the constructed value in Uruguay.

For both types of espadrille, these modifications concern:

- the canvas upper: the fabric used in Uruguay is generally thicker and therefore heavier per square metre than that used by Chinese producers. This difference, together with its impact on costs, was taken into account. However, it was felt that this difference could not be

applied to all espadrilles exported from China, some of which use a fabric closely resembling that used in espadrilles produced in Uruguay. Given the difficulties encountered in endeavouring to establish a reliable weighting for this factor, the Commission considered it reasonable to apply this difference to a significant proportion — no less than half — of the espadrilles exported from China,

- the rubber used to vulcanize the soles: in its calculations, the Commission had used vulcanization costs based on the use of 'Malaysia No 1' or equivalent rubber as the raw material. It then transpired that the Chinese producers use another, cheaper type of rubber, or synthetic materials which also cost less. These differences were conceded, and were translated into monetary terms for each A and B type of espadrille separately. The necessary adjustment was adopted in its entirety for rubber, and according to the same conditions as those applied to the canvas for synthetic materials. The Commission took the view that it had sufficient evidence at its disposal to enable it to conclude that synthetic materials are used in a significant proportion of the espadrilles exported by China, but that the data supplied by the Chinese exporters did not allow it to conclude that synthetic materials are used in all exported espadrilles.

Furthermore, the Chinese exporters pointed out that in China the raw materials used to vulcanize the soles are obtained on the domestic market and are not therefore dutiable, contrary to the assumptions made by the Commission when calculating vulcanization costs during the preliminary investigation. The Commission therefore adjusted its calculations to allow for customs duties, reducing the vulcanization costs accordingly in constructing the normal value of the two types of espadrille.

- (14) Having in principle accepted these adjustments, designed to accommodate differences affecting price comparability, concerning the respective physical characteristics of the espadrilles produced in the People's Republic of China and those produced in Uruguay and also with regard to certain import charges, the Commission took the view that it remained appropriate and reasonable to establish the normal value on the basis of the constructed value in Uruguay, whilst drawing a distinction between the two types of espadrille.

(b) Export prices

- (15) Given the pertinence of the arguments submitted in support of the distinction between espadrille types A and B, the Commission was induced to re-examine its provisional conclusions as set out in recital (23) of Regulation (EEC) No 3798/90, according to which the prices indicated by the two importers which cooperated in the investigation could not on their own be regarded as indicative.

The Commission noted that these two importers:

- are each specialized in a different type of espadrille (one in type A and the other in type B),
- are not occasional importers and therefore regularly place orders which in each case are for significant quantities, thus ensuring that the prices are representative of the trade between China and the Community, which, according to the information received by the Commission, is characterized by relatively uniform prices in this sector.

- (16) The Commission therefore conceded that the information obtained from these importers constitutes the best available data for establishing a distinction between espadrille types A and B. Export prices for the two types of espadrille were therefore established on the basis of the said information, which also had the advantage of having been verified in the field during the preliminary investigation.

(c) Comparison and dumping margin

- (17) The comparisons were made using the same method as that used during the preliminary investigation, but with the introduction of a distinction between espadrille types A and B.

- (18) On this basis, it is confirmed that espadrilles of both types are being dumped. The dumping margin is the difference between the normal value established for medium-sized espadrilles of each type and the weighted average export price to the Community of each type and amounts to:

- 105,3 % for type A espadrilles, and
- 70,3 % for type B espadrilles of the free-at-Community-frontier value of imports of the products in question originating in the People's Republic of China, for the Chinese exporters taken as a whole.

- (19) The Council approves the Commission's conclusions set out in recitals (11) to (18).

E. INJURY

- (20) In the matter of injury, two main arguments were raised by the Chinese exporters and the Community importers. Firstly, several importers stressed that, contrary to recital (32) of Regulation (EEC) No 3798/90, they act as international commercial agents and not as specialist footwear wholesalers. They therefore maintained that the comparison designed to demonstrate the difference in selling prices in the Community between espadrilles originating in the People's Republic of China and espadrilles manufactured by Community producers should take this factor into account, inasmuch as the prices charged by the latter reflect their sales to specialist footwear wholesalers.
- (21) The Commission accepted that this argument was valid and therefore proceeded to recalculate the difference in selling prices separately for espadrilles types A and B:
- by using the available data to adjust the prices (free at Community frontier, cleared through customs and checked with the two importers cooperating with the investigation) to the same commercial level as the Community producers' prices,
 - by adjusting the Community producers' prices, which do not normally distinguish between espadrille types A and B. To this end, the Commission judged that the average selling price for Community-produced espadrilles could be taken as being representative of type B espadrilles, and therefore established the price for type A espadrilles by reducing the selling price in proportion to the difference in production costs between types A and B.
- (22) On the basis of these adjusted figures, the Commission observed that the difference in selling prices expressed as a percentage of the prices free at Community frontier, not cleared through customs, for espadrilles originating in the People's Republic of China, were as follows during the reference period:
- 209,6 % for type A,
 - and
 - 114,7 % for type B.
- (23) The second argument put forward by the Chinese exporters and the Community importers concerned the causal link between the injury and the dumped imports. According to these parties, the poor results achieved by Community businesses in this sector are due to weak management.
- (24) In response to this argument, the Commission referred to the wording of recitals (46) and (49) of Regulation (EEC) No 3798/90, which concedes that part of the injury sustained by the Community industry was due to the restructuring and modernization of the sector in the 1980s and to competition from substitute products. However, the Commission is of the opinion that the argument put forward is not supported by evidence which might cause it to reconsider its provisional conclusion to the effect that the dumped imports brought to light are the cause of an injury which, taken on its own, is serious.
- (25) No other new factor relating to the injury or to the causal link between the injury and the dumped imports was put forward following the imposition of the provisional duty. The Council confirms the conclusions concerning the injury as set out in Regulation (EEC) No 3798/90, with the exception of those concerning the difference in prices, where recitals (21) and (22) above replace recital (32) of the said Regulation.

F. COMMUNITY INTEREST

- (26) In the matter of Community interest, the importers reiterated their observations concerning the advantage for consumers of having a source of low-priced supplies, adding that, contrary to what is stated in the third paragraph of recital (53) of Regulation (EEC) No 3798/90, the benefits of low-priced imports are often passed on to the final consumers.
- (27) Owing to the limited number of importers cooperating in the investigation, the Commission does not have available complete information concerning the second point raised. However, it takes the view that this point is subsidiary to the arguments set out in recitals (52) to (54) of Regulation (EEC) No 3798/90, and points out:
- that the distinction drawn between A and B type espadrilles, which takes consumers' motivations into account, should ensure that the measure will reflect market realities more closely,
 - that the lowering of the normal value (justified by considerations relating to the physical characteristics of the products to which consumers may be sensitive) and hence of the minimum price should allow consumers to benefit from imports to a greater extent than before.

- (28) The Council confirms the Commission's conclusions set out in recitals (52) to (56) of Regulation (EEC) No 3798/90, according to which it is in the Community interest to eliminate the injury caused to the Community industry by these dumped imports.

G. DEFINITIVE DUTY

- (29) The Council confirms that it is considered necessary to impose a definitive duty which, as regards imports invoiced by Chinese exporters, will take the form of a variable duty equal to the difference between the net price per pair, free at Community frontier, not cleared through customs, of Chinese imports and a minimum price fixed for each type of espadrille.

- (30) To determine the level of the definitive duty, for each type of espadrille the Commission compared the dumping margin and the amount necessary to eliminate the injury. This amount was determined using the same method as that used in the preliminary investigation, as described in recital (57) of Regulation (EEC) No 3798/90, but separately for types A and B. The price differences established on this basis are as follows:

- 255,7 % for type A,
and
- 154,9 % for type B, expressed as a percentage of the free-at-Community-frontier value, not cleared through customs.

It is therefore apparent that the established dumping margins, which are also expressed as a percentage of the value free at Community frontier, not cleared through customs, are lower than the percentage price increases necessary to eliminate the injury.

Consequently, the anti-dumping duty to be imposed must correspond to the established dumping margins.

- (31) The Council therefore confirms that the minimum price referred to in recital (29) must be determined using the normal value, which will henceforth be determined separately for each type of espadrille and will be lowered as before to the level of the smallest sizes for the reasons set out in recital (58) of Regulation (EEC) No 3798/90.

The minimum prices thus established are as follows:

- ECU 0,93 per pair for type A espadrilles,
and
- ECU 0,99 per pair for type B espadrilles.

These minimum prices, which will constitute the basis for calculating the variable duty and will be valid for all sizes, were established free at Commu-

nity frontier, not cleared through customs. However, to leave as few loopholes as possible, the Council judges it expedient that when the imported products put into free circulation are not invoiced by a Chinese producer, the duty applied should be an *ad valorem* duty reflecting the established dumping margins, i.e. 105,3 % for type A espadrilles and 70,3 % for type B espadrilles.

H. COLLECTION OF PROVISIONAL DUTY

- (32) Several importers, together with the group of nine importers referred to in recital (3), requested that espadrille imports already dispatched or subject to firm contracts at the date on which the provisional duty entered into force should be exempt from the duty and consequently that the provisional duty should not be definitively collected in such cases.

- (33) In accordance with the provisions of Article 2 (1) of Regulation (EEC) No 2423/88, anti-dumping duties are applicable to the products concerned at the moment they enter into free circulation in the Community. Contrary to Council Regulation (EEC) No 288/82 of 5 February 1982 on common rules for imports⁽¹⁾, the anti-dumping Regulation, which is applicable to products imported under conditions of unfair competition, does not provide for any exemptions to this rule. Moreover, it should be recalled that the Commission made considerable efforts to keep the parties concerned informed and that the importers cannot reasonably claim to have been unaware of the proceedings or of the stage to which the investigation had progressed during the period between the initiation of the proceedings and the imposition of the provisional duty.

- (34) Therefore, in view of the size of the established dumping margins and of the serious nature of the injury caused to the Community industry, the Council considers it necessary that the amounts secured by way of the provisional anti-dumping duty should be collected definitively under the definitive duty imposed separately for each type of espadrille — which is rendered possible by the fact that the two types under consideration come under different CN codes — to the extent of the amount of the definitive duty imposed,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of espadrilles originating in the People's Republic of China, falling within CN codes ex 6404 19 90 (Taric code 6404 19 90*10) and ex 6405 20 99 (Taric code 6405 20 99*10).

⁽¹⁾ OJ No L 35, 9. 2. 1982, p. 1.

2. When the products described in paragraph 1 are put into free circulation invoiced by an exporter located in the People's Republic of China, the amount of the duty will be the difference between the minimum prices given hereunder and the net price per pair, free at Community frontier, not cleared through customs:

- ECU 0,99 per pair for espadrilles falling within CN code ex 6404 19 90 (additional Taric code-8545), and
- ECU 0,93 per pair for espadrilles falling within CN code ex 6405 20 99 (additional Taric code-8546).

The free-at-Community-frontier price is net if the effective payment conditions are such that payment is made within thirty days of the date on which the goods arrive on the customs territory of the Community. It is reduced by 1 % for each extra month added to the time allowed for completion of payment.

3. When the products described in paragraph 1 are put into free circulation invoiced by a person other than an exporter located in the People's Republic of China, the amount of the duty, applicable to the net price free-at-Community-frontier, not cleared through customs, is set at:

- 70,3 % for espadrilles falling within CN code ex 6404 19 90 (additional Taric code-8547), and
- 105,3 % for espadrilles falling within CN code ex 6405 20 99 (additional Taric code-8548).

The free-at-Community-frontier price is net if the effective payment conditions are such that payment is made

within thirty days of the date on which the goods arrive on the customs territory of the Community. It is increased by 1 % for each extra month added to the time allowed for completion of payment.

4. For the purposes of this Regulation 'espadrilles' are held to be shoes with unheeled plaited fibre soles, whether or not strengthened with rubber or plastics over a variable surface, which are not thicker than 2.5 cm.

5. The provisions in force concerning customs duties shall apply.

Article 2

Amounts secured by way of the provisional anti-dumping duty imposed by Regulation (EEC) No 3798/90 will be definitively collected to the extent of the amounts secured and to the extent of the amounts resulting from the application of the definitive duty as fixed in Article 1 (2).

Secured amounts in excess of these amounts will be released.

Article 3

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

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

Done at Luxembourg, 24 June 1991.

For the Council

The President

J.-C. JUNCKER

COMMISSION REGULATION (EEC) No 1813/91

of 27 June 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 13 (5) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 533/91⁽⁵⁾ and subsequent amending Regulations;

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

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

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

Whereas these exchange rates being those recorded on 26 June 1991;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 533/91 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 June 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.
⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.
⁽⁵⁾ OJ No L 59, 6. 3. 1991, p. 1.

ANNEX

to the Commission Regulation of 27 June 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Levy
0709 90 60	131,49 ⁽²⁾ ⁽³⁾
0712 90 19	131,49 ⁽²⁾ ⁽³⁾
1001 10 10	191,93 ⁽¹⁾ ⁽³⁾
1001 10 90	191,93 ⁽¹⁾ ⁽³⁾
1001 90 91	155,74
1001 90 99	155,74
1002 00 00	150,39 ⁽⁴⁾
1003 00 10	150,38
1003 00 90	150,38
1004 00 10	130,26
1004 00 90	130,26
1005 10 90	131,49 ⁽²⁾ ⁽³⁾
1005 90 00	131,49 ⁽²⁾ ⁽³⁾
1007 00 90	140,04 ⁽⁴⁾
1008 10 00	41,31
1008 20 00	128,51 ⁽⁴⁾
1008 30 00	36,92 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	36,92
1101 00 00	232,74 ⁽⁶⁾
1102 10 00	225,61 ⁽⁶⁾
1103 11 10	311,13 ⁽⁶⁾
1103 11 90	249,54 ⁽⁶⁾

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

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

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

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

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

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).

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

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

COMMISSION REGULATION (EEC) No 1814/91

of 27 June 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 15 (6) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 3 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3845/90⁽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 26 June 1991;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 June 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 164, 24. 6. 1985, p. 1.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁵⁾ OJ No L 367, 29. 12. 1990, p. 10.

ANNEX

to the Commission Regulation of 27 June 1991 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9
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	3,78	3,78	3,78
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 6	1st period 7	2nd period 8	3rd period 9	4th period 10
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 1815/91

of 27 June 1991

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 24 and 25 June 1991 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 28 June 1991.

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 80, 27. 3. 1991, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 80, 27. 3. 1991, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 80, 27. 3. 1991, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

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

Done at Brussels, 27 June 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX I

Minimum import levies on olive oil

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	77,00 ⁽¹⁾
1509 10 90	77,00 ⁽¹⁾
1509 90 00	89,00 ⁽²⁾
1510 00 10	77,00 ⁽¹⁾
1510 00 90	122,00 ⁽³⁾

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

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

⁽²⁾ For imports of oil falling within this CN code :

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

⁽³⁾ For imports of oil falling within this CN code :

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

ANNEX II

Import levies on other olive oil sector products

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	16,94
0711 20 90	16,94
1522 00 31	38,50
1522 00 39	61,60
2306 90 19	6,16

COMMISSION REGULATION (EEC) No 1816/91

of 27 June 1991

fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation No 2777/75 must be fixed in advance for each quarter;

Whereas, as the levies and sluice-gate prices were fixed latterly in Commission Regulation (EEC) No 745/91⁽³⁾, for the period 1 April to 30 June 1991, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1991;

Whereas the levy on slaughtered poultry is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Annex I to Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat⁽⁴⁾, as last amended by Regulation (EEC) No 3986/87⁽⁵⁾;

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2778/75; whereas the price for the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas the said Article 3 provides that the price for each type of feed grain on the world market shall be

equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1991;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year;

Whereas the levy on chicks must be calculated in the same way as the levy on slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2778/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to chicks;

Whereas the levy on the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the levy on slaughtered poultry on the basis of the coefficients set out in the Annex to Commission Regulation (EEC) No 3011/79 of 20 December 1979 fixing the coefficients for calculating levies on derived poultrymeat products and repealing Regulation No 199/67/EEC⁽⁶⁾, as last amended by Regulation (EEC) No 3986/87⁽⁷⁾;

Whereas, in the case of products falling within CN codes 0207 31, 0207 39 90, 0207 50, 0210 90 71, 0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90, in respect of which the rate of duty has been bound within GATT, the levies must not exceed the amount resulting from that binding;

Whereas the sluice-gate price for slaughtered poultry is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain shown in Annex II to Regulation (EEC) No 2778/75;

Whereas the price for that quantity of cereals must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2778/75;

(¹) OJ No L 282, 1. 11. 1975, p. 77.

(²) OJ No L 128, 11. 5. 1989, p. 29.

(³) OJ No L 80, 27. 3. 1991, p. 27.

(⁴) OJ No L 282, 1. 11. 1975, p. 84.

(⁵) OJ No L 376, 31. 12. 1987, p. 7.

(⁶) OJ No L 337, 29. 12. 1979, p. 65.

(⁷) OJ No L 376, 31. 12. 1987, p. 7.

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1991;

Whereas the second amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2778/75;

Whereas the sluice-gate price for chicks must be calculated in the same way as the sluice-gate price for slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex II to Regulation (EEC) No 2778/75; whereas the standard amount must be that fixed in the same Annex;

Whereas the sluice-gate price for the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the sluice-gate prices for slaughtered poultry on the basis of the coefficients fixed for these products in accordance with Article 5 (3) of that Regulation;

Whereas, by Council Regulations (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹⁾ and (EEC) 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) or the overseas countries and

territories (OCT)⁽²⁾, as last amended by Regulation (EEC) No 523/91⁽³⁾; special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular for certain poultrymeat products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The levies provided for in Article 3 of Regulation (EEC) No 2777/75 and the sluice-gate prices provided for in Article 7 thereof, in respect of the products specified in Article 1 (1), shall be as set out in the Annex hereto.

2. However, in the case of products falling within CN codes 0207 31, 0207 39 90, 0207 50, 0210 90 71, 0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽²⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽³⁾ OJ No L 58, 5. 3. 1991, p. 1.

ANNEX

to the Commission Regulation of 27 June 1991 fixing the sluice-gate prices and levies for poultrymeat ⁽¹⁾

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 units	ECU/100 units	%
0105 11 00	22,30	6,36	—
0105 19 10	98,93	20,95	—
0105 19 90	22,30	6,36	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	77,51	25,75	—
0105 99 10	87,12	40,05	—
0105 99 20	112,93	40,09	—
0105 99 30	102,59	30,12	—
0105 99 50	118,71	41,85	—
0207 10 11	97,38	32,36	—
0207 10 15	110,73	36,79	—
0207 10 19	120,65	40,07	—
0207 10 31	146,55	43,03	—
0207 10 39	160,64	47,17	—
0207 10 51	102,49	47,12	—
0207 10 55	124,46	57,21	—
0207 10 59	138,29	63,56 ⁽²⁾	—
0207 10 71	161,33	57,27	—
0207 10 79	152,20	60,93 ⁽²⁾	—
0207 10 90	169,59	59,78	—
0207 21 10	110,73	36,79	—
0207 21 90	120,65	40,07	—
0207 22 10	146,55	43,03	—
0207 22 90	160,64	47,17	—
0207 23 11	124,46	57,21	—
0207 23 19	138,29	63,56 ⁽²⁾	—
0207 23 51	161,33	57,27	—
0207 23 59	152,20	60,93 ⁽²⁾	—
0207 23 90	169,59	59,78	—
0207 31 00	1 613,30	572,70	3 ⁽³⁾
0207 39 11	283,35	107,65	—
0207 39 13	132,72	44,08	—
0207 39 15	91,46	33,51	—
0207 39 17	63,32	23,20	—
0207 39 21	182,70	60,70	—
0207 39 23	171,63	57,02	—
0207 39 25	281,42	103,10	—
0207 39 27	63,32	23,20	—
0207 39 31	307,76	90,36	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 33	176,70	51,89	—
0207 39 35	91,46	33,51	—
0207 39 37	63,32	23,20	—
0207 39 41	234,48	68,85	—
0207 39 43	109,91	32,27	—
0207 39 45	197,84	58,09	—
0207 39 47	281,42	103,10	—
0207 39 51	63,32	23,20	—
0207 39 53	319,62	127,95 ⁽²⁾	—
0207 39 55	283,35	107,65 ⁽²⁾	—
0207 39 57	152,12	69,92	—
0207 39 61	167,42	67,02 ⁽²⁾	—
0207 39 63	186,55	65,76	—
0207 39 65	91,46	33,51 ⁽²⁾	—
0207 39 67	63,32	23,20 ⁽²⁾	—
0207 39 71	228,30	91,40 ⁽²⁾	—
0207 39 73	182,70	60,70 ⁽²⁾	—
0207 39 75	220,69	88,35 ⁽²⁾	—
0207 39 77	171,63	57,02 ⁽²⁾	—
0207 39 81	193,66	82,70 ⁽²⁾	—
0207 39 83	281,42	103,10	—
0207 39 85	63,32	23,20	—
0207 39 90	161,82	59,28	10
0207 41 10	283,35	107,65	—
0207 41 11	132,72	44,08	—
0207 41 21	91,46	33,51	—
0207 41 31	63,32	23,20	—
0207 41 41	182,70	60,70	—
0207 41 51	171,63	57,02	—
0207 41 71	281,42	103,10	—
0207 41 90	63,32	23,20	—
0207 42 10	307,76	90,36	—
0207 42 11	176,70	51,89	—
0207 42 21	91,46	33,51	—
0207 42 31	63,32	23,20	—
0207 42 41	234,48	68,85	—
0207 42 51	109,91	32,27	—
0207 42 59	197,84	58,09	—
0207 42 71	281,42	103,10	—
0207 42 90	63,32	23,20	—
0207 43 11	319,62	127,95 ⁽²⁾	—
0207 43 15	283,35	107,65 ⁽²⁾	—
0207 43 21	152,12	69,92	—
0207 43 23	167,42	67,02 ⁽²⁾	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 25	186,55	65,76	—
0207 43 31	91,46	33,51 ⁽²⁾	—
0207 43 41	63,32	23,20 ⁽²⁾	—
0207 43 51	228,30	91,40 ⁽²⁾	—
0207 43 53	182,70	60,70 ⁽²⁾	—
0207 43 61	220,69	88,35 ⁽²⁾	—
0207 43 63	171,63	57,02 ⁽²⁾	—
0207 43 71	193,66	82,70 ⁽²⁾	—
0207 43 81	281,42	103,10	—
0207 43 90	63,32	23,20	—
0207 50 10	1 613,30	572,70	3 ⁽³⁾
0207 50 90	161,82	59,28	10
0209 00 90	140,71	51,55	—
0210 90 71	1 613,30	572,70	3
0210 90 79	161,82	59,28	10
1501 00 90	168,85	61,86	18
1602 31 11	293,10	86,06	17
1602 31 19	309,56	113,41	17
1602 31 30	168,85	61,86	17
1602 31 90	98,50	36,08	17
1602 39 11	278,50	107,36	—
1602 39 19	309,56	113,41	17
1602 39 30	168,85	61,86	17
1602 39 90	98,50	36,08	17

⁽¹⁾ The levy on products covered by CN codes 0207, 1602 31 and 1602 39 originating in the ACP/OCT countries and listed in Article 6 of Regulation (EEC) No 715/90 is reduced by 50 % within the limits of the quotas referred to in that Regulation.

⁽²⁾ The levy on such products originating in the developing countries and listed in the Annex to Regulation (EEC) No 3834/90 is reduced by 50 % within the limits of the fixed amounts referred to in that Annex.

⁽³⁾ The Common Customs Tariff duties on these products originating in the developing countries and listed in Regulation (EEC) No 3833/90 are suspended and no levy is to be collected.

COMMISSION REGULATION (EEC) No 1817/91

of 27 June 1991

fixing the sluice-gate prices and levies on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Articles 8 and 12 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75;

Whereas, as the levies and sluice-gate prices were last fixed by Commission Regulation (EEC) No 670/91 of 20 March 1991⁽³⁾, for the period from 1 April to 30 June 1991, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1991;

Whereas the levy on pig carcasses is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain determined in accordance with Article 1 of Council Regulation (EEC) No 2764/75 of 29 October 1975 laying down the rules for calculating a component of the levy on pig carcasses⁽⁴⁾, as last amended by Regulation (EEC) No 4160/87⁽⁵⁾, the composition whereof is indicated therein;

Whereas the value within the Community of that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2764/75; whereas the value for the same quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas Article 3 of that Regulation provides that the price of each cereal on the world market is to be equal to

the average of the cif prices of that cereal; whereas the cif prices are recorded for the five-month period ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1991;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year;

Whereas the levies on the products specified in Article 1 (1) (a) and (b) of Regulation (EEC) No 2759/75 other than pig carcasses must be derived from the levy on pig carcasses on the basis of the coefficients fixed for such products pursuant to Article 10 (4) of Regulation (EEC) No 2759/75 in Annex I to Commission Regulation (EEC) No 3944/87 of 21 December 1987 fixing coefficients for calculating levies on pigmeat products⁽⁶⁾, as amended by Regulation (EEC) No 1251/90⁽⁷⁾;

Whereas the levies on the products specified in Article 1 (1) (c) of Regulation (EEC) No 2759/75 are made up of two components;

Whereas the first component must be derived from the levy on pig carcasses on the basis of the coefficients fixed in Annex II to Regulation (EEC) No 3944/87;

Whereas the second component must be equal to 7 %, and for products falling within CN codes ex 1602 and ex 1902 to 10 % of the average offer prices for imports during the 12 months to 1 April; whereas those averages should be determined bearing in mind all the information available on imports into the Community from third countries, taking into account the representative character of prices;

Whereas, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00, 1602 20 90 and 1602 90 10 in respect of which the rate of duty has been bound under the General Agreement on Tariffs and Trade (GATT), the levies must not exceed the amount resulting from that binding;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 75, 21. 3. 1991, p. 13.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 21.

⁽⁵⁾ OJ No L 392, 31. 12. 1987, p. 46.

⁽⁶⁾ OJ No L 373, 31. 12. 1987, p. 25.

⁽⁷⁾ OJ No L 121, 12. 5. 1990, p. 29.

Whereas, for pig carcasses and other products referred to in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the rules for fixing the sluice-gate price for pig carcasses ⁽¹⁾, as last amended by Regulation (EEC) No 3909/87 ⁽²⁾, the sluice-gate prices must be fixed in advance for each quarter;

Whereas the sluice-gate price for pig carcasses is made up of three components;

Whereas the first component must be equal to the value on the world market of the quantity of feed grain equivalent to the quantity of feedingstuffs required for the production in third countries of one kilogram of pigmeat, such quantity being composed as provided in Article 2 (1) of Regulation (EEC) No 2766/75;

Whereas the value of that quantity of grain must be determined in accordance with Article 2 (2) and (3) of Regulation (EEC) No 2766/75;

Whereas the said Article 2 provides that the price for each cereal on the world market shall be equal to the average of the cif prices of such cereal; whereas the cif prices shall be determined for the period of five months ending one month before the quarter in respect of which the said amount is calculated; whereas that period is 1 January to 31 May 1991;

Whereas the second component, which represents the extra cost, in relation to feed grain of feedingstuffs other than grain required for the production of one kilogram of pigmeat, shall, in accordance with Article 3 (1) of Regulation (EEC) No 2766/75, be 15 % of the value of the quantity of feed grain;

Whereas the third amount, which represents overhead costs of production and marketing, shall, in accordance with Article 3 (2) of Regulation (EEC) No 2766/75, be ECU 38,69 per 100 kilograms of pig carcasses;

Whereas the sluice-gate prices of products referred to in Article 1 of Regulation (EEC) No 2766/75, other than pig carcasses, must be derived from the sluice-gate price for

pig carcasses on the basis of the coefficients laid down by Regulation (EEC) No 3944/87;

Whereas, by Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries ⁽³⁾ and Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) or the overseas countries and territories (OCT) ⁽⁴⁾, as last amended by Regulation (EEC) No 523/91 ⁽⁵⁾, special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular of certain pigmeat products;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the period 1 July to 30 September 1991 the sluice-gate prices and levies provided for in Articles 12 and 8 respectively of Regulation (EEC) No 2759/75 for the products referred to in Article 1 (1) thereof shall be as set out in the Annex hereto.

2. Nevertheless, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00, 1602 20 90 and 1602 90 10, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 25.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

⁽³⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 58, 5. 3. 1991, p. 1.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 1991 fixing the sluice-gate prices and levies on pigmeat

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
0103 91 10	68,24	51,95	—
0103 92 11	58,04	44,18	—
0103 92 19	68,24	51,95	—
0203 11 10	88,74	67,56	—
0203 12 11	128,67	97,96	—
0203 12 19	99,39	75,67	—
0203 19 11	99,39	75,67	—
0203 19 13	143,76	109,44	—
0203 19 15	77,20	58,78	—
0203 19 55	143,76	109,44	—
0203 19 59	143,76	109,44	—
0203 21 10	88,74	67,56	—
0203 22 11	128,67	97,96	—
0203 22 19	99,39	75,67	—
0203 29 11	99,39	75,67	—
0203 29 13	143,76	109,44 ⁽¹⁾	—
0203 29 15	77,20	58,78	—
0203 29 55	143,76	109,44 ⁽¹⁾	—
0203 29 59	143,76	109,44	—
0206 30 21	107,38	81,75	7
0206 30 31	78,09	59,45	4
0206 41 91	107,38	81,75	7
0206 49 91	78,09	59,45	4
0209 00 11	35,50	27,02	—
0209 00 19	39,05	29,73	—
0209 00 30	21,30	16,21	—
0210 11 11	128,67	97,96 ⁽¹⁾	—
0210 11 19	99,39	75,67	—
0210 11 31	250,25	190,52	—
0210 11 39	197,00	149,98	—
0210 12 11	77,20	58,78 ⁽¹⁾	—
0210 12 19	128,67	97,96	—
0210 19 10	113,59	86,48	—
0210 19 20	124,24	94,58	—
0210 19 30	99,39	75,67	—
0210 19 40	143,76	109,44 ⁽¹⁾	—
0210 19 51	143,76	109,44	—
0210 19 59	143,76	109,44	—
0210 19 60	197,00	149,98	—
0210 19 70	247,58	188,49	—
0210 19 81	250,25	190,52	—
0210 19 89	250,25	190,52	—
0210 90 31	107,38	81,75	—
0210 90 39	78,09	59,45	—
1501 00 11	28,40	21,62	3
1501 00 19	28,40	21,62	—
1601 00 10	124,24	110,32 ⁽²⁾	24
1601 00 91	208,54	196,71 ⁽¹⁾ ⁽²⁾	—

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg)	Conventional rate of duty bound within GATT (%)
1601 00 99	141,98	129,99 ⁽¹⁾ ⁽²⁾	—
1602 10 00	99,39	103,49	26
1602 20 90	115,36	114,94	25
1602 41 10	217,41	199,66	—
1602 42 10	181,92	163,25	—
1602 49 11	217,41	211,76	—
1602 49 13	181,92	170,82	—
1602 49 15	181,92	156,56 ⁽¹⁾	—
1602 49 19	119,80	110,12 ⁽¹⁾	—
1602 49 30	99,39	92,29	—
1602 49 50	59,46	66,51	—
1602 90 10	115,36	109,09	26
1602 90 51	119,80	107,49	—
1902 20 30	59,46	57,75	—

⁽¹⁾ The levy on products originating in the developing countries and listed in the Annex to Regulation (EEC) No 3834/90 is reduced by 50 % within the limits of the fixed amounts referred to in that Annex.

⁽²⁾ The levy on products originating in the ACP States/OCT countries and listed in Article 8 of amended Regulation (EEC) No 715/90 reduced by 50 % within the limits of the quotas referred to in that Regulation.

NB: The CN codes and the footnotes are defined in amended Commission Regulation (EEC) No 2658/87 (OJ No L 256, 7. 9. 1987, p. 1).

COMMISSION REGULATION (EEC) No 1818/91
of 27 June 1991
fixing the sluice-gate prices and levies for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed in advance for each quarter;

Whereas, as the levies and sluice-gate prices were fixed latterly in Commission Regulation (EEC) No 744/91⁽³⁾ for the period 1 April to 30 June 1991, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1991;

Whereas the levy on eggs in shell is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Annex I to Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs⁽⁴⁾, as last amended by Regulation (EEC) No 4155/87⁽⁵⁾;

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2773/75; whereas the price for the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas the said Article 3 provides that the prices for each type of feed grain on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component

is calculated; whereas that period is 1 January to 31 May 1991;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year;

Whereas the levy on eggs for hatching must be calculated in the same way as the levy on eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2773/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to eggs for hatching;

Whereas the levy on the products specified in Article 1 (1) (b) of Regulation (EEC) No 2771/75 must be derived from the levy on eggs in shell on the basis of the coefficients set out in the Annex to Commission Regulation No 164/67/EEC of 26 June 1967 fixing the factors for calculating levies and sluice-gate prices for derived egg products⁽⁶⁾, as last amended by Regulation (EEC) No 4155/87;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed in advance for each quarter;

Whereas the sluice-gate price for eggs in shell is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain specified in Annex II to Regulation (EEC) No 2773/75;

Whereas the price for that quantity of grain must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2773/75;

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1991;

Whereas the second amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2773/75;

Whereas the sluice-gate price for eggs for hatching must be calculated in the same way as the sluice-gate price for eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that specified in Annex II to Regulation (EEC) No 2773/75; whereas the standard amount must be that fixed in the same Annex;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 80, 27. 3. 1991, p. 25.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 64.

⁽⁵⁾ OJ No L 392, 31. 12. 1987, p. 29.

⁽⁶⁾ OJ No 129, 28. 6. 1967, p. 2578/67.

Whereas the sluice-gate prices for the products specified in Article 1 (1) (b) of Regulation (EEC) No 2771/75 must be derived from the sluice-gate prices for eggs in shell, taking into account the value of the basic product, the coefficients for those products fixed in accordance with Article 5 (2) of that Regulation and the standard amount fixed in the Annex to Regulation No 164/67/EEC;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate prices for whole products, account must be taken of the absence of certain marketing costs specific to eggs in shell, and of a percentage reflecting the lower prices generally obtained for eggs intended for processing; whereas these marketing costs — to be deducted from the sluice-gate price for eggs in shell — may be assessed at 0,0967 ECU per kilogram; whereas the percentage to be deducted from that reduced sluice-gate price may be assessed at 20 %;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate prices for separated products, the same reduction in marketing costs as for whole products should be allowed for; whereas, however, the percentage to be deducted should be lower than that

taken for whole products, as the production of separated products requires the use of fresh eggs; whereas this percentage may be assessed at 7 %;

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

HAS ADOPTED THIS REGULATION:

Article 1

The levies provided for in Article 3 of Regulation (EEC) No 2771/75 and the sluice-gate prices provided for in Article 7 thereof, in respect of the products specified in Article 1 (1) thereof, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 1991 fixing the sluice-gate prices and levies for eggs

CN code	Sluice-gate price	Levy
	ECU/100 units	ECU/100 units
0407 00 11	51,38	13,62
0407 00 19	10,88	4,20
	ECU/100 kg	ECU/100 kg
0407 00 30	82,60	36,05
0408 11 10	402,03	168,71
0408 19 11	181,87	73,54
0408 19 19	193,79	78,59
0408 91 10	337,45	162,95
0408 99 10	89,43	41,82

COMMISSION REGULATION (EEC) No 1819/91

of 27 June 1991

fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽¹⁾, as amended by Regulation (EEC) No 4001/87⁽²⁾, and in particular Article 2 (2) and the second subparagraph of Article 5 (5) thereof,

Whereas the sluice-gate prices and import duties for the products specified in Article 1 of Regulation (EEC) No 2783/75 must be fixed quarterly in advance; whereas they must be fixed by reference to the sluice-gate price and levy applicable to eggs in shell during the same period;

Whereas these have been fixed by Commission Regulation (EEC) No 1818/91 of 27 June 1991 fixing the sluice-gate prices and levies for eggs⁽³⁾;Whereas, since sluice-gate prices and import duties for ovalbumin and lactalbumin were last fixed by Commission Regulation (EEC) No 746/91⁽⁴⁾, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1991;Whereas the methods for calculating sluice-gate prices and import duties are laid down in Commission Regulation No 200/67/EEC⁽⁵⁾; whereas these methods should be used to calculate the sluice-gate prices and import duties for the coming quarter;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties provided for in Article 2 of Regulation (EEC) No 2783/75 and the sluice-gate prices provided for in Article 5 thereof, in respect of the products specified in Article 1, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.⁽²⁾ OJ No L 377, 31. 12. 1987, p. 44.⁽³⁾ See page 24 of this Official Journal.⁽⁴⁾ OJ No L 80, 27. 3. 1991, p. 32.⁽⁵⁾ OJ No 134, 30. 6. 1967, p. 2834/67.

ANNEX

to the Commission Regulation of 27 June 1991 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

CN code	Sluice-gate price	Import duty
	ECU/100 kg	ECU/100 kg
3502 10 91	386,57	146,36
3502 10 99	51,81	19,83
3502 90 51	386,57	146,36
3502 90 59	51,81	19,83

COMMISSION REGULATION (EEC) No 1820/91
of 27 June 1991
fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

Whereas, in the case of products falling within CN codes 0210 19 51 and 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market; whereas it is important that the

Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 91 81;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 39.

ANNEX

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

(ECU/100 kg net weight)

Product code	Destination of refund (1)	Amount of refund
0103 91 10 000	01	20,00
0103 92 19 000	01	20,00
0203 11 10 000	01	30,00
0203 12 11 000	01	30,00
0203 12 19 000	01	30,00
0203 19 11 000	01	30,00
0203 19 13 000	01	30,00
0203 19 15 000	01	20,00
0203 19 55 120	01	30,00
0203 19 55 190	01	30,00
0203 19 55 310	01	20,00
0203 19 55 390	01	20,00
0203 19 55 900	01	—
0203 21 10 000	01	30,00
0203 22 11 000	01	30,00
0203 22 19 000	01	30,00
0203 29 11 000	01	30,00
0203 29 13 000	01	30,00
0203 29 15 000	01	20,00
0203 29 55 120	01	30,00
0203 29 55 190	01	30,00
0203 29 55 310	01	20,00
0203 29 55 390	01	20,00
0203 29 55 900	01	—
0210 11 11 000	01	30,00
0210 11 31 100	01	70,00
0210 11 31 900	01	52,00
0210 12 11 000	01	20,00
0210 12 19 000	01	35,00
0210 19 40 000	01	30,00
0210 19 51 100	01	30,00

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

(¹) The destinations are as follows :

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

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

COMMISSION REGULATION (EEC) No 1821/91

of 27 June 1991

fixing the export refunds on poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Regulation (EEC) No 2777/75 of the Council of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by Regulation (EEC) No 1235/89 ⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 2779/75 of the Council ⁽³⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the poultrymeat sector;

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁵⁾;
- for the other currencies, an exchange rate based on an average of the ecu rates published in the *Official Journal of the European Communities*, C series, over a period to be determined, multiplied by the coefficient referred to in the preceding indent;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX
to the Commission Regulation of 27 June 1991 fixing the export refunds on
poultrymeat

Product code	Destination of refund (1)	Amount of refund
		ECU/100 units
0105 11 00 000	10	4,20
	09	5,00
0105 19 10 000	01	8,40
0105 19 90 000	01	4,20
		ECU/100 kg
0105 91 00 000	01	17,00
0207 10 11 000	01	15,00
0207 10 15 000	04	34,00
	05	29,00
	06	25,00
0207 10 19 100	04	38,00
	05	33,00
	06	25,00
0207 10 19 900	01	25,00
0207 10 31 000	01	28,00
0207 10 39 000	01	28,00
0207 10 51 000	07	30,00
	08	35,00
0207 10 55 000	07	30,00
	08	40,00
0207 10 59 000	07	30,00
	08	40,00
0207 21 10 000	04	34,00
	05	29,00
	06	25,00
0207 21 90 100	04	38,00
	05	33,00
	06	25,00
0207 21 90 900	01	25,00
0207 22 10 000	01	28,00
0207 22 90 000	01	28,00
0207 23 11 000	07	30,00
	08	40,00
0207 23 19 000	07	30,00
	08	40,00
0207 39 11 110	01	8,00
0207 39 11 190	—	—
0207 39 11 910	—	—
0207 39 11 990	01	50,00
0207 39 13 000	02	30,00
	03	28,00
0207 39 15 000	01	10,00
0207 39 21 000	01	37,00
0207 39 23 000	02	39,00
	03	36,00
0207 39 25 100	02	30,00
	03	28,00
0207 39 25 200	02	30,00
	03	28,00
0207 39 25 300	02	30,00
	03	28,00
0207 39 25 400	01	5,00
0207 39 25 900	—	—
0207 39 31 110	01	8,00
0207 39 31 190	—	—
0207 39 31 910	—	—
0207 39 31 990	01	50,00
0207 39 33 000	01	28,00

Product code	Destination of refund (1)	Amount of refund
		ECU/100 kg
0207 39 35 000	01	13,00
0207 39 41 000	01	37,00
0207 39 43 000	01	18,00
0207 39 45 000	01	36,00
0207 39 47 100	01	13,00
0207 39 47 900	—	—
0207 39 55 110	01	8,00
0207 39 55 190	—	—
0207 39 55 910	—	—
0207 39 55 990	01	54,00
0207 39 57 000	01	44,00
0207 39 65 000	01	15,00
0207 39 73 000	07	30,00
	08	44,00
0207 39 77 000	07	29,00
	08	43,00
0207 41 10 110	01	8,00
0207 41 10 190	—	—
0207 41 10 910	—	—
0207 41 10 990	01	50,00
0207 41 11 000	02	30,00
	03	28,00
0207 41 21 000	01	10,00
0207 41 41 000	01	37,00
0207 41 51 000	02	39,00
	03	36,00
0207 41 71 100	02	30,00
	03	28,00
0207 41 71 200	02	30,00
	03	28,00
0207 41 71 300	02	30,00
	03	28,00
0207 41 71 400	01	5,00
0207 41 71 900	—	—
0207 42 10 110	01	8,00
0207 42 10 190	—	—
0207 42 10 910	—	—
0207 42 10 990	01	50,00
0207 42 11 000	01	28,00
0207 42 21 000	01	13,00
0207 42 41 000	01	37,00
0207 42 51 000	01	18,00
0207 42 59 000	01	36,00
0207 42 71 100	01	13,00
0207 42 71 900	—	—
0207 43 15 110	01	8,00
0207 43 15 190	—	—
0207 43 15 910	—	—
0207 43 15 990	01	54,00
0207 43 21 000	01	44,00
0207 43 31 000	01	15,00
0207 43 53 000	07	30,00
	08	44,00
0207 43 63 000	07	29,00
	08	43,00
1602 39 11 100	01	19,00
1602 39 11 900	—	—

(¹) The destinations are as follows :

- 01 All destinations except the United States of America,
- 02 Egypt, the Canary Islands, Ceuta and Melilla, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, the Republic of Yemen, Iraq and the Soviet Union,
- 03 All destinations except the United States of America and those of 02 above,
- 04 Egypt, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, Singapore, the Republic of Yemen, Iraq and the Soviet Union,
- 05 Canary Islands, Ceuta and Melilla,
- 06 All destinations except the United States of America and those of 04 and 05 above,
- 07 Hungary, Poland, Romania, Yugoslavia, Czechoslovakia and Bulgaria,
- 08 All destinations except the United States of America and those of 07 above,
- 09 Saudi Arabia, Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates and the Republic of Yemen,
- 10 All destinations except the United States of America and those of 09 above.

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

COMMISSION REGULATION (EEC) No 1822/91

of 27 June 1991

fixing the export refunds on eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by Regulation (EEC) No 1235/89 ⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 9 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2774/75 of 29 October 1975 ⁽³⁾ lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

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

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

rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽⁴⁾, as last amended by Regulation (EEC) No 2205/90 ⁽⁵⁾;

- 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 it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of codes of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 68.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 27 June 1991 fixing the export refunds on eggs

Product code	Destination (1)	Amount of refund
		ECU/100 units
0407 00 11 000	02	5,20
0407 00 19 000	06	3,00
	05	3,80
		ECU/100 kg
0407 00 30 000	04	18,00
	03	28,00
0408 11 10 000	01	96,00
0408 19 11 000	01	47,00
0408 19 19 000	01	51,00
0408 91 10 000	01	90,00
0408 99 10 000	01	15,00

(1) The destinations are as follows:

- 01 All destinations,
- 02 All destinations except the United States of America,
- 03 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen, and Hong Kong,
- 04 All destinations except those of 03,
- 05 Saudi Arabia, Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates and the Republic of Yemen,
- 06 All destinations except the United States of America and those of 05 above.

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

COMMISSION REGULATION (EEC) No 1823/91

of 24 June 1991

opening individual sales by invitation to tender for the export of vinous alcohol held by 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 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾,

Whereas Commission Regulation (EEC) No 1780/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 270/91 ⁽⁵⁾, lays down detailed rules for the disposal of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas, in view of the cost of storing alcohol, individual sales by invitation to tender should be opened for vinous alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Spanish, French and Italian intervention agencies;

Whereas individual sales by invitation to tender should be organized for the export of alcohol to certain third countries for end use as motor fuel; whereas these countries should be given the assurance of increased continuity of supply;

Whereas the invitations to tender opened by this Regulation relate to certain third countries where there is some guarantee that exports of vinous alcohol will not disturb their markets in alcohol and spirituous beverages; whereas the amount and detailed rules for the release of the performance security may be adapted accordingly;

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

1. Three individual sales by invitation to tender Nos 69/91 to 71/91 shall be held of a total quantity of 800 000

hectolitres of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Spanish, French and Italian intervention agencies. Invitations to tender Nos 69/91 and 70/91 shall each be for a quantity of 200 000 hectolitres of alcohol at 100 % vol. Invitation to tender No 71/91 shall be for a quantity of 400 000 hectolitres of alcohol at 100 % vol.

2. The alcohol offered for sale:

— shall be for export outside the European Economic Community,

— must be imported into and dehydrated in one of the following third countries:

- Guatemala,
 - Belize,
 - Honduras, including the Swan Islands,
 - El Salvador,
 - Costa Rica,
 - St Christopher and Nevis,
 - Haiti,
 - Bahamas,
 - Dominican Republic,
 - Antigua and Barbuda,
 - Dominica,
 - British Virgin Islands and Montserrat,
 - Jamaica,
 - St Lucia,
 - St Vincent, including the Northern Grenadines,
 - Barbados,
 - Trinidad and Tobago,
 - Grenada, including the Southern Grenadines,
 - Aruba,
 - Netherlands Antilles: Curaçao, Bonaire, St Eustace, Saba and the southern part of St Martin,
 - Guyana,
 - Virgin Islands of the United States,
- must be used only as motor fuel.

Article 2

The location and reference numbers of the vats concerned, the quantity of alcohol contained in each vat, the alcoholic strength and the characteristics of the alcohol shall be specified in the notices of individual invitation to tender Nos 69/91 to 71/91.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 178, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 28, 2. 2. 1991, p. 23.

Article 3

The sales shall take place in accordance with Regulation (EEC) No 1780/89, and in particular Articles 10 to 17 and 29 to 38 thereof.

However:

- one half of the performance security shall be released by the intervention agency holding the alcohol on removal of the quantity concerned from the agency's stores when the successful tenderer furnishes proof that that quantity has been placed under customs supervision in the territory of one of the third countries listed in Article 1 (2),
- the remainder of the performance security shall be released in accordance with Article 33 (3) (b) of Regulation (EEC) No 1780/89.

In addition, to be admissible, tenders must indicate the place where end use of the alcohol awarded is to take place and must include an undertaking by the tenderer to the effect that the alcohol will be sent to that destination and used for that purpose.

Tenders must also include a statement by the tenderer to the effect that he has engaged an operator in the motor

fuel sector in one of the third countries listed in Article 1 (2) who has undertaken to dehydrate the alcohol awarded in one of these countries and to export it for use solely in the motor fuel sector.

Article 4

The specific conditions applying to the three individual sales by invitation to tender and the names and addresses of the intervention agencies concerned shall be given in the notices of individual invitation to tender Nos 69/91 to 71/91 published in the 'C' series of the *Official Journal of the European Communities*.

Article 5

The deadline for the submission of tenders at the address given in the notices of invitation to tender shall be 12 noon (Brussels time) on 15 July 1991.

Article 6

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, 24 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1824/91

of 27 June 1991

fixing for the 1991/92 marketing year, the threshold prices for cereals and for certain classes of 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 3577/90 ⁽²⁾, and in particular Article 5 (5) and (6) thereof,

Whereas Article 5 (1) of Regulation (EEC) No 2727/75 provides that the threshold price for the principal cereals must be fixed in such a way that the selling price for imported products on the Duisburg market is the same as the target price; whereas this is achieved by deducting from the target price the most advantageous transport costs between Rotterdam and Duisburg, transshipment charges at Rotterdam and a trading margin; whereas the target prices have been fixed for the 1991/92 marketing year by Council Regulation (EEC) No 1704/91 ⁽³⁾;

Whereas the threshold prices for other cereals for which no target price is fixed must, in accordance with Article 5 (2) of Regulation (EEC) No 2727/75, be so determined that the target price for the principal cereals in competition with these products may be reached on the Duisburg market;

Whereas, pursuant to Article 5 (5) of the abovementioned Regulation, the threshold prices for wheat flour, meslin flour and rye flour and for wheat groats and meal must be fixed according to the rules and for the standard qualities laid down in Articles 5, 6 and 7 of Council Regulation (EEC) No 2226/88 ⁽⁴⁾; whereas the calculations made in accordance with those rules give the prices shown below;

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

Without prejudice to the last subparagraph of Article 5 (1) of Regulation (EEC) No 2727/75, the threshold prices for the 1991/92 marketing year for the products listed in Article 1 (a), (b) and (c) of the said Regulation shall be fixed as follows:

	(ECU/tonne)
Common wheat and meslin:	228,67,
Rye:	207,74,
Barley:	207,74,
Maize:	207,74,
Durum wheat:	272,62,
Oats:	199,43,
Buckwheat:	207,74,
Sorghum:	207,74,
Millet:	207,74,
Canary seed:	207,74,
Wheat and meslin flour:	346,89,
Rye flour:	319,84,
Common wheat groats and meal:	374,64,
Durum wheat groats and meal:	426,75.

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 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 162, 26. 6. 1991, p. 4.

⁽⁴⁾ OJ No L 197, 26. 7. 1988, p. 23.

COMMISSION REGULATION (EEC) No 1825/91

of 27 June 1991

fixing the accession compensatory amounts applicable to Spain to cereals for the 1991/92 marketing year and the coefficient to be used for calculating the amounts applicable to processed products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 467/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts for cereals on account of the accession of Spain⁽¹⁾, and in particular Article 7 thereof,

Whereas, in accordance with Article 72 (1) of the Act of Accession, accession compensatory amounts are to be equal to the difference between the prices fixed for Spain and the intervention prices applying in the Community as constituted at 31 December 1985, those latter prices constituting the guarantee to the producer; whereas, however, following the amendments to the intervention arrangements provided for in Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽²⁾, as last amended by Regulation (EEC) No 3577/90⁽³⁾, buying in is to be carried out at a level lower than the intervention price; whereas that level, which henceforward constitutes the actual guarantee to the producer, must accordingly serve as a basis for calculating the accession compensatory amounts;

Whereas, in view of the alignment from 1 July 1989 of Spanish prices on Community prices for all cereals with the exception of durum wheat, accession compensatory amounts should only be fixed for the latter cereal and for meal;

Whereas, in accordance with Article 111 (3) of the Act of Accession, the accession compensatory amounts applicable to processed products are to be derived from

those applicable to the products to which they are related, with the help of coefficients to be determined; whereas those coefficients must be fixed taking account of the fact that the accession compensatory amounts apply to imports, to exports and in trade between the Community as constituted at 31 December 1985 and Spain;

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 accession compensatory amounts applicable to Spain to the products listed in Article 1 (b) and (c) of Regulation (EEC) No 2727/75 for the 1991/92 marketing year shall be as follows:

CN code	Accession compensatory amount (ECU/tonne)	Coefficient
1001 10 10	10,55	—
1001 10 90	10,55 ⁽¹⁾	—
1103 11 10	16,35	1,55

⁽¹⁾ For a batch of durum wheat comprising more than 5 % common wheat, the amount to be granted is to be reduced in proportion to the amount by which that percentage is exceeded.

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 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 53, 1. 3. 1986, p. 25.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 353, 17. 12. 1990, p. 23.

COMMISSION REGULATION (EEC) No 1826/91
of 27 June 1991

laying down the accession compensatory amounts applicable to Portugal in the cereals sector for the 1991/92 marketing year and the coefficient to be used for calculating the amounts applicable to processed products

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

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

Having regard to Council Regulation (EEC) No 3654/90 of 11 December 1990 laying down the general rules for the scheme of accession compensatory amounts in the cereals sector during the second stage of accession of Portugal⁽¹⁾, and in particular Article 5 thereof,

Whereas, in view of the alignment, with effect from 1 January 1991, of Portuguese prices on Community prices for all cereals with the exception of common wheat, accession compensatory amounts should be fixed for the latter and products derived therefrom only;

Whereas, in accordance with Regulation (EEC) No 3654/90, the accession compensatory amounts applicable to processed products are obtained by adjusting those applicable to the products from which they are derived by of coefficients to be determined; whereas the said coefficients must be fixed in the light of the fact that the accession compensatory amounts apply to imports, exports and

trade between Portugal and the other Member States alike;

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 accession compensatory amounts applicable to Portugal for the 1991/92 marketing year to common wheat and products derived therefrom referred to in Article 1 (a), (c) and (d) of Council Regulation (EEC) No 2727/75⁽²⁾ shall be as laid down in the Annex hereto.

Article 2

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

It shall apply from 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 362, 27. 12. 1990, p. 31.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

ANNEX

CN code	Coefficient	Accession compensatory amount (in ecu/tonne)
1001 90 91	—	39,71
1001 90 99	—	39,71
1101 00 00	1,34	53,21
1103 11 90	1,45	57,58
1103 21 00	1,02	40,50
1104 19 10	1,02	40,50
1104 29 11	1,02	40,50
1104 29 31	1,02	40,50
1104 29 91	1,02	40,50
1104 30 10	0,75	29,78
1107 10 11	1,78	70,68
1107 10 19	1,33	52,81
1108 11 00	1,69	67,11
1109 00 00	2,3	91,33
2302 30 10	0,14	5,56
2302 30 90	0,29	11,52

COMMISSION REGULATION (EEC) No 1827/91

of 27 June 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

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,

Having regard to the opinion of the Monetary Committee,

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;

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 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;

⁽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.

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;

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 1614/91⁽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;

⁽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 364, 28. 12. 1990, p. 21.

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 0,24 ECU per 100 kilograms of live weight from the price previously used, the latter is retained;

Whereas levies must be fixed having regard to the obligations arising from international agreements concluded by the Community; whereas account should also be taken of Council Regulation (EEC) No 314/83 of 24 January 1983 on the conclusion of the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽¹⁾, and of Council Decision 87/605/EEC of 21 December 1987 on the conclusion of the additional Protocol to the Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia⁽²⁾, anticipating a reduction in the levy applicable on imports into the Community of certain products in the beef and veal sector originating in and coming from Yugoslavia;

Whereas Council Regulation (EEC) No 715/90⁽³⁾, as last amended by Regulation (EEC) No 523/91⁽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 or in the overseas countries and territories;

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;

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⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾,
- 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 1 July 1991.

⁽¹⁾ OJ No L 41, 14. 2. 1983, p. 1.

⁽²⁾ OJ No L 389, 31. 12. 1987, p. 72.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 149, 14. 6. 1991, p. 29.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 1991 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Yugoslavia ⁽²⁾	Austria/Sweden/ Switzerland	Other third countries
— Live weight —			
0102 90 10	—	26,638	(¹) 124,192
0102 90 31	21,788	26,638	(¹) 124,192
0102 90 33	—	26,638	(¹) 124,192
0102 90 35	21,788	26,638	(¹) 124,192
0102 90 37	21,788	26,638	(¹) 124,192
— Net weight —			
0201 10 10	—	50,613	(¹) 235,964
0201 10 90	41,397	50,613	(¹) 235,964
0201 20 21	—	50,613	(¹) 235,964
0201 20 29	41,397	50,613	(¹) 235,964
0201 20 31	—	40,491	(¹) 188,771
0201 20 39	33,118	40,491	(¹) 188,771
0201 20 51	49,677	60,736	(¹) 283,157
0201 20 59	49,677	60,736	(¹) 283,157
0201 20 90	—	75,919	(¹) 353,946
0201 30 00	—	86,841	(¹) 404,864
0206 10 95	—	86,841	(¹) 404,864
0210 20 10	—	75,919	353,946
0210 20 90	—	86,841	404,864
0210 90 41	—	86,841	404,864
0210 90 90	—	86,841	404,864
1602 50 10	—	86,841	404,864
1602 90 61	—	86,841	404,864

(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 or in the overseas countries and territories.

(²) This levy is applicable only to products complying with the provisions of the Commission Regulation (EEC) No 1368/88 (OJ No L 126, 20. 5. 1988, p. 26).

COMMISSION REGULATION (EEC) No 1828/91
of 27 June 1991
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,

Having regard to the opinion of the Monetary Committee,

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 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.

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 1614/91 ⁽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 the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled ;

Whereas Council Regulation (EEC) No 715/90 ⁽³⁾, as last amended by Regulation (EEC) No 523/91 ⁽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 or in the overseas countries and territories ;

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 149, 14. 6. 1991, p. 29.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 58, 5. 3. 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 1 July 1991.

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

Done at Brussels, 27 June 1991.

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 27 June 1991 fixing the import levies on frozen beef and veal ⁽¹⁾

(ECU/100 kg)	
CN code	Levy
	— Net weight —
0202 10 00	(¹) 187,587
0202 20 10	(¹) 187,587
0202 20 30	(¹) 150,070
0202 20 50	(¹) 234,484
0202 20 90	(¹) 281,381
0202 30 10	(¹) 234,484
0202 30 50	(¹) 234,484
0202 30 90	(¹) 322,650
0206 29 91	(¹) 322,650

(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 or in the overseas countries and territories.

COMMISSION REGULATION (EEC) No 1829/91**of 27 June 1991****fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90**

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

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

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

Whereas Commission Regulation (EEC) No 3192/90 ⁽⁴⁾, issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Article 6 of Regulation (EEC) No 3192/90 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Community and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

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

Whereas the Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 June 1991.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

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

⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 304, 1. 11. 1990, p. 96.

ANNEX

to the Commission Regulation of 27 June 1991 fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3192/90

(ECU/100 kg)

Product code	Amount of refund
1509 10 90 100	15,00
1509 10 90 900	—
1509 90 00 100	30,00
1509 90 00 900	—
1510 00 90 100	3,00
1510 00 90 900	—

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

COMMISSION REGULATION (EEC) No 1830/91

of 27 June 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 1720/91⁽²⁾,Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods⁽³⁾, as last amended by Regulation (EEC) No 2903/89⁽⁴⁾, and in particular Articles 3 and 5 thereof,

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

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

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

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

Whereas Council Regulation (EEC) No 3416/90⁽⁵⁾ set the rates of consumption aid applicable in Spain and Portugal;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the months of July and August 1991, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 96,46 per 100 kilograms for olive oil produced in the Community and utilized in Member States other than Spain and Portugal,
- ECU 38,00 per 100 kilograms for olive oil other than that referred to in the preceding indent, utilized in the Member States other than Spain and Portugal,
- ECU 54,08 per 100 kilograms for olive oil produced in the Community and utilized in Spain,
- ECU 12,87 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Spain,
- ECU 87,84 per 100 kilograms for olive oil produced in the Community and utilized in Portugal,
- ECU 41,84 per 100 kilograms for olive oil, other than that referred to in the preceding indent, utilized in Portugal.

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 162, 26. 6. 1991, p. 27.⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.⁽⁵⁾ OJ No L 330, 29. 11. 1990, p. 6.

COMMISSION REGULATION (EEC) No 1831/91

of 27 June 1991

on a decision to make no award in respect of the ninth partial invitation to tender for white sugar issued in connection with the standing invitation to tender referred to in Regulation (EEC) No 963/91

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

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

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

Whereas Commission Regulation (EEC) No 963/91 of 18 April 1991 on a standing invitation to tender in order to determine levies and/or refunds on exports of white sugar ⁽³⁾ requires that partial invitations to tender be issued for the export of the sugar in question; whereas, pursuant to Article 8 (2) of Regulation (EEC) No 963/91, a decision may be taken to make no award in respect of a specific partial invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

No award shall be made in respect of the ninth partial invitation to tender for white sugar issued under Regulation (EEC) No 963/91 for which the time limit for the submission of tenders expired on 26 June 1991.

Article 2

This Regulation shall enter into force on 28 June 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 100, 20. 4. 1991, p. 9.

COMMISSION REGULATION (EEC) No 1832/91

of 27 June 1991

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

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

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed

from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

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

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

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

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 export refunds on malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 1991 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund
1107 10 19 000	0
1107 10 99 000	0
1107 20 00 000	0

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

COMMISSION REGULATION (EEC) No 1833/91

of 27 June 1991

fixing the corrective amount applicable to the refund on 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 Council Regulation (EEC) No 3577/90⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for

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

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 (EEC) 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;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.
⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽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, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 1991 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)						
Product code	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)						
Product code	6th period 1	7th period 2	8th period 3	9th period 4	10th period 5	11th period 6
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1834/91

of 27 June 1991

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the exist-

ing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas, if the system of corrective amounts is to operate normally, corrective amounts 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 (EEC) 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;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 1 July 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 1991 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)								
Product code	Destination (1)	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12	6th period 1
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	0	0	0	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 600	01	0	0	0	0	0	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	0	0	0	0	0	0
1103 11 10 200	01	0	0	0	0	0	0	0
1103 11 10 500	01	0	0	0	0	0	0	0
1103 11 10 900	01	0	0	0	0	0	0	0
1103 11 90 100	01	0	0	0	0	0	—	—
1103 11 90 900	—	—	—	—	—	—	—	—

(1) For the following destinations:

01 All third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 53), as last amended by Regulation (EEC) No 3049/89 (OJ No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 1835/91

of 27 June 1991

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1806/89 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Having regard to the opinion of the Monetary Committee,

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

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 June 1991.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 1991 fixing the export refunds on rice and broken rice

(ECU/tonne)		
Product code	Destination (1)	Amount of refunds
1006 20 11 000	—	—
1006 20 13 000	01	180,48
1006 20 15 000	01	180,48
1006 20 17 000	—	—
1006 20 92 000	—	—
1006 20 94 000	01	180,48
1006 20 96 000	01	180,48
1006 20 98 000	—	—
1006 30 21 000	—	—
1006 30 23 000	01	180,48
1006 30 25 000	01	180,48
1006 30 27 000	—	—
1006 30 42 000	—	—
1006 30 44 000	01	180,48
1006 30 46 000	01	180,48
1006 30 48 000	—	—
1006 30 61 100	01	225,60
	05	231,60
	06	236,60
	09	231,60
	12	236,60
	13	225,60
1006 30 61 900	—	—
1006 30 63 100	01	225,60
	05	231,60
	06	236,60
	09	231,60
	12	236,60
	13	225,60
1006 30 63 900	01	225,60
	13	225,60
1006 30 65 100	01	225,60
	05	231,60
	06	236,60
	09	231,60
	12	236,60
	13	225,60
1006 30 65 900	01	225,60
	13	225,60
1006 30 67 100	—	—
1006 30 67 900	—	—

(ECU/tonne)		
Product code	Destination (')	Amount of refunds
1006 30 92 100	01	225,60
	05	231,60
	06	236,60
	09	231,60
	12	236,60
	13	225,60
1006 30 92 900	01	225,60
	15	176,00
	13	225,60
1006 30 94 100	01	225,60
	05	231,60
	06	236,60
	09	231,60
	12	236,60
	13	225,60
1006 30 94 900	01	225,60
	15	168,00
	13	225,60
1006 30 96 100	01	225,60
	05	231,60
	06	236,60
	09	231,60
	12	236,60
	13	225,60
1006 30 96 900	01	225,60
	15	168,00
	13	225,60
1006 30 98 100	—	—
1006 30 98 900	—	—
1006 40 00 000	—	—

(') The destinations are identified as follows :

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,
- 03 Zone I,
- 04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,
- 05 Zones I, II, III and VI,
- 06 Zones IV a), IV b), V a), VII a) and VIII excluding Surinam, de Guyana and Madagascar,
- 07 Bulgaria and Romania,
- 08 Zone VI,
- 09 Canary Islands, Ceuta and Melilla,
- 10 Zone V a),
- 11 Zone VII c),
- 12 Canada,
- 13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),
- 14 Zone VIII, except Surinam, Guyana and Madagascar,
- 15 Zones I, II, III, IV, V, VI and VIII, except Surinam, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 1836/91

of 27 June 1991

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1806/89⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence;

Whereas Commission Regulation No 474/67/EEC⁽³⁾, as amended by Regulation (EEC) No 1397/68⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76; whereas the cif forward delivery price is that determined in accordance

with Article 3 (2) of Council Regulation (EEC) No 1428/76⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation;

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

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

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 1991 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (1)	Current 7	1st period 8	2nd period 9	3rd period 10
1006 20 11 000	—	—	—	—	—
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	—	—	—	—	—
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	—	—	—	—	—
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	—	—	—	—	—
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 61 900	—	—	—	—	—
1006 30 63 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 63 900	01	0	0	0	0
	13	0	0	0	0
1006 30 65 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 65 900	01	0	0	0	0
	13	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—

(ECU/tonne)

Product code	Destination (¹)	Current 7	1st period 8	2nd period 9	3rd period 10
1006 30 92 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 92 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 94 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 94 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 96 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 96 900	01	0	0	0	0
	13	0	0	0	0
	15	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(¹) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Third countries other than Austria, Liechtenstein, Switzerland and the communes of Livigno and Campione d'Italie,

03 Zone I,

04 Third countries other than Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italie and countries of zone I,

05 Zones I, II, III and VI,

06 Zones IV a), IV b), V a), VII c) and VIII a), except Suriname, Guyana and Madagascar,

07 Bulgaria and Romania,

08 Zone VI,

09 Canary Islands, Ceuta and Melilla,

10 Zone V a),

11 Zone VII c),

12 Canada,

13 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),

14 Zone VIII, except Suriname, Guyana and Madagascar,

15 Zones I, II, III, IV, V, VI and VIII, except Suriname, Guyana and Madagascar.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 1124/77 (OJ No L 134, 28. 5. 1977, p. 35), as last amended by Regulation (EEC) No 3049/89 (JO No L 292, 11. 10. 1989, p. 10).

COMMISSION REGULATION (EEC) No 1837/91

of 27 June 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

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

Having regard to Council Regulation (EEC) No 3013/89
of 25 September 1989 on the common organization of
the market in sheepmeat and goatmeat⁽¹⁾, as amended by
Regulation (EEC) No 3577/90⁽²⁾,

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

Whereas the United Kingdom is the only country which
grants the variable slaughter premium, in region 5, within
the meaning of Article 22 (2) of Regulation (EEC) No
3013/89 whereas it is necessary therefore for the Commis-
sion to fix, for the week beginning 3 June 1991, the level
of the premium and the amount to be charged on
products leaving that region;

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For sheep or sheepmeat certified as eligible in the United
Kingdom in region 1, within the meaning of Article 22
(2) of Regulation (EEC) No 3013/89, for the variable
slaughter premium during the week beginning 3 June
1991, the level of the premium is fixed at ECU 83,835 per
100 kilograms of estimated or actual dressed carcase
weight within the limits laid down by Article 1 (1) (b) of
Regulation (EEC) No 1633/84.

Article 2

For products referred to in Article 1 (a) and (c) of Regu-
lation (EEC) No 3013/89 which left the territory of region 1
during the week beginning 3 June 1991, the amounts to
be charged shall be equivalent to those fixed in the
Annexes hereto.

Article 3

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

It shall apply with effect from 3 June 1991.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 154, 9. 6. 1984, p. 27.

⁽⁴⁾ OJ No L 114, 27. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 351, 2. 12. 1989, p. 18.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 27 June 1991 fixing for Great Britain the level of the variable slaughter premium for sheep and the amounts to be charged on products leaving region 1

(ECU/100 kg)

CN code	Amounts	
	A. Products qualifying for the premium specified in Article 24 of Regulation (EEC) No 3013/89	B. Products specified in Article 4 (4) of Regulation (EEC) No 1633/84 ⁽¹⁾
	Live weight	Live weight
0104 10 90	39,402	0
0104 20 90		0
	Net weight	Net weight
0204 10 00	83,835	0
0204 21 00	83,835	0
0204 50 11		0
0204 22 10	58,685	
0204 22 30	92,219	
0204 22 50	108,986	
0204 22 90	108,986	
0204 23 00	152,580	
0204 30 00	62,876	
0204 41 00	62,876	
0204 42 10	44,013	
0204 42 30	69,164	
0204 42 50	81,739	
0204 42 90	81,739	
0204 43 00	114,434	
0204 50 13		0
0204 50 15		0
0204 50 19		0
0204 50 31		0
0204 50 39		0
0204 50 51		0
0204 50 53		0
0204 50 55		0
0204 50 59		0
0204 50 71		0
0204 50 79		0
0210 90 11	108,986	
0210 90 19	152,580	
1602 90 71 :		
— unboned (bone-in)	108,986	
— boned or boneless	152,580	

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

COMMISSION REGULATION (EEC) No 1838/91
of 27 June 1991
fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 464/91 ⁽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 3608/90 ⁽³⁾, as last amended by Regulation (EEC) No 1794/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 3608/90 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 26 June 1991,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 28 June 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 350, 14. 12. 1990, p. 68.

⁽⁴⁾ OJ No L 160, 25. 6. 1991, 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 27 June 1991 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy
1701 11 10	34,98 ⁽¹⁾
1701 11 90	34,98 ⁽¹⁾
1701 12 10	34,98 ⁽¹⁾
1701 12 90	34,98 ⁽¹⁾
1701 91 00	40,35
1701 99 10	40,35
1701 99 90	40,35 ⁽²⁾

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

⁽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.

COMMISSION REGULATION (EEC) No 1839/91

of 27 June 1991

fixing the import levy on molasses

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular Article 16 (8) thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 15/91⁽³⁾, as last amended by Regulation (EEC) No 1695/91⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 15/91 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

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

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

the last subparagraph of Article 3 (1) of Council 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 26 June 1991,

HAS ADOPTED THIS REGULATION:

Article 1

The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, ECU 0,21 per 100 kilograms.

Article 2

This Regulation shall enter into force on 28 June 1991.

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

Done at Brussels, 27 June 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 2, 4. 1. 1991, p. 8.

⁽⁴⁾ OJ No L 156, 20. 6. 1991, p. 23.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 10 June 1991

on prevention of the use of the financial system for the purpose of money laundering

(91/308/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 57 (2), first and third sentences, and 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 when credit and financial institutions are used to launder proceeds from criminal activities (hereinafter referred to as 'money laundering'), the soundness and stability of the institution concerned and confidence in the financial system as a whole could be seriously jeopardized, thereby losing the trust of the public;

Whereas lack of Community action against money laundering could lead Member States, for the purpose of protecting their financial systems, to adopt measures which could be inconsistent with completion of the single market; whereas, in order to facilitate their criminal activities, launderers could try to take advantage of the freedom of capital movement and freedom to supply financial services which the integrated financial

area involves, if certain coordinating measures are not adopted at Community level;

Whereas money laundering has an evident influence on the rise of organized crime in general and drug trafficking in particular; whereas there is more and more awareness that combating money laundering is one of the most effective means of opposing this form of criminal activity, which constitutes a particular threat to Member States' societies;

Whereas money laundering must be combated mainly by penal means and within the framework of international cooperation among judicial and law enforcement authorities, as has been undertaken, in the field of drugs, by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, adopted on 19 December 1988 in Vienna (hereinafter referred to as the 'Vienna Convention') and more generally in relation to all criminal activities, by the Council of Europe Convention on laundering, tracing, seizure and confiscation of proceeds of crime, opened for signature on 8 November 1990 in Strasbourg;

Whereas a penal approach should, however, not be the only way to combat money laundering, since the financial system can play a highly effective role; whereas reference must be made in this context to the recommendation of the Council of Europe of 27 June 1980 and to the declaration of principles adopted in December 1988 in Basle by the banking supervisory authorities of the Group of Ten, both of which constitute major steps towards preventing the use of the financial system for money laundering;

⁽¹⁾ OJ No C 106, 28. 4. 1990, p. 6; and

OJ No C 319, 19. 12. 1990, p. 9.

⁽²⁾ OJ No C 324, 24. 12. 1990, p. 264; and

OJ No C 129, 20. 5. 1991.

⁽³⁾ OJ No C 332, 31. 12. 1990, p. 86.

Whereas money laundering is usually carried out in an international context so that the criminal origin of the funds can be better disguised; whereas measures exclusively adopted at a national level, without taking account of international coordination and cooperation, would have very limited effects;

Whereas any measures adopted by the Community in this field should be consistent with other action undertaken in other international fora; whereas in this respect any Community action should take particular account of the recommendations adopted by the financial action task force on money laundering, set up in July 1989 by the Paris summit of the seven most developed countries;

Whereas the European Parliament has requested, in several resolutions, the establishment of a global Community programme to combat drug trafficking, including provisions on prevention of money laundering;

Whereas for the purposes of this Directive the definition of money laundering is taken from that adopted in the Vienna Convention; whereas, however, since money laundering occurs not only in relation to the proceeds of drug-related offences but also in relation to the proceeds of other criminal activities (such as organized crime and terrorism), the Member States should, within the meaning of their legislation, extend the effects of the Directive to include the proceeds of such activities, to the extent that they are likely to result in laundering operations justifying sanctions on that basis;

Whereas prohibition of money laundering in Member States' legislation backed by appropriate measures and penalties is a necessary condition for combating this phenomenon;

Whereas ensuring that credit and financial institutions require identification of their customers when entering into business relations or conducting transactions, exceeding certain thresholds, are necessary to avoid launderers' taking advantage of anonymity to carry out their criminal activities; whereas such provisions must also be extended, as far as possible, to any beneficial owners;

Whereas credit and financial institutions must keep for at least five years copies or references of the identification documents required as well as supporting evidence and records consisting of documents relating to transactions or copies thereof similarly admissible in court proceedings under the applicable national legislation for use as evidence in any investigation into money laundering;

Whereas ensuring that credit and financial institutions examine with special attention any transaction which they

regard as particularly likely, by its nature, to be related to money laundering is necessary in order to preserve the soundness and integrity of the financial system as well as to contribute to combating this phenomenon; whereas to this end they should pay special attention to transactions with third countries which do not apply comparable standards against money laundering to those established by the Community or to other equivalent standards set out by international fora and endorsed by the Community;

Whereas, for those purposes, Member States may ask credit and financial institutions to record in writing the results of the examination they are required to carry out and to ensure that those results are available to the authorities responsible for efforts to eliminate money laundering;

Whereas preventing the financial system from being used for money laundering is a task which cannot be carried out by the authorities responsible for combating this phenomenon without the cooperation of credit and financial institutions and their supervisory authorities; whereas banking secrecy must be lifted in such cases; whereas a mandatory system of reporting suspicious transactions which ensures that information is transmitted to the abovementioned authorities without alerting the customers concerned, is the most effective way to accomplish such cooperation; whereas a special protection clause is necessary to exempt credit and financial institutions, their employees and their directors from responsibility for breaching restrictions on disclosure of information;

Whereas the information received by the authorities pursuant to this Directive may be used only in connection with combating money laundering; whereas Member States may nevertheless provide that this information may be used for other purposes;

Whereas establishment by credit and financial institutions of procedures of internal control and training programmes in this field are complementary provisions without which the other measures contained in this Directive could become ineffective;

Whereas, since money laundering can be carried out not only through credit and financial institutions but also through other types of professions and categories of undertakings, Member States must extend the provisions of this Directive in whole or in part, to include those professions and undertakings whose activities are particularly likely to be used for money laundering purposes;

Whereas it is important that the Member States should take particular care to ensure that coordinated action is taken in the Community where there are strong grounds

for believing that professions or activities the conditions governing the pursuit of which have been harmonized at Community level are being used for laundering money ;

Whereas the effectiveness of efforts to eliminate money laundering is particularly dependent on the close coordination and harmonization of national implementing measures ; whereas such coordination and harmonization which is being carried out in various international bodies requires, in the Community context, cooperation between Member States and the Commission in the framework of a contact committee ;

Whereas it is for each Member State to adopt appropriate measures and to penalize infringement of such measures in an appropriate manner to ensure full application of this Directive,

HAS ADOPTED THIS DIRECTIVE :

Article 1

For the purpose of this Directive :

- 'credit institution' means a credit institution, as defined as in the first indent of Article 1 of Directive 77/780/EEC⁽¹⁾, as last amended by Directive 89/646/EEC⁽²⁾, and includes branches within the meaning of the third indent of that Article and located in the Community, of credit institutions having their head offices outside the Community,
- 'financial institution' means an undertaking other than a credit institution whose principal activity is to carry out one or more of the operations included in numbers 2 to 12 and number 14 of the list annexed to Directive 89/646/EEC, or an insurance company duly authorized in accordance with Directive 79/267/EEC⁽³⁾, as last amended by Directive 90/619/EEC⁽⁴⁾, in so far as it carries out activities covered by that Directive ; this definition includes branches located in the Community of financial institutions whose head offices are outside the Community,
- 'money laundering' means the following conduct when committed intentionally :
 - the conversion or transfer of property, knowing that such property is derived from criminal activity or from an act of participation in such activity, for the purpose of concealing or disguising the illicit origin of the property or of assisting any person who is involved in the commission of such activity to evade the legal consequences of his action,

- the concealment or disguise of the true nature, source, location, disposition, movement, rights with respect to, or ownership of property, knowing that such property is derived from criminal activity or from an act of participation in such activity,
- the acquisition, possession or use of property, knowing, at the time of receipt, that such property was derived from criminal activity or from an act of participation in such activity,
- participation in, association to commit, attempts to commit and aiding, abetting, facilitating and counselling the commission of any of the actions mentioned in the foregoing paragraphs.

Knowledge, intent or purpose required as an element of the abovementioned activities may be inferred from objective factual circumstances.

Money laundering shall be regarded as such even where the activities which generated the property to be laundered were perpetrated in the territory of another Member State or in that of a third country.

- 'Property' means assets of every kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and legal documents or instruments evidencing title to or interests in such assets.
- 'Criminal activity' means a crime specified in Article 3 (1) (a) of the Vienna Convention and any other criminal activity designated as such for the purposes of this Directive by each Member State.
- 'Competent authorities' means the national authorities empowered by law or regulation to supervise credit or financial institutions.

Article 2

Member States shall ensure that money laundering as defined in this Directive is prohibited.

Article 3

1. Member States shall ensure that credit and financial institutions require identification of their customers by means of supporting evidence when entering into business relations, particularly when opening an account or savings accounts, or when offering safe custody facilities.
2. The identification requirement shall also apply for any transaction with customers other than those referred to in paragraph 1, involving a sum amounting to ECU 15 000 or more, whether the transaction is carried out in a single operation or in several operations which seem to be linked. Where the sum is not known at the time when the transaction is undertaken, the institution concerned shall proceed with identification as soon as it is apprised of the sum and establishes that the threshold has been reached.

⁽¹⁾ OJ No L 322, 17. 12. 1977, p. 30.

⁽²⁾ OJ No L 386, 30. 12. 1989, p. 1.

⁽³⁾ OJ No L 63, 13. 3. 1979, p. 1.

⁽⁴⁾ OJ No L 330, 29. 11. 1990, p. 50.

3. By way of derogation from paragraphs 1 and 2, the identification requirements with regard to insurance policies written by insurance undertakings within the meaning of Directive 79/267/EEC, where they perform activities which fall within the scope of that Directive shall not be required where the periodic premium amount or amounts to be paid in any given year does or do not exceed ECU 1 000 or where a single premium is paid amounting to ECU 2 500 or less. If the periodic premium amount or amounts to be paid in any given year is or are increased so as to exceed the ECU 1 000 threshold, identification shall be required.

4. Member States may provide that the identification requirement is not compulsory for insurance policies in respect of pension schemes taken out by virtue of a contract of employment or the insured's occupation, provided that such policies contain no surrender clause and may not be used as collateral for a loan.

5. In the event of doubt as to whether the customers referred to in the above paragraphs are acting on their own behalf, or where it is certain that they are not acting on their own behalf, the credit and financial institutions shall take reasonable measures to obtain information as to the real identity of the persons on whose behalf those customers are acting.

6. Credit and financial institutions shall carry out such identification, even where the amount of the transaction is lower than the threshold laid down, wherever there is suspicion of money laundering.

7. Credit and financial institutions shall not be subject to the identification requirements provided for in this Article where the customer is also a credit or financial institution covered by this Directive.

8. Member States may provide that the identification requirements regarding transactions referred to in paragraphs 3 and 4 are fulfilled when it is established that the payment for the transaction is to be debited from an account opened in the customer's name with a credit institution subject to this Directive according to the requirements of paragraph 1.

Article 4

Member States shall ensure that credit and financial institutions keep the following for use as evidence in any investigation into money laundering:

- in the case of identification, a copy or the references of the evidence required, for a period of at least five years after the relationship with their customer has ended,

- in the case of transactions, the supporting evidence and records, consisting of the original documents or copies admissible in court proceedings under the applicable national legislation for a period of at least five years following execution of the transactions.

Article 5

Member States shall ensure that credit and financial institutions examine with special attention any transaction which they regard as particularly likely, by its nature, to be related to money laundering.

Article 6

Member States shall ensure that credit and financial institutions and their directors and employees cooperate fully with the authorities responsible for combating money laundering:

- by informing those authorities, on their own initiative, of any fact which might be an indication of money laundering,
- by furnishing those authorities, at their request, with all necessary information, in accordance with the procedures established by the applicable legislation.

The information referred to in the first paragraph shall be forwarded to the authorities responsible for combating money laundering of the Member State in whose territory the institution forwarding the information is situated. The person or persons designated by the credit and financial institutions in accordance with the procedures provided for in Article 11 (1) shall normally forward the information.

Information supplied to the authorities in accordance with the first paragraph may be used only in connection with the combating of money laundering. However, Member States may provide that such information may also be used for other purposes.

Article 7

Member States shall ensure that credit and financial institutions refrain from carrying out transactions which they know or suspect to be related to money laundering until they have apprised the authorities referred to in Article 6. Those authorities may, under conditions determined by their national legislation, give instructions not to execute the operation. Where such a transaction is suspected of giving rise to money laundering and where to refrain in such manner is impossible or is likely to frustrate efforts to pursue the beneficiaries of a suspected money-laundering operation, the institutions concerned shall apprise the authorities immediately afterwards.

Article 8

Credit and financial institutions and their directors and employees shall not disclose to the customer concerned nor to other third persons that information has been transmitted to the authorities in accordance with Articles 6 and 7 or that a money laundering investigation is being carried out.

Article 9

The disclosure in good faith to the authorities responsible for combating money laundering by an employee or director of a credit or financial institution of the information referred to in Articles 6 and 7 shall not constitute a breach of any restriction on disclosure of information imposed by contract or by any legislative, regulatory or administrative provision, and shall not involve the credit or financial institution, its directors or employees in liability of any kind.

Article 10

Member States shall ensure that if, in the course of inspections carried out in credit or financial institutions by the competent authorities, or in any other way, those authorities discover facts that could constitute evidence of money laundering, they inform the authorities responsible for combating money laundering.

Article 11

Member States shall ensure that credit and financial institutions:

1. establish adequate procedures of internal control and communication in order to forestall and prevent operations related to money laundering,
2. take appropriate measures so that their employees are aware of the provisions contained in this Directive. These measures shall include participation of their relevant employees in special training programmes to help them recognize operations which may be related to money laundering as well as to instruct them as to how to proceed in such cases.

Article 12

Member States shall ensure that the provisions of this Directive are extended in whole or in part to professions and to categories of undertakings, other than the credit and financial institutions referred to in Article 1, which engage in activities which are particularly likely to be used for money-laundering purposes.

Article 13

1. A contact committee (hereinafter referred to as 'the Committee') shall be set up under the aegis of the Commission. Its function shall be:

- (a) without prejudice to Articles 169 and 170 of the Treaty, to facilitate harmonized implementation of this Directive through regular consultation on any practical problems arising from its application and on which exchanges of view are deemed useful;
- (b) to facilitate consultation between the Member States on the more stringent or additional conditions and obligations which they may lay down at national level;
- (c) to advise the Commission, if necessary, on any supplements or amendments to be made to this Directive or on any adjustments deemed necessary, in particular to harmonize the effects of Article 12;
- (d) to examine whether a profession or a category of undertaking should be included in the scope of Article 12 where it has been established that such profession or category of undertaking has been used in a Member State for money laundering.

2. It shall not be the function of the Committee to appraise the merits of decisions taken by the competent authorities in individual cases.

3. The Committee shall be composed of persons appointed by the Member States and of representatives of the Commission. The secretariat shall be provided by the Commission. The chairman shall be a representative of the Commission. It shall be convened by its chairman, either on his own initiative or at the request of the delegation of a Member State.

Article 14

Each Member State shall take appropriate measures to ensure full application of all the provisions of this Directive and shall in particular determine the penalties to be applied for infringement of the measures adopted pursuant to this Directive.

Article 15

The Member States may adopt or retain in force stricter provisions in the field covered by this Directive to prevent money laundering.

Article 16

1. Member States shall bring into force the laws, regulations and administrative decisions necessary to comply with this Directive before 1 January 1993 at the latest.
2. Where Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

3. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field governed by this Directive.

Article 17

One year after 1 January 1993, whenever necessary and at least at three yearly intervals thereafter, the Commission shall draw up a report on the implementation of this Directive and submit it to the European Parliament and the Council.

Article 18

This Directive is addressed to the Member States.

Done at Luxembourg, 10 June 1991.

For the Council

The President

J.-C. JUNKER

Statement by the representatives of the Governments of the Member States meeting within the Council

The representatives of the Governments of the Member States, meeting within the Council,

Recalling that the Member States signed the United Nations Convention against illicit traffic in narcotic drugs and psychotropic substances, adopted on 19 December 1988 in Vienna;

Recalling also that most Member States have already signed the Council of Europe Convention on laundering, tracing, seizure and confiscation of proceeds of crime on 8 November 1990 in Strasbourg;

Conscious of the fact that the description of money laundering contained in Article 1 of Council Directive 91/308/EEC ⁽¹⁾ derives its wording from the relevant provisions of the aforementioned Conventions;

Hereby undertake to take all necessary steps by 31 December 1992 at the latest to enact criminal legislation enabling them to comply with their obligations under the aforementioned instruments.

⁽¹⁾ See page 77 of this Official Journal.

COUNCIL DECISION

of 10 June 1991

on the conclusion of an Agreement in the form of an exchange of notes on the further extension of, and amendments to, the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States

(91/309/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States⁽¹⁾, as extended and amended by the Agreement in the form of an exchange of notes adopted by Decision 89/167/EEC⁽²⁾, and in particular Articles XIV and XIX (1) thereof,

Having regard to the proposal from the Commission,

Whereas the Community and the Government of the United States have conducted consultations as provided for in Article XIV of the Agreement on the further extension of, and amendments to, the Agreement, which expires on 1 July 1991;

Whereas both parties agreed to amend further and extend the Agreement for a period of two and a half years; whereas that agreement should be approved, in the form of an exchange of notes to that effect,

Article 1

The Agreement in the form of an exchange of notes on the further extension of, and amendments to, the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement and to initiate the exchange of notes concerning its entry into force.

Done at Luxembourg, 10 June 1991.

*For the Council**The President*

J.-C. JUNCKER

⁽¹⁾ OJ No L 272, 13. 10. 1984, p. 3.

⁽²⁾ OJ No L 63, 7. 3. 1989, p. 22.

AGREEMENT

in the form of an exchange of notes on the further extension of, and amendments to, the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States

A. Note from the Government of the United States of America, Department of State, Washington, February 1, 1991

Excellency,

I have the honour to refer to the Agreement between the Government of the United States and the European Economic Community concerning fisheries off the coasts of the United States, signed at Washington on October 1, 1984, as amended and extended (hereinafter referred to as 'the Agreement'), and due to expire on July 1, 1991.

Noting the desire by the United States to address cooperatively with the Communities the recommendations outlined in United Nations Resolution 44/225 of December 1989 on large-scale pelagic driftnet fishing, as well as concerns about the burgeoning fishery for pollock in the central Bering Sea area, I have the further honour to propose that, in accordance with the provisions of Article XIX, the Agreement be extended until 31 December 1993, and that it be further amended as follows:

1. In Article II (1), '(except highly migratory species of tuna)' shall be deleted.
2. Article II (2) shall be replaced by:
 '2. "fish" means:
 all finfish, molluscs, crustaceans and other forms of marine animal and plant life, other than marine mammals and birds';
3. At the end of subparagraph 6 (b) of Article II, the word 'and' shall be added, paragraph 7 shall be deleted and paragraph 8 shall become paragraph 7.
4. In Article IV (4), the words 'fishery conservation zone' shall be replaced by 'exclusive economic zone of the United States'.
5. In Article IV (7), the final 'and' shall be deleted.
6. Article IV (8) shall be replaced by the following:
 '8. whether, and to what extent, such nation is cooperating with the United States in matters pertaining to the fulfilment of the recommendations outlined in United Nations General Assembly Resolution 44/225 of December 1989 on large-scale pelagic driftnet fishing and in the conservation of the pollock resource in the central Bering Sea and'.
7. The following shall be added to Article IV:
 '9. such other matters as the Government of the United States deems appropriate'.
8. The following shall be added to Article XII:
 '5. The Community shall cooperate with the Government of the United States in matters pertaining to the fulfilment of the recommendations outlined in United Nations General Assembly Resolution 44/225 of December 1989 on large-scale pelagic driftnet fishing and in the conservation of the pollock resource in the central Bering Sea'.
9. In Article XIX (1), '1 July 1991' shall be replaced by '31 December 1993'.

I have the further honor to propose that if these proposals are acceptable to the European Economic Community, this note and the Communities' note in reply to that effect shall constitute an Agreement between the Government of the United States of America and the European Economic Community, which will enter into force on a date to be agreed upon in a subsequent exchange of diplomatic notes between the two parties following the completion of necessary internal procedures.

Please accept, Excellency, the assurance of my highest consideration.

For the Government of the United States of America

For the Secretary of State

B. Note from the European Economic Community

Excellency,

I have the honour to acknowledge receipt of the note from the Government of the United States of America, Department of State, Washington, February 1, 1991, which reads as follows:

'I have the honour to refer to the Agreement between the Government of the United States of America and the European Economic Community concerning fisheries off the coasts of the United States, signed at Washington on October 1, 1984, as amended and extended (hereinafter referred to as "the Agreement"), and due to expire on July 1, 1991.

Noting the desire by the United States to address cooperatively with the Communities the recommendations outlined in United Nations Resolution 44/225 of December 1989 on large-scale pelagic driftnet fishing, as well as concerns about the burgeoning fishery for pollock in the central Bering Sea area, I have the further honour to propose that, in accordance with the provisions of Article XIX, the Agreement be extended until 31 December 1993, and that it be further amended as follows:

1. In Article II (1), the words "(except highly migratory species of tuna)" shall be deleted.
2. Article II (2) shall be replaced by:
"2. 'fish' means:
all finfish, molluscs, crustaceans and other forms of marine animal and plant life, other than marine mammals and birds;".
3. At the end of subparagraph 6 (b) of Article II, the word "and" shall be added, paragraph 7 shall be deleted and paragraph 8 shall become paragraph 7.
4. In Article IV (4), the words "fishery conservation zone" shall be replaced by "exclusive economic zone of the United States".
5. In Article IV (7), the final "and" shall be deleted.
6. Article IV (8) shall be replaced by the following:
"8. whether, and to what extent, such nation is cooperating with the United States in matters pertaining to the fulfilment of the recommendations outlined in United Nations General Assembly Resolution 44/225 of December 1989 on large-scale pelagic driftnet fishing and in the conservation of the pollock resource in the central Bering Sea and".
7. The following shall be added to Article IV:
"9. such other matters as the Government of the United States deems appropriate".
8. The following shall be added to Article XII:
"5. The Community shall cooperate with the Government of the United States in matters pertaining to the fulfilment of the recommendations outlined in United Nations General Assembly Resolution 44/225 of December 1989 on large-scale pelagic driftnet fishing and in the conservation of the pollock resource in the central Bering Sea".
9. In Article XIX (1), "1 July 1991" shall be replaced by "31 December 1993".

I have the further honor to propose that if these proposals are acceptable to the European Economic Community, this note and the Communities' note in reply to that effect shall constitute an Agreement between the Government of the United States of America and the European Economic Community, which will enter into force on a date to be agreed upon in a subsequent exchange of diplomatic notes between the two parties following the completion of necessary internal procedures.

With reference to, and in conformity with, the contents of the Commission's letter of 5 March 1991, I have the honour to confirm that the proposals set out in the above note are acceptable to the European Economic Community and that the above note and this note constitute an Agreement between the Government of the United States of America and the European Economic Community.

Please accept, Excellency, the assurance of my highest consideration.

*On behalf of
the Council of the European Communities*