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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1408/91

of 29 May 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 28 May 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 30 May 1991.

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

Done at Brussels, 29 May 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 29 May 1991 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	132,24 ⁽²⁾ ⁽³⁾
0712 90 19	132,24 ⁽²⁾ ⁽³⁾
1001 10 10	196,19 ⁽¹⁾ ⁽²⁾
1001 10 90	196,19 ⁽¹⁾ ⁽²⁾
1001 90 91	161,09
1001 90 99	161,09
1002 00 00	154,12 ⁽⁴⁾
1003 00 10	147,60
1003 00 90	147,60
1004 00 10	137,12
1004 00 90	137,12
1005 10 90	132,24 ⁽²⁾ ⁽³⁾
1005 90 00	132,24 ⁽²⁾ ⁽³⁾
1007 00 90	143,74 ⁽⁴⁾
1008 10 00	40,49
1008 20 00	135,22 ⁽⁴⁾
1008 30 00	50,15 ⁽²⁾
1008 90 10	(7)
1008 90 90	50,15
1101 00 00	240,23 ⁽⁸⁾
1102 10 00	230,88 ⁽⁸⁾
1103 11 10	317,73 ⁽⁸⁾
1103 11 90	257,63 ⁽⁸⁾

- (¹) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (²) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States or in the 'overseas countries and territories'.
- (³) Where maize originating in the ACP or OCT is imported into the Community the levy is reduced by ECU 1,81/tonne.
- (⁴) Where millet and sorghum originating in the ACP or OCT is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.
- (⁵) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.
- (⁶) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10) and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22).
- (⁷) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).
- (⁸) On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

COMMISSION REGULATION (EEC) No 1409/91

of 29 May 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 28 May 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 30 May 1991.

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

Done at Brussels, 29 May 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 29 May 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	1st period	2nd period	3rd period
	5	6	7	8
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 10	0	0	0	0
1001 10 90	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 10	0	0	0	0
1004 00 90	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period	4th period
	5	6	7	8	9
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 1410/91

of 29 May 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽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;
- (d) 0 % where the market price is more than 106 % of the guide price;

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

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

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

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

Whereas the guide prices for adult bovine animals to be applied from 14 May 1990 were fixed by Council Regulation (EEC) No 1188/90⁽⁵⁾; whereas Council Regulation (EEC) No 1353/91⁽⁶⁾ has extended the 1990/91 marketing year for beef and veal until 16 June 1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990⁽⁷⁾;

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 75, 23. 3. 1977, p. 10.

⁽²⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 36.

⁽⁴⁾ OJ No L 130, 25. 5. 1991, p. 33.

⁽⁵⁾ OJ No L 121, 12. 5. 1990, p. 30.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

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 3784/90⁽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 ;

⁽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 58, 5. 3. 1991, p. 1.

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 3 June 1991.

⁽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, 29 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 29 May 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 1411/91
of 29 May 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 3577/90 ⁽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 to be applied from 14 May 1990 have been fixed by Council Regulation (EEC) No 1188/90 ⁽⁵⁾; whereas Council Regulation (EEC) No 1353/91 ⁽⁶⁾ has extended the 1990/91 marketing year for beef and veal until 16 June 1991;

Whereas the prices fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1252/90 of 11 May 1990 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990 ⁽⁷⁾;

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 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 376, 31. 12. 1987, p. 31.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 36.

⁽⁶⁾ OJ No L 130, 25. 5. 1991, p. 37.

⁽⁷⁾ OJ No L 121, 12. 5. 1990, p. 30.

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 3784/90 ⁽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 364, 28. 12. 1990, p. 21.

⁽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 3 June 1991.

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

Done at Brussels, 29 May 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 29 May 1991 fixing the import levies on frozen beef and veal ⁽¹⁾

(ECU/100 kg)

CN code	Levy
	— Net weight —
0202 10 00	(¹) 198,531
0202 20 10	(¹) 198,531
0202 20 30	(¹) 158,825
0202 20 50	(¹) 248,164
0202 20 90	(¹) 297,797
0202 30 10	(¹) 248,164
0202 30 50	(¹) 248,164
0202 30 90	(¹) 341,473
0206 29 91	(¹) 341,473

⁽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 1412/91
of 29 May 1991
fixing additional amounts for poultrymeat products

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 the Regulation (EEC) No 1235/89⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 3116/89⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Commission Regulation (EEC) No 565/68⁽⁵⁾, as last amended by Regulation (EEC) No 3986/87⁽⁶⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2261/69⁽⁷⁾, as last amended by Regulation (EEC) No 3986/87, the import levies on slaughtered ducks and

geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2474/70⁽⁸⁾, as amended by Regulation (EEC) No 3986/87, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2164/72⁽⁹⁾, as amended by Regulation (EEC) No 3987/87⁽¹⁰⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 30 May 1991.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 300, 18. 10. 1989, p. 10.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 376, 31. 12. 1987, p. 7.

⁽⁷⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁸⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁹⁾ OJ No L 232, 12. 10. 1972, p. 3.

⁽¹⁰⁾ OJ No L 376, 31. 12. 1987, p. 20.

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

Done at Brussels, 29 May 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 May 1991 fixing additional amounts for poultrymeat products

(ECU/100 kg)

CN code	Origin of imports (1)	Additional amount
0207 39 11	01	30,00
0207 41 10	01	30,00
0207 39 53	02	6,00
0207 43 11	02	6,00
0207 39 77	03	10,00
0207 43 63	03	10,00
1602 39 11	04	50,00

(1) Origin :

- 01 China and Czechoslovakia
- 02 Hungary
- 03 Bulgaria, China and Israel
- 04 Hungary and Czechoslovakia.

COMMISSION REGULATION (EEC) No 1413/91

of 29 May 1991

amending Regulation (EEC) No 1726/70 on the procedure for granting the premium for leaf tobacco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular the first subparagraph of Article 3 (3) thereof,

Whereas Article 3 of Regulation (EEC) No 727/70 provides that among the conditions required to qualify for the premium, the purchaser must have concluded a European cultivation contract with the producer; whereas the conditions and requirements relating to cultivation contracts are laid down in Article 2b of Commission Regulation (EEC) No 1726/70 ⁽³⁾, as last amended by Regulation (EEC) No 4263/88 ⁽⁴⁾;

Whereas Article 2b of Regulation (EEC) No 1726/70 provides that declarations of cultivation and cultivation contracts must be concluded before 1 June and registered before 1 August of the year during which they enter into application; whereas, in order better to verify the application of the Community provisions and in particular compliance with the overall maximum guaranteed quantity for the Community fixed in Article 4 (5) of Regulation (EEC) No 727/70, in view of the special conditions existing in the Member States, the Member States should be authorized to fix deadlines earlier than those dates, which are to vary by variety;

Whereas the quantity produced on the area mentioned in the contract must correspond to the normal production conditions for each variety; whereas it should accordingly be stipulated that a European cultivation contract cannot cover any tobacco produced in excess of the yield laid down for the variety concerned in the descriptions in the Annex to Commission Regulation (EEC) No 2501/87 of 24 June 1987 fixing the characteristics of each variety of tobacco grown in the Community ⁽⁵⁾, as last amended by Regulation (EEC) No 838/91 ⁽⁶⁾;

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

Article 1

Regulation (EEC) No 1726/70 is hereby amended as follows:

1. Article 2b (3) is amended as follows:

(a) paragraph 3 is replaced by the following:

'3. The cultivation contract may be for one or more years. It must be concluded, except in cases of *force majeure*, before 1 June of the year in which it takes effect. However, the Member States may set deadlines prior to 1 June for the signing of contracts varying by variety.

The Member States shall notify the Commission of each case of *force majeure*.'

(b) paragraph 5 is replaced by the following:

'5. Purchasers as referred to in paragraph 1 (a) and the signatories to the declarations of cultivation referred to in paragraph 2 must:

— register such contracts and declarations with one of the agencies referred to in paragraph 6 before 1 August of the year in which the contract or declaration takes effect,

and

— notify that agency before 1 August each year of any change in areas arising from a revision of a contract covering more than one year.

The Member States may set deadlines for registering contracts which are prior to 1 August.

However, where the contracting parties as referred to in paragraph 1 are nationals of two different Member States, the operations referred to above shall be carried out by the vendor, and the agency with which the contract is registered shall forward a copy of that contract to the agency under whose responsibility the other contracting party falls.

Where one of the parties referred to in this paragraph is an association of producers, the cultivation contract or declarations of cultivation shall be accompanied by a list of names of producers and their respective areas;

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 191, 27. 8. 1970, p. 1.

⁽⁴⁾ OJ No L 376, 31. 12. 1988, p. 34.

⁽⁵⁾ OJ No L 237, 20. 8. 1987, p. 1.

⁽⁶⁾ OJ No L 85, 5. 4. 1991, p. 16.

2. in the Annex, point 1 is replaced by the following :

'1. The vendor undertakes to grow tobacco for the 19.. harvest(s) as follows :

Production area [as provided for in Regulation (EEC) No 727/70]:.....

Province :

Commune :

Field location :

Area :..... ha

Variety :

Plants/ha :

Maximum yield :..... Kg/ha

and to dry it in accordance with the requirements for the variety in question.

This contract does not cover any tobacco produced in excess of the yield laid down for the variety concerned in the descriptions given in the Annex to Commission Regulation (EEC) No 2501/87 of 24 June 1987 fixing the characteristics of each variety of tobacco grown in the Community.'

Article 2

For the 1991 harvest, the Member States shall not set deadlines for the signing of contracts and for registration prior to 15 April and 15 May 1991 respectively.

Article 3

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

It shall apply from the 1991 harvest.

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

Done at Brussels, 29 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission



COMMISSION REGULATION (EEC) No 1414/91

of 29 May 1991

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Article 2

This Regulation shall enter into force on 1 June 1991.

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽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, 29 May 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 29 May 1991 fixing the export refunds on olive oil

(ECU/100 kg)

Product code	Amount of refund (1)
1509 10 90 100	0,00
1509 10 90 900	0,00
1509 90 00 100	0,00
1509 90 00 900	0,00
1510 00 90 100	0,00
1510 00 90 900	0,00

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

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

COMMISSION REGULATION (EEC) No 1415/91

of 29 May 1991

fixing the maximum export refunds on olive oil for the 13th 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 3577/90 ⁽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 13th 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 May 1991.

Article 2

This Regulation shall enter into force on 1 June 1991.

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

Done at Brussels, 29 May 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 353, 17. 12. 1990, p. 23.⁽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 29 May 1991 fixing the maximum export refunds on olive oil for the 13th 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 1416/91

of 29 May 1991

suspending the preferential customs duties and re-introducing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EEC) No 728/90⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

- (a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;
- or
- (b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 3129/90⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

Whereas, in order to enable the arrangements to operate normally, the following should be used for the calculation of the import prices:

- for the currencies which are maintained against one another within a maximum spread at any given moment for spot rate transactions of 2,25 %, a conversion rate based on their central rate adjusted by the correcting factor provided for in the last subparagraph 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, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for small-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 728/90 is hereby suspended and the Common Customs Tariff duty is hereby reintroduced.

Article 2

This Regulation shall enter into force on 31 May 1991.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.
⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.
⁽³⁾ OJ No L 81, 28. 3. 1990, p. 7.
⁽⁴⁾ OJ No L 299, 30. 10. 1990, p. 26.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.
⁽⁶⁾ OJ No L 311, 17. 11. 1988, p. 8.
⁽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, 29 May 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

COMMISSION REGULATION (EEC) No 1417/91
of 29 May 1991
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 3641/90 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1370/91 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1370/91 to the prices

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 referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1991.

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

Done at Brussels, 29 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 303, 31. 10. 1990, p. 5.

⁽³⁾ OJ No L 130, 25. 5. 1991, p. 41.

ANNEX

to the Commission Regulation of 29 May 1991 fixing the import levies on milk and milk products

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

CN code	Note	Import levy
0401 10 10		18,27
0401 10 90		17,06
0401 20 11		25,03
0401 20 19		23,82
0401 20 91		30,37
0401 20 99		29,16
0401 30 11		77,42
0401 30 19		76,21
0401 30 31		148,42
0401 30 39		147,21
0401 30 91		248,45
0401 30 99		247,24
0402 10 11	(*)	130,78
0402 10 19	(*)	123,53
0402 10 91	(1)(*)	1,2353/kg + 29,23
0402 10 99	(1)(*)	1,2353/kg + 21,98
0402 21 11	(*)	182,14
0402 21 17	(*)	174,89
0402 21 19	(*)	174,89
0402 21 91	(*)	221,11
0402 21 99	(*)	213,86
0402 29 11	(1)(2)(*)	1,7489/kg + 29,23
0402 29 15	(1)(*)	1,7489/kg + 29,23
0402 29 19	(1)(*)	1,7489/kg + 21,98
0402 29 91	(1)(*)	2,1386/kg + 29,23
0402 29 99	(1)(*)	2,1386/kg + 21,98
0402 91 11	(*)	30,28
0402 91 19	(*)	30,28
0402 91 31	(*)	37,85
0402 91 39	(*)	37,85
0402 91 51	(*)	148,42
0402 91 59	(*)	147,21
0402 91 91	(*)	248,45
0402 91 99	(*)	247,24
0402 99 11	(*)	49,85
0402 99 19	(*)	49,85
0402 99 31	(1)(*)	1,4479/kg + 25,61
0402 99 39	(1)(*)	1,4479/kg + 24,40
0402 99 91	(1)(*)	2,4482/kg + 25,61
0402 99 99	(1)(*)	2,4482/kg + 24,40
0403 10 02		130,78
0403 10 04		182,14

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

CN code	Note	Import levy
0403 10 06		221,11
0403 10 12	(¹)	1,2353/kg + 29,23
0403 10 14	(¹)	1,7489/kg + 29,23
0403 10 16	(¹)	2,1386/kg + 29,23
0403 10 22		27,44
0403 10 24		32,78
0403 10 26		79,83
0403 10 32	(¹)	0,2140/kg + 28,02
0403 10 34	(¹)	0,2674/kg + 28,02
0403 10 36	(¹)	0,7379/kg + 28,02
0403 90 11		130,78
0403 90 13		182,14
0403 90 19		221,11
0403 90 31	(¹)	1,2353/kg + 29,23
0403 90 33	(¹)	1,7489/kg + 29,23
0403 90 39	(¹)	2,1386/kg + 29,23
0403 90 51		27,44
0403 90 53		32,78
0403 90 59		79,83
0403 90 61	(¹)	0,2140/kg + 28,02
0403 90 63	(¹)	0,2674/kg + 28,02
0403 90 69	(¹)	0,7379/kg + 28,02
0404 10 11		28,83
0404 10 19	(¹)	0,2883/kg + 21,98
0404 10 91	(²)	0,2883/kg
0404 10 99	(²)	0,2883/kg + 21,98
0404 90 11		130,78
0404 90 13		182,14
0404 90 19		221,11
0404 90 31		130,78
0404 90 33		182,14
0404 90 39		221,11
0404 90 51	(¹)	1,2353/kg + 29,23
0404 90 53	(¹)(²)	1,7489/kg + 29,23
0404 90 59	(¹)	2,1386/kg + 29,23
0404 90 91	(¹)	1,2353/kg + 29,23
0404 90 93	(¹)(²)	1,7489/kg + 29,23
0404 90 99	(¹)	2,1386/kg + 29,23
0405 00 10		256,25
0405 00 90		312,63
0406 10 10	(⁴)	234,44
0406 10 90	(⁴)	285,03
0406 20 10	(³)(⁴)	387,22
0406 20 90	(⁴)	387,22
0406 30 10	(³)(⁴)	186,58
0406 30 31	(³)(⁴)	175,55
0406 30 39	(³)(⁴)	186,58
0406 30 90	(³)(⁴)	283,30

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

CN code	Note	Import levy
0406 40 00	(³)(⁴)	148,14
0406 90 11	(³)(⁴)	224,77
0406 90 13	(³)(⁴)	196,74
0406 90 15	(³)(⁴)	196,74
0406 90 17	(³)(⁴)	196,74
0406 90 19	(³)(⁴)	387,22
0406 90 21	(³)(⁴)	224,77
0406 90 23	(³)(⁴)	188,31
0406 90 25	(³)(⁴)	188,31
0406 90 27	(³)(⁴)	188,31
0406 90 29	(³)(⁴)	188,31
0406 90 31	(³)(⁴)	188,31
0406 90 33	(³)	188,31
0406 90 35	(³)(⁴)	188,31
0406 90 37	(³)(⁴)	188,31
0406 90 39	(³)(⁴)	188,31
0406 90 50	(³)(⁴)	188,31
0406 90 61	(³)	387,22
0406 90 63	(³)	387,22
0406 90 69	(³)	387,22
0406 90 71	(³)	234,44
0406 90 73	(³)	188,31
0406 90 75	(³)	188,31
0406 90 77	(³)	188,31
0406 90 79	(³)	188,31
0406 90 81	(³)	188,31
0406 90 83	(³)	188,31
0406 90 85	(³)	188,31
0406 90 89	(³)(⁴)	188,31
0406 90 91	(³)	234,44
0406 90 93	(³)	234,44
0406 90 97	(³)	285,03
0406 90 99	(³)	285,03
1702 10 10		36,29
1702 10 90		36,29
2106 90 51		36,29
2309 10 15		95,07
2309 10 19		123,48
2309 10 39		115,76
2309 10 59		95,65
2309 10 70		123,48
2309 90 35		95,07
2309 90 39		123,48
2309 90 49		115,76
2309 90 59		95,65
2309 90 70		123,48

-
- (1) The levy on 100 kg of product falling within this code is equal to the sum of the following:
- (a) the amount per kilogram shown, multiplied by the weight of milk and milk cream contained in 100 kg of product; and
 - (b) the other amount indicated.
- (2) The levy on 100 kg of product falling within this code is equal to:
- (a) the amount per kilogram shown, multiplied by the weight of the dried milk contained in 100 kg of product plus, where appropriate,
 - (b) the other amount indicated.
- (3) Products falling within this code imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.
- (4) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.
-

COMMISSION REGULATION (EEC) No 1418/91

of 15 May 1991

amending Regulation (EEC) No 4141/87 determining the conditions under which goods for certain categories of aircraft, ships or drilling or production platforms are eligible on import for a favourable tariff arrangement by reason of their end-use

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 1056/91⁽²⁾, and in particular Article 11 thereof,

Whereas Commission Regulation (EEC) No 4141/87⁽³⁾, as last amended by Regulation (EEC) No 1473/89⁽⁴⁾, provides, in cases where certain goods for the maintenance or repair of aircraft are consigned by air from one Member State to another by airlines engaged in international traffic, for an internal transit procedure that is more flexible than that of control copy T 5, in view of the specialized nature of these movements of goods;

Whereas it has also proved necessary to simplify the procedure for consigning the same goods between the airlines by land; whereas in addition because of the specific nature of the goods referred to at Article 3 as regards their nature, their price and the limited possibility of using them outside their domain there is a need to provide that their first assignment to their prescribed use fulfils the customs obligation concerned; and that consequently there is a need to make the appropriate amendments, to the text of the said Regulation;

Whereas the Nomenclature Committee has not delivered on opinion within the time limit set by its Chairman;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the Committee on the Movement of Goods,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 4141/87 is hereby amended as follows:

1. In Article 3, first sentence, the words 'or by land' are inserted after 'by air'.
2. In Article 3, second sentence, 'Article 4 to 8' is replaced by 'Articles 4 to 8 and 9b'.
3. In Article 4, 'The air way-bill' is replaced by 'In the case of consignment by the airway-bill...'
4. The following Article 9b is inserted:

Article 9b

1. In the case of transfer by land, Community transit provisions shall apply.

In addition, box 44 (Additional Information, etc.) of the T 2 declaration or document as appropriate must indicate the names of the airports of departure and destination.

Furthermore the box reserved for the description of the goods on the declaration or the T 2 must contain one of the statements contained at the third paragraph of Article.

2. The forwarding airline company and the receiving airline must keep a copy of copies 4 and 5 of the T 2 document respectively in support of their records.'

5. The following Article 10 bis is inserted:

Article 10a

Notwithstanding Article 11 bis (1) of Regulation (EEC) No 4141/87, the goods referred to at Article 3 which are used by airline companies for the purposes of maintaining or repairing their civil aircraft are considered as having fulfilled their end use with effect from the date of their first assignment to their prescribed use.'

Article 2

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

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 107, 27. 4. 1991, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1987, p. 76.

⁽⁴⁾ OJ No L 146, 30. 5. 1989, p. 9.

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

Done at Brussels, 15 May 1991.

For the Commission
Christiane SCRIVENER
Member of the Commission

COMMISSION REGULATION (EEC) No 1419/91

of 15 May 1991

amending Regulation (EEC) No 4142/87 determining the conditions under which certain goods are eligible on import for a favourable tariff arrangement by reason of their end-use

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 1056/91⁽²⁾, and in particular Article 11 thereof,

Whereas Commission Regulation (EEC) No 4142/87⁽³⁾, as amended by Regulation (EEC) No 3124/89⁽⁴⁾, determines the conditions under which certain goods are eligible on import for a favourable tariff arrangement by reason of their end-use; whereas it appears opportune, on the one hand, to specify in Article 7 of that Regulation, in accordance with the case law of the Court of Justice, that the authorization is required even in the case of transfer of the goods inside a Member State, and, on the other hand, to simplify in Article 9, the provisions on the task of the user of the control copy T 5 in order to arrive at a more correct use of this form; whereas it is also appropriate to indicate in Article 11 the T document to use in the case of dispatch of goods for which the Member State where formalities for export outside the customs territory of the Community and carried out is not the same as the Member State where the said goods leave the Community;

Whereas Regulation (EEC) No 4142/87 does not contain provisions as regards, on the one hand, the transfer, use at a destination other than that prescribed, export outside the customs territory of the Community, and destruction under customs control of goods subject to the end-use procedure which have commenced their prescribed use, and, on the other hand, the moment from which such goods cease to be subject to this procedure;

Whereas, furthermore, given that the exemption provided in the common customs tariff for vessels coming from third countries imported into the Community covers also, without restriction or limitation, all the equipment contained on board the said vessels; whereas it is appropriate in order not to discriminate against the Commu-

nity ship-building industry to provide that for goods which have been used for the construction, repair, maintenance, conversion, fitting or the equipping of these vessels, in particular for seagoing vessels, the obligations arising from the Regulation are fulfilled when the said vessels are transferred or returned; whereas consequently there is a need to make the appropriate amendments to the text of the said Regulation;

Whereas the Nomenclature Committee has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 4142/87 is hereby amended as follows:

1. In Article 7, in the first subparagraph, the words 'including within the interior of a Member State' are inserted after the term 'Community';
2. In Article 9, paragraph 3 to 6 are replaced by the following:
 - '3. Notwithstanding Article 11 (3) of Commission Regulation (EEC) No 2823/87^(*), the original of the control copy I No 5 shall accompany the goods as far as the competent office where the customs facilities are carried out which enable the transferee to take charge of the goods.
 - in boxes 31 and 33, respectively, the description of the goods as at the time of consignment, the number of items and the appropriate CN code,
 - in box 38 the net mass,
 - in box 103, the net quantity of goods, in words,
 - in box 104, after ticking the box "Other (specify)", add in printed capitals one of the following:
 - DESTINO ESPECIAL: MERCANCIAS QUE DEBEN PONERSE A DISPOSICIÓN DEL CESIONARIO [REGLAMENTO (CEE) N° 4142/87, ARTÍCULO 9]
 - SÆRLIGT ANVENDELSESFORMÅL: SKAL STILLES TIL RÅDIGHED FOR ERHVERVEREN [FORORDNING (EØF) Nr. 4142/87, ARTIKEL 9]

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 107, 27. 4. 1991, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1987, p. 81.

⁽⁴⁾ OJ No L 301, 19. 10. 1989, p. 10.

- BESONDERE VERWENDUNG: WAREN SIND DEM ÜBERNEHMER ZUR VERFÜGUNG ZU STELLEN [VERORDNUNG (EWG) Nr. 4142/87, ARTIKEL 9]
- ΕΙΔΙΚΟΣ ΠΡΟΟΡΙΣΜΟΣ: ΕΜΠΟΡΕΥΜΑΤΑ ΠΟΥ ΠΡΕΠΕΙ ΝΑ ΤΕΘΟΥΝ ΣΤΗ ΔΙΑΘΕΣΗ ΤΟΥ ΕΚΔΟΧΕΑ [ΚΑΝΟΝΙΣΜΟΣ (ΕΟΚ) αριθ. 4142/87, ΑΡΘΡΟ 9]
- END USE: GOODS TO BE PLACED AT THE DISPOSAL OF THE TRANSFEREE [REGULATION (EEC) No 4142/87, ARTICLE 9]
- DESTINATION PARTICULIÈRE: MARCHANDISES À METTRE À LA DISPOSITION DU CESSIONNAIRE [RÈGLEMENT (CEE) N° 4142/87, ARTICLE 9]
- DESTINAZIONE PARTICOLARE: MERCI DA METTERE A DISPOSIZIONE DEL CESSIONARIO [REGOLAMENTO (CEE) N. 4142/87, ARTICOLO 9]
- BIJZONDERE BESTEMMING: GOEDEREN TER BESCHIKKING TE STELLEN VAN DE CESSIONARIS [VERORDENING (EEG) Nr. 4142/87, ARTIKEL 9]
- DESTINO ESPECIAL: MERCADORIAS À PÔR À DISPOSIÇÃO DO CESSIONÁRIO [REGULAMENTO (CEE) N° 4142/87, ARTIGO 9°];
- in box 106,

- (a) in cases where the goods have undergone any manufacturing or processing operations after being admitted to free circulation, the description of the goods at the time of their admission to free circulation; as well as the appropriate CN code;
- (b) the registered number and date of the declaration for entry into free circulation and the name and address of the customs office where the declaration was made.

4. This Article shall apply equally to goods referred to in Article 1 (1) which in the course of transport between two points within the Community cross the territory of Austria, Finland, Iceland, Norway, Sweden or Switzerland and are re-consigned from one of those territories. The office of departure shall specify the period within which the goods must be produced at the customs office referred to in first subparagraph of paragraph 3.

5. Without prejudice to the application of the transit provisions, and in particular Council Regulation (EEC) No 222/77 of 13 December 1976 on Commu-

nity Transit (**), the obligation of the transferor deriving from this Regulation shall pass to the transferee on the date on which the goods are placed at the disposal of the latter by the customs office referred to in the first subparagraph of paragraph 3.

6. The control copy T 5 shall be returned without delay to the office of departure by the customs office referred to in the first subparagraph of paragraph 3 after the latter has endorsed Box "J: Control of use and/or destination" by crossing the first box and inserting the date referred to in paragraph 5. Nevertheless, in the case of irregularities, an appropriate note shall be made in the "remarks" box.

(*) OJ No L 270, 23. 9. 1987, p. 1.

(**) OJ No L 38, 9. 2. 1977, p. 1.

3. The following text is added to the first paragraph of Article 11 (1): 'When export of goods outside the customs territory of the Community is allowed, the goods shall for the purposes of Article 1 (2) of Regulation (EEC) No 222/77 be regarded as no longer satisfying the conditions laid down in Article 10 (1) of the Treaty from the time when they have been subject to the relevant customs formalities.'

Where agricultural products are concerned, box 44 of the single document or the appropriate box of the national document must carry one of the following statements in printed capitals:

- DESTINO ESPECIAL: MERCANCIAS PREVISTAS PARA LA EXPORTACIÓN [REGULAMENTO (CEE) N° 4142/87, ARTÍCULO 11]: APLICACIÓN DE LOS MONTANTES COMPENSATORIOS MONETARIOS Y RESTITUCIONES AGRARIAS EXCLUIDAS
- SÆRLIGT ANVENDELSESFORMÅL: VARER BESTEMT TIL UDFØRSEL FORORDNING (EØF) Nr. 4142/87, ARTIKEL 11]: ANVENDELSE AF MONETÆRE UDLIGNINGSBELØB OG LANDBRUGSRESTITUTIONER ER UDELUKKET
- BESONDERE VERWENDUNG: ZUR AUSFUHR VORGESEHENE WAREN [ARTIKEL 11 DER VERORDNUNG (EWG) Nr. 4142/87]: ANWENDUNG DER WÄHRUNGSUNGLEICHSBETRÄGE UND LANDWIRTSCHAFTLICHEN AUSFUHRERSTATTUNGEN AUSGESCHLOSSEN
- ΕΙΔΙΚΟΣ ΠΡΟΟΡΙΣΜΟΣ: ΕΜΠΟΡΕΥΜΑΤΑ ΠΟΥ ΠΡΟΟΡΙΖΟΝΤΑΙ ΓΙΑ ΕΞΑΓΩΓΗ [ΚΑΝΟΝΙΣΜΟΣ (ΕΟΚ) αριθ. 4142/87, ΑΡΘΡΟ 11]: ΑΠΟΚΛΕΙΕΤΑΙ Η ΕΦΑΡΜΟΓΗ ΤΩΝ ΝΟΜΙΣΜΑΤΙΚΩΝ ΕΙΣΩΤΙΚΩΝ ΠΟΣΩΝ ΚΑΙ ΤΩΝ ΓΕΩΡΓΙΚΩΝ ΕΠΙΣΤΡΟΦΩΝ

- END USE : GOODS DESTINED FOR EXPORT [REGULATION (EEC) No 4142/87, ARTICLE 11]. MONETARY COMPENSATORY AMOUNTS AND AGRICULTURAL REFUNDS NOT APPLICABLE
- DESTINATION PARTICULIÈRE : MARCHANDES PRÉVUES POUR L'EXPORTATION [RÈGLEMENT (CEE) N° 4142/87, ARTICLE 11]: APPLICATION DES MONTANTS COMPENSATOIRES MONÉTAIRES ET RESTITUTIONS AGRICOLES EXCLUE
- DESTINAZIONE PARTICOLARE : MERCI PREVISTE PER L'ESPORTAZIONE [REGOLAMENTO (CEE) N. 4142/87, ARTICOLO 11]: APPLICAZIONE DEI MONTANTI COMPENSATORI MONETARI E RESTITUZIONI AGRICOLE ESCLUSA
- BIJZONDERE BESTEMMING : VOOR UITVOER BESTEMDE GOEDEREN [VERORDENING (EEG) Nr. 4142/87, ARTIKEL 11]: TOEKENNING VAN MONETAIR COMPENSERENDE BEDRAGEN EN LANDBOUWRESTITUTIES UITGESLOTEN
- DESTINO ESPECIAL : MERCADORIAS PREVISTAS PARA A EXPORTAÇÃO [REGULAMENTO (CEE) N° 4142/87, ARTIGO 11°]: APLICAÇÃO DOS MONTANTES COMPENSATÓRIOS MONETÁRIOS E RESTITUIÇÕES AGRÍCOLAS EXCLUÍDA.

4. The following Article 11a is inserted :

Article 11a

1. The provisions of this Regulation shall apply to goods referred to in the first subparagraph of Article 1

(1) which may be put to repeated use, for two years following the date of their first assignment to the prescribed end-use.

After this time limit the said goods are no longer subject to the provisions of this Regulation and are at the disposal of the person concerned.

The date of commencement of this assignment must be included in the records provided for in Article 3 (2) (c).

2. However, for the goods referred to in paragraph 1, the obligations arising from this Regulation are fulfilled either from the moment of the transfer or making available to the person concerned of the civil aircraft, ships, drilling or production platforms for which these goods were used, following respectively the construction, repair, maintenance, conversion, fitting or the equipping of these means of transport or platforms.

Goods supplied directly on board for the purposes of equipping are considered to have fulfilled end-use obligations.

3. In the case of imported civil aircraft, these obligations are fulfilled with effect from the date the civil aircraft are registered in the public records prescribed for this purpose.

Article 2

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

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

Done at Brussels, 15 May 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 1420/91
of 28 May 1991

re-establishing the levying of customs duties on products falling within CN codes 3904 10 00, 3904 21 00 and 3904 22 00, originating in Brazil, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

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

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN codes 3904 10 00, 3904 21 00 and 3904 22 00, originating in Brazil, the individual ceiling was fixed at ECU 5 250 000; whereas, on 4 April 1991, imports of these products into the Community originating in Brazil reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Brazil,

HAS ADOPTED THIS REGULATION:

Article 1

As from 2 June 1991, the levying of customs duties, suspended pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products originating in Brazil:

Order No	CN code	Description
10.0458	3904 10 00 3904 21 00 3904 22 00	Polymers of vinyl chloride or of other halogenated olefins, in primary forms

Article 2

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

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

Done at Brussels, 28 May 1991.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

COMMISSION REGULATION (EEC) No 1421/91

of 29 May 1991

adopting interim protective measures in regard to applications for STM licences for milk and milk products lodged between 20 and 24 May 1991 in regard to Spain

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

Having regard to the Act of Accession of Spain and Portugal, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EEC) No 608/86 ⁽¹⁾ laying down detailed rules for applying the supplementary trade mechanism to milk products imported into Spain from the Community of Ten and from Portugal, as last amended by Regulation (EEC) No 334/91 ⁽²⁾, fixes the indicative ceilings for milk sector products for 1991 and splits these up into monthly ceilings;

Whereas applications in the Community of Ten and Portugal for STM licences for milk of a net content not exceeding two litres lodged between 20 and 24 May 1991 relate to quantities higher than the ceiling set for the second quarter;

Whereas Article 85 (1) of the Act of Accession states that the Commission may take interim protective measures necessary by an emergency procedure where the situation indicates that the initiative ceiling will be attained or exceeded; whereas to this it is necessary, as an interim

protective measure, in view of the number of requests, for the products concerned, to issue licences up to a percentage of the quantities applied for the milk and to suspend all further issuing of licences for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications in the Community of Ten and Portugal for STM licences as referred to in Regulation (EEC) No 606/86 from 20 and 24 May 1991 for:

— milk of a net content not exceeding two litres, falling within CN codes ex 0401, 0403 and ex 0404, are hereby accepted up to a percentage of 27,30 %.

2. The issuing of STM licences is hereby provisionally suspended for the abovementioned products above the percentage referred to in paragraph 1.

Article 2

This Regulation shall enter into force on 30 May 1991.

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

Done at Brussels, 29 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 58, 1. 3. 1986, p. 28.

⁽²⁾ OJ No L 39, 13. 2. 1991, p. 15.

COMMISSION REGULATION (EEC) No 1422/91

of 29 May 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 1334/91 ⁽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 28 May 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 0,42 per 100 kilograms.

Article 2

This Regulation shall enter into force on 30 May 1991.

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

Done at Brussels, 29 May 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 127, 23. 5. 1991, p. 23.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1423/91**of 29 May 1991****altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 1324/91 ⁽³⁾, as amended by Regulation (EEC) No 1378/91 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1324/91 to the information known to the Commission that the export refunds

at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 1324/91 amended are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 30 May 1991.

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

Done at Brussels, 29 May 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 127, 23. 5. 1991, p. 5.

⁽⁴⁾ OJ No L 130, 25. 5. 1991, p. 60.

ANNEX

to the Commission Regulation of 29 May 1991 altering the export refunds on white sugar
and raw sugar exported in the natural state

(ECU)

Product code	Amount of refund	
	per 100 kg	per percentage point of sucrose content and per 100 kg net of the product in question
1701 11 90 100	34,57 ⁽¹⁾	
1701 11 90 910	34,20 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	34,57 ⁽¹⁾	
1701 12 90 910	34,20 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3758
1701 99 10 100	37,58	
1701 99 10 910	37,18	
1701 99 10 950	37,18	
1701 99 90 100		0,3758

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

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

COMMISSION REGULATION (EEC) No 1424/91

of 29 May 1991

repealing Regulation (EEC) No 895/90 applying the duty in the Common Customs Tariff to imports of fresh lemons originating in Israel

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 1627/75 of 26 June 1975 on imports of lemons originating in Israel⁽¹⁾, and in particular Article 5 thereof,Whereas Commission Regulation (EEC) No 895/90 of 5 February 1987⁽²⁾ applied the duty in the Common Customs Tariff to imports of lemons originating in Israel ;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 1627/75, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the convention factors and following deduction of import charges other than customs duties, remain equal to or higher than the price laid down in Article 3 of that Regulation for three consecutive

market days on the representative markets of the Community with the lowest quotations ;

Whereas the present trend of prices of Israeli products on the representative markets indicates that the conditions set out in the second paragraph of Article 4 of Regulation (EEC) No 1627/75 are fulfilled ; whereas Regulation (EEC) No 895/90, should therefore be repealed,

HAS ADOPTED THIS REGULATION :

Article 1

Commission Regulation (EEC) No 895/90 is hereby repealed.

Article 2

This Regulation shall enter into force on 30 May 1991.

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

Done at Brussels, 29 May 1991.

For the Commission

Frans ANDRIESEN

Vice-President⁽¹⁾ OJ No L 165, 28. 6. 1975, p. 9.⁽²⁾ OJ No L 92, 7. 4. 1990, p. 40.

COMMISSION REGULATION (EEC) No 1425/91

of 29 May 1991

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

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

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

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

Whereas Commission Regulation (EEC) No 963/91 of 18 April 1991 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the fifth partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 963/91 the maximum amount of the export refund is fixed at ECU 41,213 per 100 kilograms.

Article 2

This Regulation shall enter into force on 30 May 1991.

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

Done at Brussels, 29 May 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.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE

of 21 May 1991

concerning urban waste water treatment

(91/271/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular 130s thereof,

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

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

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

Whereas the Council Resolution of 28 June 1988 on the protection of the North Sea and of other waters in the Community ⁽⁴⁾ invited the Commission to submit proposals for measures required at Community level for the treatment of urban waste water;

Whereas pollution due to insufficient treatment of waste water in one Member State often influences other Member States' waters; whereas in accordance with Article 130r, action at Community level is necessary;

Whereas to prevent the environment from being adversely affected by the disposal of insufficiently-treated urban waste water, there is a general need for secondary treatment of urban waste water;

Whereas it is necessary in sensitive areas to require more stringent treatment; whereas in some less sensitive areas a primary treatment could be considered appropriate;

Whereas industrial waste water entering collecting systems as well as the discharge of waste water and disposal of sludge from urban waste water treatment

plants should be subject to general rules or regulations and/or specific authorizations;

Whereas discharges from certain industrial sectors of biodegradable industrial waste water not entering urban waste water treatment plants before discharge to receiving waters should be subject to appropriate requirements;

Whereas the recycling of sludge arising from waste water treatment should be encouraged; whereas the disposal of sludge to surface waters should be phased out;

Whereas it is necessary to monitor treatment plants, receiving waters and the disposal of sludge to ensure that the environment is protected from the adverse effects of the discharge of waste waters;

Whereas it is important to ensure that information on the disposal of waste water and sludge is made available to the public in the form of periodic reports;

Whereas Member States should establish and present to the Commission national programmes for the implementation of this Directive;

Whereas a Committee should be established to assist the Commission on matters relating to the implementation of this Directive and to its adaptation to technical progress,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive concerns the collection, treatment and discharge of urban waste water and the treatment and discharge of waste water from certain industrial sectors.

⁽¹⁾ OJ No C 1, 4. 1. 1990, p. 20 and

OJ No C 287, 15. 11. 1990, p. 11.

⁽²⁾ OJ No C 260, 15. 10. 1990, p. 185.

⁽³⁾ OJ No C 168, 10. 7. 1990, p. 36.

⁽⁴⁾ OJ No C 209, 9. 8. 1988, p. 3.

The objective of the Directive is to protect the environment from the adverse effects of the abovementioned waste water discharges.

Article 2

For the purpose of this Directive :

1. 'urban waste water' means domestic waste water or the mixture of domestic waste water with industrial waste water and/or run-off rain water ;
2. 'domestic waste water' means waste water from residential settlements and services which originates predominantly from the human metabolism and from household activities ;
3. 'industrial waste water' means any waste water which is discharged from premises used for carrying on any trade or industry, other than domestic waste water and run-off rain water ;
4. 'agglomeration' means an area where the population and/or economic activities are sufficiently concentrated for urban waste water to be collected and conducted to an urban waste water treatment plant or to a final discharge point ;
5. 'collecting system' means a system of conduits which collects and conducts urban waste water ;
6. '1 p.e. (population equivalent)' means the organic biodegradable load having a five-day biochemical oxygen demand (BOD₅) of 60 g of oxygen per day ;
7. 'primary treatment' means treatment of urban waste water by a physical and/or chemical process involving settlement of suspended solids, or other processes in which the BOD₅ of the incoming waste water is reduced by at least 20 % before discharge and the total suspended solids of the incoming waste water are reduced by at least 50 % ;
8. 'secondary treatment' means treatment of urban waste water by a process generally involving biological treatment with a secondary settlement or other process in which the requirements established in Table 1 of Annex I are respected ;
9. 'appropriate treatment' means treatment of urban waste water by any process and/or disposal system which after discharge allows the receiving waters to meet the relevant quality objectives and the relevant provisions of this and other Community Directives ;
10. 'Sludge' means residual sludge, whether treated or untreated, from urban waste water treatment plants ;
11. 'eutrophication' means the enrichment of water by nutrients, especially compounds of nitrogen and/or phosphorus, causing an accelerated growth of algae

and higher forms of plant life to produce an undesirable disturbance to the balance of organisms present in the water and to the quality of the water concerned ;

12. 'estuary' means the transitional area at the mouth of a river between fresh-water and coastal waters. Member States shall establish the outer (seaward) limits of estuaries for the purposes of this Directive as part of the programme for implementation in accordance with the provisions of Article 17 (1) and (2) ;
13. 'coastal waters' means the waters outside the low-water line or the outer limit of an estuary.

Article 3

1. Member States shall ensure that all agglomerations are provided with collecting systems for urban waste water,
 - at the latest by 31 December 2000 for those with a population equivalent (p.e.) of more than 15 000, and
 - at the latest by 31 December 2005 for those with a p.e. of between 2 000 and 15 000.

For urban waste water discharging into receiving waters which are considered 'sensitive areas' as defined under Article 5, Member States shall ensure that collection systems are provided at the latest by 31 December 1998 for agglomerations of more than 10 000 p.e.

Where the establishment of a collecting system is not justified either because it would produce no environmental benefit or because it would involve excessive cost, individual systems or other appropriate systems which achieve the same level of environmental protection shall be used.

2. Collecting systems described in paragraph 1 shall satisfy the requirements of Annex I (A). These requirements may be amended in accordance with the procedure laid down in Article 18.

Article 4

1. Member States shall ensure that urban waste water entering collecting systems shall before discharge be subject to secondary treatment or an equivalent treatment as follows :
 - at the latest by 31 December 2000 for all discharges from agglomerations of more than 15 000 p.e.,
 - at the latest by 31 December 2005 for all discharges from agglomerations of between 10 000 and 15 000 p.e.,
 - at the latest by 31 December 2005 for discharges to fresh-water and estuaries from agglomerations of between 2 000 and 10 000 p.e.

2. Urban waste water discharges to waters situated in high mountain regions (over 1 500 m above sea level) where it is difficult to apply an effective biological treatment due to low temperatures may be subjected to treatment less stringent than that prescribed in paragraph 1, provided that detailed studies indicate that such discharges do not adversely affect the environment.

3. Discharges from urban waste water treatment plants described in paragraphs 1 and 2 shall satisfy the relevant requirements of Annex I.B. These requirements may be amended in accordance with the procedure laid down in Article 18.

4. The load expressed in p.e. shall be calculated on the basis of the maximum average weekly load entering the treatment plant during the year, excluding unusual situations such as those due to heavy rain.

Article 5

1. For the purposes of paragraph 2, Member States shall by 31 December 1993 identify sensitive areas according to the criteria laid down in Annex II.

2. Member States shall ensure that urban waste water entering collecting systems shall before discharge into sensitive areas be subject to more stringent treatment than that described in Article 4, by 31 December 1998 at the latest for all discharges from agglomerations of more than 10 000 p.e.

3. Discharges from urban waste water treatment plants described in paragraph 2 shall satisfy the relevant requirements of Annex I B. These requirements may be amended in accordance with the procedure laid down in Article 18.

4. Alternatively, requirements for individual plants set out in paragraphs 2 and 3 above need not apply in sensitive areas where it can be shown that the minimum percentage of reduction of the overall load entering all urban waste water treatment plants in that area is at least 75 % for total phosphorus and at least 75 % for total nitrogen.

5. Discharges from urban waste water treatment plants which are situated in the relevant catchment areas of sensitive areas and which contribute to the pollution of these areas shall be subject to paragraphs 2, 3 and 4.

In cases where the above catchment areas are situated wholly or partly in another Member State Article 9 shall apply.

6. Member States shall ensure that the identification of sensitive areas is reviewed at intervals of no more than four years.

7. Member States shall ensure that areas identified as sensitive following review under paragraph 6 shall within seven years meet the above requirements.

8. A Member State does not have to identify sensitive areas for the purpose of this Directive if it implements the treatment established under paragraphs 2, 3 and 4 over all its territory.

Article 6

1. For the purposes of paragraph 2, Member States may by 31 December 1993 identify less sensitive areas according to the criteria laid down in Annex II.

2. Urban waste water discharges from agglomerations of between 10 000 and 150 000 p.e. to coastal waters and those from agglomerations of between 2 000 and 10 000 p.e. to estuaries situated in areas described in paragraph 1 may be subjected to treatment less stringent than that prescribed in Article 4 providing that:

- such discharges receive at least primary treatment as defined in Article 2 (7) in conformity with the control procedures laid down in Annex I D,
- comprehensive studies indicate that such discharges will not adversely affect the environment.

Member States shall provide the Commission with all relevant information concerning the abovementioned studies.

3. If the Commission considers that the conditions set out in paragraph 2 are not met, it shall submit to the Council an appropriate proposal.

4. Member States shall ensure that the identification of less sensitive areas is reviewed at intervals of not more than four years.

5. Member States shall ensure that areas no longer identified as less sensitive shall within seven years meet the requirements of Articles 4 and 5 as appropriate.

Article 7

Member States shall ensure that, by 31 December 2005, urban waste water entering collecting systems shall before discharge be subject to appropriate treatment as defined in Article 2 (9) in the following cases:

- for discharges to fresh-water and estuaries from agglomerations of less than 2 000 p.e.,
- for discharges to coastal waters from agglomerations of less than 10 000 p.e.

Article 8

1. Member States may, in exceptional cases due to technical problems and for geographically defined population groups, submit a special request to the Commission for a longer period for complying with Article 4.

2. This request, for which grounds must be duly put forward, shall set out the technical difficulties experienced and must propose an action programme with an appropriate timetable to be undertaken to implement the objective of this Directive. This timetable shall be included in the programme for implementation referred to in Article 17.

3. Only technical reasons can be accepted and the longer period referred to in paragraph 1 may not extend beyond 31 December 2005.

4. The Commission shall examine this request and take appropriate measures in accordance with the procedure laid down in Article 18.

5. In exceptional circumstances, when it can be demonstrated that more advanced treatment will not produce any environmental benefits, discharges into less sensitive areas of waste waters from agglomerations of more than 150 000 p.e. may be subject to the treatment provided for in Article 6 for waste water from agglomerations of between 10 000 and 150 000 p.e.

In such circumstances, Member States shall submit beforehand the relevant documentation to the Commission. The Commission will examine the case and take appropriate measures in accordance with the procedure laid down in Article 18.

Article 9

Where waters within the area of jurisdiction of a Member State are adversely affected by discharges of urban waste water from another Member State, the Member State whose waters are affected may notify the other Member State and the Commission of the relevant facts.

The Member States concerned shall organize, where appropriate with the Commission, the concertation necessary to identify the discharges in question and the measures to be taken at source to protect the waters that are affected in order to ensure conformity with the provisions of this Directive.

Article 10

Member States shall ensure that the urban waste water treatment plants built to comply with the requirements of Articles 4, 5, 6 and 7 are designed, constructed, operated

and maintained to ensure sufficient performance under all normal local climatic conditions. When designing the plants, seasonal variations of the load shall be taken into account.

Article 11

1. Member States shall ensure that, before 31 December 1993, the discharge of industrial waste water into collecting systems and urban waste water treatment plants is subject to prior regulations and/or specific authorizations by the competent authority or appropriate body.

2. Regulations and/or specific authorization shall satisfy the requirements of Annex I C. These requirements may be amended in accordance with the procedure laid down in Article 18.

3. Regulations and specific authorization shall be reviewed and if necessary adapted at regular intervals.

Article 12

1. Treated waste water shall be reused whenever appropriate. Disposal routes shall minimize the adverse effects on the environment.

2. Competent authorities or appropriate bodies shall ensure that the disposal of waste water from urban waste water treatment plants is subject to prior regulations and/or specific authorization.

3. Prior regulations and/or specific authorization of discharges from urban waste water treatment plants made pursuant to paragraph 2 within agglomerations of 2 000 to 10 000 p.e. in the case of discharges to fresh waters and estuaries, and of 10 000 p.e. or more in respect of all discharges, shall contain conditions to satisfy the relevant requirements of Annex I B. These requirements may be amended in accordance with the procedure laid down in Article 18.

4. Regulations and/or authorization shall be reviewed and if necessary adapted at regular intervals.

Article 13

1. Member States shall ensure that by 31 December 2000 biodegradable industrial waste water from plants belonging to the industrial sectors listed in Annex III which does not enter urban waste water treatment plants before discharge to receiving waters shall before discharge respect conditions established in prior regulations and/or specific authorization by the competent authority or appropriate body, in respect of all discharges from plants representing 4 000 p.e. or more.

2. By 31 December 1993 the competent authority or appropriate body in each Member State shall set requirements appropriate to the nature of the industry concerned for the discharge of such waste water.

3. The Commission shall carry out a comparison of the Member States' requirements by 31 December 1994. It shall publish the results in a report and if necessary make an appropriate proposal.

Article 14

1. Sludge arising from waste water treatment shall be re-used whenever appropriate. Disposal routes shall minimize the adverse effects on the environment.

2. Competent authorities or appropriate bodies shall ensure that before 31 December 1998 the disposal of sludge from urban waste water treatment plants is subject to general rules or registration or authorization.

3. Member States shall ensure that by 31 December 1998 the disposal of sludge to surface waters by dumping from ships, by discharge from pipelines or by other means is phased out.

4. Until the elimination of the forms of disposal mentioned in paragraph 3, Member States shall ensure that the total amount of toxic, persistent or bioaccumulable materials in sludge disposed of to surface waters is licensed for disposal and progressively reduced.

Article 15

1. Competent authorities or appropriate bodies shall monitor:

— discharges from urban waste water treatment plants to verify compliance with the requirements of Annex I.B in accordance with the control procedures laid down in Annex I.D,

— amounts and composition of sludges disposed of to surface waters.

2. Competent authorities or appropriate bodies shall monitor waters subject to discharges from urban waste water treatment plants and direct discharges as described in Article 13 in cases where it can be expected that the receiving environment will be significantly affected.

3. In the case of a discharge subject to the provisions of Article 6 and in the case of disposal of sludge to surface waters, Member States shall monitor and carry out any other relevant studies to verify that the discharge or disposal does not adversely affect the environment.

4. Information collected by competent authorities or appropriate bodies in complying with paragraphs 1, 2 and

3 shall be retained in the Member State and made available to the Commission within six months of receipt of a request.

5. Guidelines on the monitoring referred to in paragraphs 1, 2 and 3 may be formulated in accordance with the procedure laid down in Article 18.

Article 16

Without prejudice to the implementation of the provisions of Council Directive 90/313/EEC of 7 June 1990 on the freedom of access to information on the environment⁽¹⁾, Member States shall ensure that every two years the relevant authorities or bodies publish situation reports on the disposal of urban waste water and sludge in their areas. These reports shall be transmitted to the Commission by the Member States as soon as they are published.

Article 17

1. Member States shall by 31 December 1993 establish a programme for the implementation of this Directive.

2. Member States shall by 30 June 1994 provide the Commission with information on the programme.

3. Member States shall, if necessary, provide the Commission by 30 June every two years with an update of the information described in paragraph 2.

4. The methods and formats to be adopted for reporting on the national programmes shall be determined in accordance with the procedure laid down in Article 18. Any amendments to these methods and formats shall be adopted in accordance with the same procedure.

5. The Commission shall every two years review and assess the information received pursuant to paragraphs 2 and 3 above and publish a report thereon.

Article 18

1. The Commission shall be assisted by a Committee composed of the representatives of the Member States and chaired by the representative of the Commission.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

⁽¹⁾ OJ No L 158, 23. 6. 1990, p. 56.

3. (a) The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.
- (b) If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council has decided against the said measures by a simple majority.

Article 19

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive no later than 30 June 1993. They shall forthwith inform the Commission thereof.

2. When Member States adopt the measures referred to in paragraph 1, they shall contain a reference to this Directive or shall be accompanied by such a 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 texts of the main provisions of national law which they adopt in the field governed by this Directive.

Article 20

This Directive is addressed to the Member States.

Done at Brussels, 21 May 1991.

For the Council

The President

R. STEICHEN

*ANNEX I***REQUIREMENTS FOR URBAN WASTE WATER****A. Collecting systems⁽¹⁾**

Collecting systems shall take into account waste water treatment requirements.

The design, construction and maintenance of collecting systems shall be undertaken in accordance with the best technical knowledge not entailing excessive costs, notably regarding:

- volume and characteristics of urban waste water,
- prevention of leaks,
- limitation of pollution of receiving waters due to storm water overflows.

B. Discharge from urban waste water treatment plants to receiving waters⁽¹⁾

1. Waste water treatment plants shall be designed or modified so that representative samples of the incoming waste water and of treated effluent can be obtained before discharge to receiving waters.
2. Discharges from urban waste water treatment plants subject to treatment in accordance with Articles 4 and 5 shall meet the requirements shown in Table 1.
3. Discharges from urban waste water treatment plants to those sensitive areas which are subject to eutrophication as identified in Annex II.A (a) shall in addition meet the requirements shown in Table 2 of this Annex.
4. More stringent requirements than those shown in Table 1 and/or Table 2 shall be applied where required to ensure that the receiving waters satisfy any other relevant Directives.
5. The points of discharge of urban waste water shall be chosen, as far as possible, so as to minimize the effects on receiving waters.

C. Industrial waste water

Industrial waste water entering collecting systems and urban waste water treatment plants shall be subject to such pre-treatment as is required in order to:

- protect the health of staff working in collecting systems and treatment plants,
- ensure that collecting systems, waste water treatment plants and associated equipment are not damaged,
- ensure that the operation of the waste water treatment plant and the treatment of sludge are not impeded,
- ensure that discharges from the treatment plants do not adversely affect the environment, or prevent receiving water from complying with other Community Directives,
- ensure that sludge can be disposed of safely in an environmentally acceptable manner.

D. Reference methods for monitoring and evaluation of results

1. Member States shall ensure that a monitoring method is applied which corresponds at least with the level of requirements described below.

Alternative methods to those mentioned in paragraphs 2, 3 and 4 may be used provided that it can be demonstrated that equivalent results are obtained.

Member States shall provide the Commission with all relevant information concerning the applied method. If the Commission considers that the conditions set out in paragraphs 2, 3 and 4 are not met, it will submit an appropriate proposal to the Council.

⁽¹⁾ Given that it is not possible in practice to construct collecting systems and treatment plants in a way such that all waste water can be treated during situations such as unusually heavy rainfall, Member States shall decide on measures to limit pollution from storm water overflows. Such measures could be based on dilution rates or capacity in relation to dry weather flow, or could specify a certain acceptable number of overflows per year.

2. Flow-proportional or time-based 24-hour samples shall be collected at the same well-defined point in the outlet and if necessary in the inlet of the treatment plant in order to monitor compliance with the requirements for discharged waste water laid down in this Directive.

Good international laboratory practices aiming at minimizing the degradation of samples between collection and analysis shall be applied.

3. The minimum annual number of samples shall be determined according to the size of the treatment plant and be collected at regular intervals during the year :

- 2 000 to 9 999 p. e. : 12 samples during the first year.
four samples in subsequent years, if it can be shown that the water during the first year complies with the provisions of the Directive ; if one sample of the four fails, 12 samples must be taken in the year that follows.
- 10 000 to 49 999 p. e. : 12 samples.
- 50 000 p. e. or over : 24 samples.

4. The treated waste water shall be assumed to conform to the relevant parameters if, for each relevant parameter considered individually, samples of the water show that it complies with the relevant parametric value in the following way :

- (a) for the parameters specified in Table 1 and Article 2 (7), a maximum number of samples which are allowed to fail the requirements, expressed in concentrations and/or percentage reductions in Table 1 and Article 2 (7), is specified in Table 3 ;
- (b) for the parameters of Table 1 expressed in concentrations, the failing samples taken under normal operating conditions must not deviate from the parametric values by more than 100 %. For the parametric values in concentration relating to total suspended solids deviations of up to 150 % may be accepted ;
- (c) for those parameters specified in Table 2 the annual mean of the samples for each parameter shall conform to the relevant parametric values.

5. Extreme values for the water quality in question shall not be taken into consideration when they are the result of unusual situations such as those due to heavy rain.

Table 1: Requirements for discharges from urban waste water treatment plants subject to Articles 4 and 5 of the Directive. The values for concentration or for the percentage of reduction shall apply.

Parameters	Concentration	Minimum percentage of reduction ⁽¹⁾	Reference method of measurement
Biochemical oxygen demand (BOD ₅ at 20 °C) without nitrification ⁽²⁾	25 mg/l O ₂	70-90 40 under Article 4 (2)	Homogenized, unfiltered, undecanted sample. Determination of dissolved oxygen before and after five-day incubation at 20 °C ± 1 °C, in complete darkness. Addition of a nitrification inhibitor
Chemical oxygen demand (COD)	125 mg/l O ₂	75	Homogenized, unfiltered, undecanted sample Potassium dichromate
Total suspended solids	35 mg/l ⁽³⁾ 35 under Article 4 (2) (more than 10 000 p.e.) 60 under Article 4 (2) (2 000-10 000 p.e.)	90 ⁽³⁾ 90 under Article 4 (2) (more than 10 000 p.e.) 70 under Article 4 (2) (2 000-10 000 p.e.)	— Filtering of a representative sample through a 0,45 µm filter membrane. Drying at 105 °C and weighing — Centrifuging of a representative sample (for at least five mins with mean acceleration of 2 800 to 3 200 g), drying at 105 °C and weighing

⁽¹⁾ Reduction in relation to the load of the influent.

⁽²⁾ The parameter can be replaced by another parameter: total organic carbon (TOC) or total oxygen demand (TOD) if a relationship can be established between BOD₅ and the substitute parameter.

⁽³⁾ This requirement is optional.

Analyses concerning discharges from lagooning shall be carried out on filtered samples; however, the concentration of total suspended solids in unfiltered water samples shall not exceed 150 mg/l.

Table 2: Requirements for discharges from urban waste water treatment plants to sensitive areas which are subject to eutrophication as identified in Annex II.A (a). One or both parameters may be applied depending on the local situation. The values for concentration or for the percentage of reduction shall apply.

Parameters	Concentration	Minimum percentage of reduction (1)	Reference method of measurement
Total phosphorus	2 mg/l P (10 000 - 100 000 p. e.) 1 mg/l P (more than 100 000 p. e.)	80	Molecular absorption spectrophotometry
Total nitrogen (2)	15 mg/l N (10 000 - 100 000 p. e.) 10 mg/l N (more than 100 000 p. e.) (3)	70-80	Molecular absorption spectrophotometry

(1) Reduction in relation to the load of the influent.

(2) Total nitrogen means: the sum of total Kjeldahl-nitrogen (organic N + NH₃), nitrate (NO₃)-nitrogen and nitrite (NO₂)-nitrogen.

(3) Alternatively, the daily average must not exceed 20 mg/l N. This requirement refers to a water temperature of 12° C or more during the operation of the biological reactor of the waste water treatment plant. As a substitute for the condition concerning the temperature, it is possible to apply a limited time of operation, which takes into account the regional climatic conditions. This alternative applies if it can be shown that paragraph 1 of Annex I.D is fulfilled.

Table 3

Series of samples taken in any year	Maximum permitted number of samples which fail to conform
4-7	1
8-16	2
17-28	3
29-40	4
41-53	5
54-67	6
68-81	7
82-95	8
96-110	9
111-125	10
126-140	11
141-155	12
156-171	13
172-187	14
188-203	15
204-219	16
220-235	17
236-251	18
252-268	19
269-284	20
285-300	21
301-317	22
318-334	23
335-350	24
351-365	25

*ANNEX II***CRITERIA FOR IDENTIFICATION OF SENSITIVE AND LESS SENSITIVE AREAS****A. Sensitive areas**

A water body must be identified as a sensitive area if it falls into one of the following groups :

- (a) natural freshwater lakes, other freshwater bodies, estuaries and coastal waters which are found to be eutrophic or which in the near future may become eutrophic if protective action is not taken.

The following elements might be taken into account when considering which nutrient should be reduced by further treatment :

- (i) lakes and streams reaching lakes/reservoirs/closed bays which are found to have a poor water exchange, whereby accumulation may take place. In these areas, the removal of phosphorus should be included unless it can be demonstrated that the removal will have no effect on the level of eutrophication. Where discharges from large agglomerations are made, the removal of nitrogen may also be considered ;
- (ii) estuaries, bays and other coastal waters which are found to have a poor water exchange, or which receive large quantities of nutrients. Discharges from small agglomerations are usually of minor importance in those areas, but for large agglomerations, the removal of phosphorus and/or nitrogen should be included unless it can be demonstrated that the removal will have no effect on the level of eutrophication ;
- (b) surface freshwaters intended for the abstraction of drinking water which could contain more than the concentration of nitrate laid down under the relevant provisions of Council Directive 75/440/EEC of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States⁽¹⁾ if action is not taken ;
- (c) areas where further treatment than that prescribed in Article 4 of this Directive is necessary to fulfil Council Directives.

B. Less sensitive areas

A marine water body or area can be identified as a less sensitive area if the discharge of waste water does not adversely affect the environment as a result of morphology, hydrology or specific hydraulic conditions which exist in that area.

When identifying less sensitive areas, Member States shall take into account the risk that the discharged load may be transferred to adjacent areas where it can cause detrimental environmental effects. Member States shall recognize the presence of sensitive areas outside their national jurisdiction.

The following elements shall be taken into consideration when identifying less sensitive areas :

open bays, estuaries and other coastal waters with a good water exchange and not subject to eutrophication or oxygen depletion or which are considered unlikely to become eutrophic or to develop oxygen depletion due to the discharge of urban waste water.

⁽¹⁾ OJ No L 194, 25. 7. 1975, p. 26 as amended by Directive 79/869/EEC (OJ No L 271, 29. 10. 1979, p. 44).

*ANNEX III***INDUSTRIAL SECTORS**

1. Milk-processing
 2. Manufacture of fruit and vegetable products
 3. Manufacture and bottling of soft drinks
 4. Potato-processing
 5. Meat industry
 6. Breweries
 7. Production of alcohol and alcoholic beverages
 8. Manufacture of animal feed from plant products
 9. Manufacture of gelatine and of glue from hides, skin and bones
 10. Malt-houses
 11. Fish-processing industry
-

COMMISSION

COMMISSION DECISION

of 14 May 1991

authorizing the French Republic to permit temporarily the marketing of maize seed not satisfying the requirements of Council Directive 66/402/EEC and of sunflower seed not satisfying the requirements of Council Directive 69/208/EEC

(91/272/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/402/EEC of 14 June 1966 on the marketing of cereal seed⁽¹⁾, as last amended by Directive 90/654/EEC⁽²⁾, and in particular Article 17 thereof,

Having regard to Council Directive 69/208/EEC of 30 June 1969 on the marketing of seed of oil and fibre plants⁽³⁾, as last amended by Directive 90/654/EEC, and in particular Article 16 thereof,

Having regard to the requests submitted by the French Republic,

Whereas in France the production of maize seed of certain varieties satisfying the requirements of Directive 66/402/EEC has been insufficient in 1990 and therefore is not adequate to meet that country's needs;

Whereas in France the production of sunflower seed of certain varieties satisfying the requirements of Directive 69/208/EEC has been insufficient in 1990 and therefore is not adequate to meet that country's needs;

Whereas it is not possible to cover this demand satisfactorily with seed from other Member States, or from third countries, satisfying all the requirements laid down in the said Directives;

Whereas France should therefore be authorized to permit for a period expiring on 31 May 1991, the marketing of seed of the abovementioned species of varieties not

included in the common catalogue of varieties of agricultural plant species, nor in that Member State's national catalogue, nor in other Member States' national catalogues of varieties;

Whereas, moreover, other Member States, which are able to supply France with such seed not satisfying the requirements of the said Directives should be authorized to permit the marketing of such seed provided it is intended for France;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

The French Republic as authorized to permit, for a period expiring on 31 May 1991, the marketing in its territory of a maximum of 452 tonnes of maize seed (*Zea Mays* L.) of varieties 'Waxy' having an FAO index not superior to 550 which are not included in the common catalogue of varieties of agricultural plant species, nor in that Member State's national catalogue of varieties nor in other Member States' national catalogues of varieties. The official label shall state: 'Intended exclusively for France'.

Article 2

The other Member States are hereby authorized to permit, subject to the conditions laid down in Article 1, the marketing in their territory of a maximum of 452 tonnes of maize seed of the said varieties provided that it is intended exclusively for France. The official label shall state: 'Intended exclusively for France'.

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2309/66.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 48.

⁽³⁾ OJ No L 169, 10. 7. 1969, p. 3.

Article 3

The French Republic is authorized to permit, for a period expiring on 31 May 1991, the marketing in its territory of a maximum of 70 tonnes of sunflower seed (*Helianthus annuus* L.) of varieties with a content of oleic acid not inferior to 80 % of the total fatty acid fraction which are not included in the common catalogue of varieties of agricultural plant species, nor in that Member State's national catalogue of varieties nor in other Member States national catalogues of varieties.

Article 4

The other Member States are hereby authorized to permit, subject to the conditions laid down in Article 3, the marketing in their territory of a maximum of 70 tonnes of sunflower seed of the said varieties provided that it is

intended exclusively for France. The official label shall state: 'Intended exclusively for France'.

Article 5

Member States shall notify the Commission before 31 July 1991 of the quantities of seed marketed in their territory pursuant to this Decision. The Commission shall inform the other Member States thereof.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 14 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION DECISION

of 17 May 1991

on the lodging of applications for the premium for maintaining suckler cows in
Ireland in respect of the 1991/92 marketing year

(Only the English text is authentic)

(91/273/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 1357/80
of 5 June 1980 introducing a system of premiums for
maintaining suckler cows⁽¹⁾, as last amended by Regula-
tion (EEC) No 3577/90⁽²⁾, and in particular Article 6
thereof,

Whereas Article 1 of Commission Regulation (EEC) No
1244/82⁽³⁾, as amended by Regulation (EEC) No
2079/90⁽⁴⁾, specifies the period for lodging applications
for premiums for maintaining suckler cows and lays down
the said period's opening date, namely 15 June ;

Whereas Ireland has adopted substantial modifications in
its implementing rules for administering the aid schemes
in the beef and veal sector ;

Whereas the 1991/92 marketing year is as such to be
considered a transitional period ;

Whereas, in order to facilitate the processing of the appli-
cations for the premium and the organization of the
on-the-spot controls and verifications, Ireland should, at
its own request, be authorized in respect of the 1991/92
marketing year to set 15 May 1991 as the opening date for
the lodging of applications for the premium ; whereas this
derogation is granted without prejudice to the application
of the other provisions of Regulation (EEC) No 1244/82,

in particular those concerning the deadline for the
payment of the premium and the conversion rate to be
applied in order to calculate the amounts concerned ;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Management
Committee for Beef and Veal,

HAS ADOPTED THIS DECISION :

Article 1

Ireland is hereby authorized, in respect of the 1991/92
marketing year, to set 15 May 1991 as the beginning of
the period during which applications for the premium for
suckler cows are to be lodged.

This Decision shall apply without prejudice to the other
provisions of Regulation (EEC) No 1244/82.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 17 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 140, 5. 6. 1980, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 143, 20. 5. 1982, p. 20.

⁽⁴⁾ OJ No L 190, 21. 7. 1990, p. 15.

COMMISSION DECISION

of 21 May 1991

concerning a list of Community legislation referred to in Article 10 of Council Directive 90/220/EEC

(91/274/EEC)

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

Having regard to Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms⁽¹⁾, and in particular Article 10 thereof,

Whereas the Commission is required to establish, before the end of April 1991, a list of Community legislation which provides for a specific environmental risk assessment, similar to that laid down in Directive 90/220/EEC as regards products;

Whereas the Commission has examined the Community legislation in force and has not identified any such legislation;

Whereas this list will be re-examined periodically and, as necessary, revised;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee of Member States representatives in accordance with the

procedure laid down in Article 21 of Directive 90/220/EEC,

HAS ADOPTED THIS DECISION:

Article 1

At the date of this Decision, there is no Community legislation in force which provides for a specific environmental risk assessment of products which is similar to that laid down in Directive 90/220/EEC.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 May 1991.

For the Commission

Carlo RIPA DI MEANA

Member of the Commission

⁽¹⁾ OJ No L 117, 8. 5. 1990, p. 15.

COMMISSION DECISION

of 21 May 1991

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(91/275/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to 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 (ACP) States or in the overseas countries and territories (OCT)⁽¹⁾, as last amended by Regulation (EEC) No 523/91⁽²⁾, and in particular Article 27 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 815/91⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 May 1991, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 June 1991, should be fixed within the scope of the total quantity of 49 600 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals, swine, fresh meat and meat-based products from

third countries⁽⁵⁾, as last amended by Directive 91/69/EEC⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 May 1991 import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

Germany:

- 620,00 tonnes originating in Botswana,
- 175,00 tonnes originating in Swaziland;

United Kingdom:

- 821,00 tonnes originating in Botswana,
- 93,80 tonnes originating in Zimbabwe,
- 848,00 tonnes originating in Namibia;

Netherlands:

- 533,60 tonnes originating in Botswana.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of June 1991 in respect of the following quantities of boned beef and veal:

— Botswana :	14 697,80 tonnes,
— Kenya :	142,00 tonnes,
— Madagascar :	7 566,50 tonnes,
— Swaziland :	2 888,00 tonnes,
— Zimbabwe :	8 998,71 tonnes,
— Namibia :	8 709,99 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 21 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 83, 3. 4. 1991, p. 6.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 46, 19. 2. 1991, p. 37.

COMMISSION DECISION

of 22 May 1991

amending Decision 90/14/EEC drawing up a list of third countries from which Member States authorize imports of deep-frozen semen of domestic animals of the bovine species

(91/276/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species ⁽¹⁾, and in particular Article 8 thereof,Whereas Commission Decision 90/14/EEC ⁽²⁾ lists third countries from which Member States authorize imports of deep-frozen semen of domestic animals of the bovine species ;

Whereas the present list should be amended to include Israel and Norway following Commission missions and in the light of the situation obtaining with regard to animal health in these countries ;

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

HAS ADOPTED THIS DECISION :

Article 1

The Annex to Decision 90/14//EEC is hereby replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 194, 22. 7. 1988, p. 10.⁽²⁾ OJ No L 8, 11. 1. 1990, p. 71.

*ANNEX***LIST OF THIRD COUNTRIES FROM WHICH MEMBER STATES AUTHORIZE IMPORTATION OF DEEP-FROZEN SEMEN OF DOMESTIC ANIMALS OF THE BOVINE SPECIES**

Australia	Norway
Austria	Poland
Canada	Romania
Czechoslovakia	Sweden
Finland	Switzerland
Hungary	United States of America
Israel	Yugoslavia
New Zealand	

COMMISSION DECISION

of 22 May 1991

concerning health protection measures in respect of imports of deep-frozen bovine semen from Israel

(91/277/EEC)

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

Having regard to Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species⁽¹⁾, and in particular Article 10 thereof,

Having regard to Commission Decision 90/14/EEC of 20 December 1989 drawing up a list of third countries from which Member States authorize importation of deep-frozen semen of domestic animals of the bovine species⁽²⁾, as last amended by Decision 91/276/EEC⁽³⁾,

Whereas the situation in Israel is in general satisfactory as regards: the regularity and rapidity of information; rules on animal disease prevention and control; the structure and powers of the veterinary services and the organization and implementation of contagious animal disease control measures;

Whereas by Decision 91/276/EEC Israel therefore has been added to the list of third countries from which Member States authorize importation of deep-frozen semen of domestic animals of the bovine species;

Whereas animal health conditions and veterinary certification must be adopted according to the animal health situation of the country concerned;

Whereas because of the present disease situation in Israel, the importation of deep-frozen bovine semen into the Community must be prohibited;

Whereas this Decision will be reviewed in the light of the developing animal health situation in Israel;

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

HAS ADOPTED THIS DECISION:

Article 1

Member States shall not authorize the importation of deep-frozen bovine semen from Israel.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 22 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 194, 22. 7. 1988, p. 10.

⁽²⁾ OJ No L 8, 11. 1. 1990, p. 71.

⁽³⁾ See page 58 of this Official Journal.