

Official Journal

of the European Communities

ISSN 0378-6978

L 138

Volume 34

1 June 1991

English edition

Legislation

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Price : ECU 12

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1449/91

of 31 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 30 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 1 June 1991.

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

Done at Brussels, 31 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 31 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	132,58 ⁽²⁾ ⁽³⁾
0712 90 19	132,58 ⁽²⁾ ⁽³⁾
1001 10 10	195,79 ⁽¹⁾ ⁽³⁾
1001 10 90	195,79 ⁽¹⁾ ⁽³⁾
1001 90 91	161,61
1001 90 99	161,61
1002 00 00	154,12 ⁽⁶⁾
1003 00 10	147,61
1003 00 90	147,61
1004 00 10	137,43
1004 00 90	137,43
1005 10 90	132,58 ⁽²⁾ ⁽³⁾
1005 90 00	132,58 ⁽²⁾ ⁽³⁾
1007 00 90	144,01 ⁽⁴⁾
1008 10 00	39,81
1008 20 00	135,22 ⁽⁴⁾
1008 30 00	49,49 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	49,49
1101 00 00	240,95 ⁽⁸⁾
1102 10 00	230,88 ⁽⁸⁾
1103 11 10	317,11 ⁽⁸⁾
1103 11 90	258,41 ⁽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 1450/91

of 31 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 30 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 1 June 1991.

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

Done at Brussels, 31 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 31 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 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	1,27	1,27	1,27
0712 90 19	0	1,27	1,27	1,27
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	1,27	1,27	1,27
1005 90 00	0	1,27	1,27	1,27
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 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1451/91
of 31 May 1991
fixing the import levies on rice and broken rice

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

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

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

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

Whereas the import levies on rice 230/91 broken rice were fixed by Commission Regulation (EEC) No 915/91 ⁽⁵⁾, as last amended by Regulation (EEC) No 1360/91 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 June 1991.

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

Done at Brussels, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 92, 13. 4. 1991, p. 5.

⁽⁶⁾ OJ No L 130, 25. 5. 1991, p. 12.

ANNEX

to the Commission Regulation of 31 May 1991 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Arrangement in Regulation (EEC) No 3877/86	ACP or OCT ⁽¹⁾ ⁽²⁾ ⁽³⁾ Bangladesh	Third countries (except ACP or OCT) ⁽⁴⁾
1006 10 21	—	154,81	316,82
1006 10 23	214,05	139,10	285,40
1006 10 25	214,05	139,10	285,40
1006 10 27	214,05	139,10	285,40
1006 10 92	—	154,81	316,82
1006 10 94	214,05	139,10	285,40
1006 10 96	214,05	139,10	285,40
1006 10 98	214,05	139,10	285,40
1006 20 11	—	194,41	396,02
1006 20 13	267,56	174,77	356,75
1006 20 15	267,56	174,77	356,75
1006 20 17	267,56	174,77	356,75
1006 20 92	—	194,41	396,02
1006 20 94	267,56	174,77	356,75
1006 20 96	267,56	174,77	356,75
1006 20 98	267,56	174,77	356,75
1006 30 21	—	240,52	504,89 ⁽⁵⁾
1006 30 23	436,12 ⁽⁶⁾	278,86	581,49 ⁽⁶⁾
1006 30 25	436,12 ⁽⁶⁾	278,86	581,49 ⁽⁶⁾
1006 30 27	436,12 ⁽⁶⁾	278,86	581,49 ⁽⁶⁾
1006 30 42	—	240,52	504,89 ⁽⁶⁾
1006 30 44	436,12 ⁽⁶⁾	278,86	581,49 ⁽⁶⁾
1006 30 46	436,12 ⁽⁶⁾	278,86	581,49 ⁽⁶⁾
1006 30 48	436,12 ⁽⁶⁾	278,86	581,49 ⁽⁶⁾
1006 30 61	—	256,50	537,71 ⁽⁶⁾
1006 30 63	467,52 ⁽⁶⁾	299,33	623,36 ⁽⁶⁾
1006 30 65	467,52 ⁽⁶⁾	299,33	623,36 ⁽⁶⁾
1006 30 67	467,52 ⁽⁶⁾	299,33	623,36 ⁽⁶⁾
1006 30 92	—	256,50	537,71 ⁽⁶⁾
1006 30 94	467,52 ⁽⁶⁾	299,33	623,36 ⁽⁶⁾
1006 30 96	467,52 ⁽⁶⁾	299,33	623,36 ⁽⁶⁾
1006 30 98	467,52 ⁽⁶⁾	299,33	623,36 ⁽⁶⁾
1006 40 00	—	67,03	140,07

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

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

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

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

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

COMMISSION REGULATION (EEC) No 1452/91

of 31 May 1991

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3847/90 ⁽³⁾, as last amended by Regulation (EEC) No 1361/91 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 June 1991.

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

Done at Brussels, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No L 367, 29. 12. 1990, p. 19.

⁽⁴⁾ OJ No L 130, 25. 5. 1991, p. 14.

ANNEX

to the Commission Regulation of 31 May 1991 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period
	6	7	8	9
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1453/91

of 31 May 1991

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar ; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed ; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average ;

Whereas the basic amount must be fixed each month ; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of

the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount ; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration ;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application ; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68 ;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75⁽⁵⁾, as last amended by Regulation (EEC) No 3577/90⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ; whereas the levy must be fixed each month ;

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⁽⁷⁾, as last amended by Regulation (EEC) No 2205/90⁽⁸⁾,

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated 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, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1991 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question	Amount of levy per 100 kg of dry matter
1702 20 10	0,4285	—
1702 20 90	0,4285	—
1702 30 10	—	52,52
1702 40 10	—	52,52
1702 60 10	—	52,52
1702 60 90	0,4285	—
1702 90 30	—	52,52
1702 90 60	0,4285	—
1702 90 71	0,4285	—
1702 90 90	0,4285	—
2106 90 30	—	52,52
2106 90 59	0,4285	—

COMMISSION REGULATION (EEC) No 1454/91

of 31 May 1991

fixing the export refunds on syrups and certain other sugar products 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 Article 19 (4) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1714/88⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

- 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 ⁽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 the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be 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, 31 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 31 May 1991 fixing the export refunds on syrups and certain other sugar products exported in the natural state

(ECU)

Product code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of refund per 100 kg of dry matter ⁽²⁾
1702 40 10 100		38,68
1702 60 10 000		38,68
1702 60 90 000	0,3868	
1702 90 30 000		38,68
1702 90 60 000	0,3868	
1702 90 71 000	0,3868	
1702 90 90 900	0,3868	
2106 90 30 000		38,68
2106 90 59 000	0,3868	

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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 1455/91

of 31 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 last amended by Regulation (EEC) No 1423/91 ⁽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 amended Regulation (EEC) No 1324/91 are hereby altered to the amounts shown 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, 31 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 135, 30. 5. 1991, p. 36.

ANNEX

to the Commission Regulation of 31 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	35,49 ⁽¹⁾	
1701 11 90 910	35,49 ⁽¹⁾	
1701 11 90 950	⁽²⁾	
1701 12 90 100	35,49 ⁽¹⁾	
1701 12 90 910	35,49 ⁽¹⁾	
1701 12 90 950	⁽²⁾	
1701 91 00 000		0,3868
1701 99 10 100	38,68	
1701 99 10 910	38,68	
1701 99 10 950	37,18	
1701 99 90 100		0,3868

⁽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 1456/91

of 31 May 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Commission Regulation (EEC) No 599/86 ⁽³⁾, as last amended by Regulation (EEC) No 1093/91 ⁽⁴⁾, fixes the reduced levy applicable on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries ;

Whereas the levy should, in the light of the application of the detailed rules and arrangements specified in Regulation (EEC) No 599/86 to the data available to the Commission, be fixed as shown in Article 1 of this Regulation ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The reduced levy on imports into Portugal of raw sugar intended for refining (CN codes 1701 11 10 and 1701 12 10) is fixed for this quality type at ECU 29,49 per 100 kilograms.

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, 31 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 58, 1. 3. 1986, p. 18.

⁽⁴⁾ OJ No L 110, 1. 5. 1991, p. 16.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

COMMISSION REGULATION (EEC) No 1457/91

of 31 May 1991

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 June 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 31 May 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1991 fixing the export refunds on malt

<i>(ECU / tonne)</i>	
Product code	Refund
1107 10 19 000	115,00
1107 10 99 000	127,00
1107 20 00 000	150,00

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

COMMISSION REGULATION (EEC) No 1458/91

of 31 May 1991

fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 June 1991.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 31 May 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1991 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current	1st period	2nd period	3rd period	4th period	5th period
	6	7	8	9	10	11
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period	7th period	8th period	9th period	10th period	11th period
	12	1	2	3	4	5
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1459/91

of 31 May 1991

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

— in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85⁽⁶⁾, as last amended by Regulation (EEC) No 2205/90⁽⁷⁾,

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 June 1991.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

Done at Brussels, 31 May 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1991 fixing the corrective amount applicable to the refund on rice and broken rice

<i>(ECU/tonne)</i>					
Product code	Destination (1)	Current 6	1st period 7	2nd period 8	3rd period 9
1006 20 11 000	—	—	—	—	—
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	—	—	—	—	—
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	—	—	—	—	—
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	—	—	—	—	—
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 000	—	—	—	—	—
1006 30 63 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 63 900	01	0	0	0	0
	13	0	0	0	0
1006 30 65 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
1006 30 65 900	01	0	0	0	0
	13	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 000	07	0	0	0	0
1006 30 94 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0

(ECU/tonne)

Product code	Destination (1)	Current 6	1st period 7	2nd period 8	3rd period 9
1006 30 94 900	01	0	0	0	0
	07	0	0	0	0
	13	0	0	0	0
1006 30 96 100	01	0	0	0	0
	05	0	0	0	0
	06	0	0	0	0
	09	0	0	0	0
	12	0	0	0	0
	13	0	0	0	0
	01	0	0	0	0
1006 30 96 900	07	—	—	—	—
	13	0	0	0	0
	—	—	—	—	—
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows:

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

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

COMMISSION REGULATION (EEC) No 1460/91

of 31 May 1991

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

Whereas, if the system of corrective amounts is to operate normally, corrective amounts should be calculated on the following basis:

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 164, 24. 6. 1985, p. 1.

⁽⁸⁾ OJ No L 201, 31. 7. 1990, p. 9.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 June 1991.

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

Done at Brussels, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1991 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (*)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		6	7	8	9	10	11	12
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 10 000	—	—	—	—	—	—	—	—
1001 10 90 000	01	0	0	0	0	0	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 10 000	—	—	—	—	—	—	—	—
1004 00 90 000	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	—	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	0	0
1101 00 00 130	01	0	0	0	0	0	0	0
1101 00 00 150	01	0	0	0	0	0	0	0
1101 00 00 170	01	0	0	0	0	0	0	0
1101 00 00 180	01	0	0	0	0	0	0	0
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 600	01	0	0	0	0	0	0	0
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 100	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 200	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 500	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 90 100	01	0	0	0	0	0	0	0
1103 11 90 900	—	—	—	—	—	—	—	—

(*) For the following destinations:

01 All third countries.

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

COMMISSION REGULATION (EEC) No 1461/91

of 31 May 1991

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

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

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

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/79 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 June 1991.

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

Done at Brussels, 31 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 31 May 1991 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund	Product code	Refund
1102 20 10 100	178,46	1104 22 30 100	141,19
1102 20 10 300	152,96	1104 22 30 900	—
1102 20 10 900	—	1104 22 50 000	—
1102 20 90 100	152,96	1104 23 10 100	191,21
1102 20 90 900	—	1104 23 10 300	146,59
1102 30 00 000	—	1104 23 10 900	—
1102 90 10 100	135,33	1104 29 11 000	—
1102 90 10 900	92,02	1104 29 15 000	—
1102 90 30 100	149,49	1104 29 19 000	—
1102 90 30 900	—	1104 29 91 000	102,93
1103 12 00 100	149,49	1104 29 95 000	96,27
1103 12 00 900	—	1104 30 10 000	25,73
1103 13 11 100	229,45	1104 30 90 000	31,87
1103 13 11 300	178,46	1107 10 11 000	183,22
1103 13 11 500	152,96	1107 10 91 000	160,59
1103 13 11 900	—	1108 11 00 200	205,86
1103 13 19 100	229,45	1108 11 00 800	—
1103 13 19 300	178,46	1108 12 00 200	203,95
1103 13 19 500	152,96	1108 12 00 800	—
1103 13 19 900	—	1108 13 00 200	203,95
1103 13 90 100	152,96	1108 13 00 800	—
1103 13 90 900	—	1108 14 00 200	—
1103 14 00 000	—	1108 14 00 800	—
1103 19 10 000	96,27	1108 19 10 200	203,91
1103 19 30 100	139,84	1108 19 10 800	—
1103 19 30 900	—	1108 19 90 200	—
1103 21 00 000	104,99	1108 19 90 800	—
1103 29 20 000	92,02	1109 00 00 100	0,00
1103 29 30 000	—	1109 00 00 900	—
1103 29 40 000	130,02	1702 30 51 000	266,41
1104 11 90 100	135,33	1702 30 59 000	203,95
1104 11 90 900	—	1702 30 91 000	266,41
1104 12 90 100	166,10	1702 30 99 000	203,95
1104 12 90 300	132,88	1702 40 90 000	203,95
1104 12 90 900	—	1702 90 50 100	266,41
1104 19 10 000	104,99	1702 90 50 900	203,95
1104 19 50 110	203,95	1702 90 75 000	279,16
1104 19 50 130	165,71	1702 90 79 000	193,75
1104 19 50 150	—	2106 90 55 000	203,95
1104 19 50 190	—	2302 10 10 000	25,65
1104 19 50 900	—	2302 10 90 100	25,65
1104 19 91 000	—	2302 10 90 900	—
1104 21 10 100	135,33	2302 20 10 000	25,65
1104 21 10 900	—	2302 20 90 100	25,65
1104 21 30 100	135,33	2302 20 90 900	—
1104 21 30 900	—	2302 30 10 000	25,65
1104 21 50 100	180,44	2302 30 90 000	25,65
1104 21 50 300	144,35	2302 40 10 000	25,65
1104 21 50 900	—	2302 40 90 000	25,65
1104 22 10 100	132,88	2303 10 11 100	101,98
1104 22 10 900	—	2303 10 11 900	—

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

COMMISSION REGULATION (EEC) No 1462/91

of 31 May 1991

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to the opinion of the Monetary Committee,

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

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

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

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

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

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 1349/87⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

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

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁵⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁶⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁷⁾ OJ No L 127, 16. 5. 1987, p. 14.

⁽⁸⁾ OJ No L 134, 28. 5. 1977, p. 53.

⁽⁹⁾ OJ No L 292, 11. 10. 1989, p. 10.

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

- in the case of currencies which are maintained in relation to each other at any given moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the corrective factor provided for in the last paragraph of Article 3 (1) of Council Regulation (EEC) No 1676/85 ⁽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 the refund must be fixed once a month; whereas it may be altered in the intervening period;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 June 1991.

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

Done at Brussels, 31 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 31 May 1991 fixing the export refunds on cereal-based compound feedingstuffs

<i>(ECU/tonne)</i>	
Product code	Amount of refund
2309 10 11 110	6,37
2309 10 13 110	6,37
2309 10 31 110	6,37
2309 10 33 110	6,37
2309 10 51 110	6,37
2309 10 53 110	6,37
2309 90 31 110	6,37
2309 90 33 110	6,37
2309 90 41 110	6,37
2309 90 43 110	6,37
2309 90 51 110	6,37
2309 90 53 110	6,37
2309 10 11 190	4,81
2309 10 13 190	4,81
2309 10 31 190	4,81
2309 10 33 190	4,81
2309 10 51 190	4,81
2309 10 53 190	4,81
2309 90 31 190	4,81
2309 90 33 190	4,81
2309 90 41 190	4,81
2309 90 43 190	4,81
2309 90 51 190	4,81
2309 90 53 190	4,81
2309 10 11 210	12,75
2309 10 13 210	12,75
2309 10 31 210	12,75
2309 10 33 210	12,75
2309 10 51 210	12,75
2309 10 53 210	12,75
2309 90 31 210	12,75
2309 90 33 210	12,75
2309 90 41 210	12,75
2309 90 43 210	12,75
2309 90 51 210	12,75
2309 90 53 210	12,75
2309 10 11 290	9,63
2309 10 13 290	9,63
2309 10 31 290	9,63
2309 10 33 290	9,63
2309 10 51 290	9,63
2309 10 53 290	9,63
2309 90 31 290	9,63
2309 90 33 290	9,63
2309 90 41 290	9,63
2309 90 43 290	9,63
2309 90 51 290	9,63
2309 90 53 290	9,63
2309 10 11 310	25,49
2309 10 13 310	25,49
2309 10 31 310	25,49
2309 10 33 310	25,49

(ECU/tonne)

Product code	Amount of refund
2309 10 51 310	25,49
2309 10 53 310	25,49
2309 90 31 310	25,49
2309 90 33 310	25,49
2309 90 41 310	25,49
2309 90 43 310	25,49
2309 90 51 310	25,49
2309 90 53 310	25,49
2309 10 11 390	19,25
2309 10 13 390	19,25
2309 10 31 390	19,25
2309 10 33 390	19,25
2309 10 51 390	19,25
2309 10 53 390	19,25
2309 90 31 390	19,25
2309 90 33 390	19,25
2309 90 41 390	19,25
2309 90 43 390	19,25
2309 90 51 390	19,25
2309 90 53 390	19,25
2309 10 31 410	38,24
2309 10 33 410	38,24
2309 10 51 410	38,24
2309 10 53 410	38,24
2309 90 41 410	38,24
2309 90 43 410	38,24
2309 90 51 410	38,24
2309 90 53 410	38,24
2309 10 31 490	28,88
2309 10 33 490	28,88
2309 10 51 490	28,88
2309 10 53 490	28,88
2309 90 41 490	28,88
2309 90 43 490	28,88
2309 90 51 490	28,88
2309 90 53 490	28,88
2309 10 31 510	50,99
2309 10 33 510	50,99
2309 10 51 510	50,99
2309 10 53 510	50,99
2309 90 41 510	50,99
2309 90 43 510	50,99
2309 90 51 510	50,99
2309 90 53 510	50,99
2309 10 31 590	38,50
2309 10 33 590	38,50
2309 10 51 590	38,50
2309 10 53 590	38,50
2309 90 41 590	38,50
2309 90 43 590	38,50
2309 90 51 590	38,50
2309 90 53 590	38,50
2309 10 31 610	63,74
2309 10 33 610	63,74
2309 10 51 610	63,74
2309 10 53 610	63,74
2309 90 41 610	63,74
2309 90 43 610	63,74

(ECU/tonne)

Product code	Amount of refund
2309 90 51 610	63,74
2309 90 53 610	63,74
2309 10 31 690	48,13
2309 10 33 690	48,13
2309 10 51 690	48,13
2309 10 53 690	48,13
2309 90 41 690	48,13
2309 90 43 690	48,13
2309 90 51 690	48,13
2309 90 53 690	48,13
2309 10 51 710	76,48
2309 10 53 710	76,48
2309 90 51 710	76,48
2309 90 53 710	76,48
2309 10 51 790	57,76
2309 10 53 790	57,76
2309 90 51 790	57,76
2309 90 53 790	57,76
2309 10 51 810	89,23
2309 10 53 810	89,23
2309 90 51 810	89,23
2309 90 53 810	89,23
2309 10 51 890	67,38
2309 10 53 890	67,38
2309 90 51 890	67,38
2309 90 53 890	67,38

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

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

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

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

COMMISSION REGULATION (EEC) No 1463/91
of 31 May 1991
fixing the export refunds on oil seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Having regard to Council Regulation No 142/67/EEC of 21 June 1967 on export refunds on colza, rape and sunflower seeds⁽³⁾, as last amended by the Act of Accession of Greece, and in particular the second sentence of Article 2 (3) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽⁴⁾, as last amended by Regulation (EEC) No 1340/91⁽⁵⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁶⁾, as last amended by Regulation (EEC) No 2206/90⁽⁷⁾, and in particular Article 2 (3) thereof,

Having regard to Commission Regulation (EEC) No 2041/75 of 25 July 1975 on special detailed rules for the application of the system of import and export licences and advance fixing certificates for oils and fats⁽⁸⁾, as last amended by Regulation (EEC) No 557/91⁽⁹⁾, and in particular Article 13 thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, the target price and the monthly increases in the target price for colza, rape and sunflower seed for the 1990/91 marketing year were fixed by Regulations (EEC) No 1317/90⁽¹⁰⁾ and (EEC) No 1318/90⁽¹¹⁾;

Whereas the prices fixed by the Council are to be reduced in accordance with Article 2 of Commission Regulation (EEC) No 784/90 of 29 March 1990 fixing the reducing coefficient for agricultural prices in the 1990/91 marketing year as a result of the monetary realignment of 5

January 1990 and amending the prices and amounts fixed in ecus for that marketing year⁽¹²⁾;

Whereas, owing to the lack of a target price for colza and rape and of the adjustment in the rate of refund resulting from the maximum guaranteed quantity arrangements for the 1991/92 marketing year, the rate of the refund fixed in advance for this marketing year has only been able to be calculated provisionally conforming with the Commission's proposals to the Council; whereas this amount should therefore only be applied provisionally and should be confirmed or replaced once the prices and related measures and the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year are known;

Whereas Article 28 of Regulation No 136/66/EEC provides that a refund may be granted on exports to third countries of oil seeds harvested within the Community; whereas the amount of this refund may not exceed the difference between prices within the Community and prices on the world market where the former are higher than the latter; whereas Article 21 of Regulation No 136/66/EEC provides that, at present, Article 28 of that Regulation applies only to colza, rape and sunflower seeds;

Whereas the refund for colza and rape seeds produced in Spain or Portugal is adjusted in accordance with Council Regulation (EEC) No 478/86⁽¹³⁾;

Whereas Article 3 of Regulation No 142/67/EEC provides that when the refund is being calculated account must be taken of prices ruling on the various Community markets which are representative from the point of view of processing and exportation; the most favourable quotations recorded on the various markets of importing third countries and costs incurred in placing the goods on the world market; whereas, when the amount of the refund is being fixed, account must also be taken of the level of market prices within the Community for the oil seeds referred to in Article 21 of Regulation No 136/66/EEC and the future trend of these prices; whereas, furthermore, account should be taken of the economic aspect of the proposed exports and the situation in the Community regarding the supply of and demand for these seeds;

Whereas the abatement of the subsidy for colza and rape seed which arises from the system of maximum guaranteed quantities for the 1990/91 marketing year has been fixed by Commission Regulation (EEC) No 2509/90⁽¹⁴⁾;

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

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No 125, 26. 6. 1967, p. 2461/67.

⁽⁴⁾ OJ No L 164, 24. 6. 1985, p. 11.

⁽⁵⁾ OJ No L 132, 27. 5. 1991, p. 40.

⁽⁶⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁸⁾ OJ No L 213, 11. 8. 1975, p. 1.

⁽⁹⁾ OJ No L 62, 8. 3. 1991, p. 23.

⁽¹⁰⁾ OJ No L 132, 23. 5. 1990, p. 9.

⁽¹¹⁾ OJ No L 132, 23. 5. 1990, p. 11.

⁽¹²⁾ OJ No L 83, 30. 3. 1990, p. 102.

⁽¹³⁾ OJ No L 53, 1. 3. 1986, p. 55.

⁽¹⁴⁾ OJ No L 237, 1. 9. 1990, p. 7.

Whereas Article 1 of Commission Regulation (EEC) No 651/71 of 29 March 1971 on certain detailed rules for the application of export refunds on oil seeds⁽¹⁾, as last amended by Regulation (EEC) No 1815/84⁽²⁾, provides that the amount of the refund must be calculated on the basis of the weight of exported seeds; whereas this weight must be adjusted to take account of any differences between the percentages of moisture and impurities found to exist and those used to define the standard quality for which the target price is fixed; whereas, when this adjustment is being made, the weight of the exported seeds must be increased by the amount of the difference between the actual moisture and impurities content and that used to define the standard quality if the former is lower than the latter; whereas, if the opposite applies, the weight of the exported seeds must be reduced by the same amount;

Whereas the standard quality referred to above was defined in Article 2 of Council Regulation (EEC) No 1102/84⁽³⁾;

Whereas Article 2 of Regulation No 142/67/EEC provides that the refund may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 4 of Regulation (EEC) No 651/71 provides for the publication of the amount of the final refund obtained from the conversion into each of the national currencies of the amount of the refund in ecus plus or minus the differential amount; whereas Article 1 of Commission Regulation (EEC) No 1813/84⁽⁴⁾, as last amended by Regulation (EEC) No 1539/90⁽⁵⁾, defined the elements which determine the differential amounts; whereas these elements are equal to the incidence on the target price reduced by 7,5 % or the refund of the coefficient derived from the percentage referred to in Article 2 (1) of Regulation (EEC) No 1569/72; whereas, according to these provisions, this percentage represents:

(a) for those Member States whose currencies are maintained as between themselves within a spread at any given moment of 2,25 %, the difference between:

- the conversion rate used under the common agricultural policy, and
- the conversion rate resulting from the central rate of the correcting factor referred to in Article 6 (1) of Regulation (EEC) No 1677/85⁽⁶⁾ as last amended by Regulation (EEC) No 2205/90⁽⁷⁾.

(b) In the case of Member States other than those referred to in (a), the difference between:

- the agricultural conversion rate, and
- the average rate of the ecu as published in the C Series of the *Official Journal of the European Communities* during a period to be determined, multiplied by the factor referred to in the second indent of (a).

Whereas pursuant to Article 2 (2) of Regulation (EEC) No 1569/72 forward differential amounts are to be determined where the forward exchange rate for one or more currencies differs from the spot rate by at least a given percentage; whereas this percentage has been fixed at 0,5 by Regulation (EEC) No 1813/84;

Whereas Regulation (EEC) No 1813/84 specifies the spot and forward exchange rates and the period to be used for calculating the differential amounts; whereas in cases where, for one or more months, quotations of forward exchange rates are not available, the rates adopted for the previous months or the following months, as the case may be, must be used;

Whereas it follows from applying these provisions to the current situation of the oil seeds market and to the rates or prices of these products that, pursuant to Article 4 of Regulation (EEC) No 651/71, the amount of the refund in ecus and the amount of the final refund in each of the national currencies must, in the case of colza and rape seed, be fixed in accordance with the Annex to this Regulation; whereas it is not necessary to fix a refund for sunflower seed;

Whereas Article 13 of Regulation (EEC) No 2041/75 makes provision for the period of validity of certificates fixing refunds in advance to be reduced if the market situation warrants; whereas in the interests of sound market management a reduction should be made;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In the case of colza and rape seed, the amounts of the refund referred to in Article 4 (1) of Regulation (EEC) No 651/71 shall be as set out in the Annex hereto.

2. There shall be no refund on sunflower seed.

⁽¹⁾ OJ No L 75, 30. 3. 1971, p. 16.

⁽²⁾ OJ No L 170, 29. 6. 1984, p. 46.

⁽³⁾ OJ No L 113, 28. 4. 1984, p. 8.

⁽⁴⁾ OJ No L 170, 29. 6. 1984, p. 41.

⁽⁵⁾ OJ No L 145, 8. 6. 1990, p. 20.

⁽⁶⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁷⁾ OJ No L 201, 31. 7. 1990, p. 9.

3. Certificates fixing the export refund in advance shall be valid from their date of issue until the end of the following month.

4. However, the amount of the refund fixed in advance for the 1991/92 marketing year for colza and rape shall be confirmed or replaced with effect from 1 June 1991 to take account of the prices and related measures for the

1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

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, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1991 fixing the export refunds on oil seeds

(amounts per 100 kilograms)

	Current 6	1st period 7 ⁽¹⁾	2nd period 8	3rd period 9	4th period 10	5th period 11
1. Gross refunds (ECU):						
— Spain	0,000	0,000	—	—	—	—
— Portugal	21,470	18,174	—	—	—	—
— other Member States	14,500	11,204	—	—	—	—
2. Final refunds:						
Seeds harvested and exported from:						
— Federal Republic of Germany (DM)	34,14	26,38	—	—	—	—
— Netherlands (Fl)	38,46	29,72	—	—	—	—
— BLEU (Bfrs/Lfrs)	704,07	544,02	—	—	—	—
— France (FF)	114,49	88,46	—	—	—	—
— Denmark (Dkr)	130,21	100,61	—	—	—	—
— Ireland (£ Irl)	12,742	9,846	—	—	—	—
— United Kingdom (£)	10,993	8,421	—	—	—	—
— Italy (Lit)	25 541	19 735	—	—	—	—
— Greece (Dr)	2 515,53	1 757,91	—	—	—	—
— Spain (Pta)	111,92	111,92	—	—	—	—
— Portugal (Esc)	4 548,51	3 861,32	—	—	—	—

⁽¹⁾ Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular:

- to the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;
- to the adjustment resulting from the maximum guaranteed quantity arrangements and that of the agricultural conversion rates applied for the 1990/91 marketing year.

COMMISSION REGULATION (EEC) No 1464/91
of 31 May 1991
fixing the amount of the subsidy on oil seeds

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

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 27 (4) thereof,

Having regard to Council Regulation (EEC) No 1678/85 of 11 June 1985 fixing the conversion rates to be applied in agriculture⁽³⁾, as last amended by Regulation (EEC) No 1340/91⁽⁴⁾,

Having regard to Council Regulation (EEC) No 1569/72 of 20 July 1972 laying down special measures for colza, rape and sunflower seed⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾, and in particular Article 2 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas the amount of the subsidy referred to in Article 27 of Regulation No 136/66/EEC was fixed by Commission Regulation (EEC) No 772/91⁽⁷⁾, as last amended by Regulation (EEC) No 1380/91⁽⁸⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 772/91 to the information known to the Commission that the amount of the subsidy at present in force should be altered to the amount set out in the Annexes hereto,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of the subsidy and the exchange rates referred to in Article 33 (2) and (3) of Commission Regulation (EEC) No 2681/83⁽⁹⁾ shall be as set out in the Annexes hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for colza, rape and sunflower seed shall be confirmed or replaced with effect from 1 June 1991 to take account of the prices and related measures for the 1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

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, 31 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 164, 24. 6. 1985, p. 11.

⁽⁴⁾ OJ No L 132, 27. 5. 1991, p. 40.

⁽⁵⁾ OJ No L 167, 25. 7. 1972, p. 9.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 81, 28. 3. 1991, p. 62.

⁽⁸⁾ OJ No L 130, 25. 5. 1991, p. 64.

⁽⁹⁾ OJ No L 266, 28. 9. 1983, p. 1.

ANNEX I

Aids to colza and rape seed other than 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 ⁽¹⁾	2nd period 8 ⁽¹⁾	3rd period 9 ⁽¹⁾	4th period 10 ⁽¹⁾	5th period 11 ⁽¹⁾
1. Gross aids (ECU):						
— Spain	0,000	9,000	9,000	9,000	9,000	9,007
— Portugal	25,493	15,970	15,970	15,970	15,970	15,970
— Other Member States	18,523	9,000	9,000	9,000	9,000	9,000
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	43,61	21,19	21,19	21,19	21,19	21,19
— Netherlands (Fl)	49,13	23,87	23,87	23,87	23,87	23,87
— BLEU (Bfrs/Lfrs)	899,41	437,01	437,01	437,01	437,01	437,01
— France (FF)	146,25	71,06	71,06	71,06	71,06	71,06
— Denmark (Dkr)	166,33	80,82	80,82	80,82	80,82	80,82
— Ireland (£ Irl)	16,278	7,909	7,909	7,909	7,909	7,909
— United Kingdom (£)	14,194	6,707	6,707	6,707	6,707	6,688
— Italy (Lit)	32 627	15 853	15 853	15 853	15 853	15 770
— Greece (Dr)	3 561,89	1 277,23	1 233,51	1 192,24	1 192,24	1 052,79
— Spain (Pta)	0,00	1 521,43	1 521,43	1 518,41	1 518,41	1 504,76
— Portugal (Esc)	5 373,11	3 400,37	3 400,37	3 400,37	3 400,37	3 363,62

ANNEX II

Aids to colza and rape seed 'double zero'

(amounts per 100 kg)

	Current 6	1st period 7 ⁽¹⁾	2nd period 8 ⁽¹⁾	3rd period 9 ⁽¹⁾	4th period 10 ⁽¹⁾	5th period 11 ⁽¹⁾
1. Gross aids (ECU):						
— Spain	0,000	11,500	11,500	11,500	11,500	11,500
— Portugal	27,993	18,470	18,470	18,470	18,470	18,470
— Other Member States	21,023	11,500	11,500	11,500	11,500	11,500
2. Final aids:						
Seed harvested and processed in:						
— Federal Republic of Germany (DM)	49,49	27,07	27,07	27,07	27,07	27,07
— Netherlands (Fl)	55,76	30,50	30,50	30,50	30,50	30,50
— BLEU (Bfrs/Lfrs)	1 020,80	558,40	558,40	558,40	558,40	558,40
— France (FF)	165,99	90,80	90,80	90,80	90,80	90,80
— Denmark (Dkr)	188,78	103,27	103,27	103,27	103,27	103,27
— Ireland (£ Irl)	18,475	10,106	10,106	10,106	10,106	10,106
— United Kingdom (£)	16,143	8,656	8,656	8,656	8,656	8,637
— Italy (Lit)	37 031	20 257	20 257	20 257	20 257	20 173
— Greece (Dr)	4 119,16	1 834,49	1 790,77	1 749,50	1 749,50	1 610,05
— Spain (Pta)	0,00	1 903,67	1 903,67	1 900,65	1 900,65	1 887,00
— Portugal (Esc)	5 894,80	3 922,06	3 922,06	3 922,06	3 922,06	3 885,31

(¹) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular:

- to the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;
- to the adjustment resulting from the maximum guaranteed quantity arrangements and that of the agricultural conversion rates applied for the 1990/91 marketing year.

ANNEX III

Aids to sunflower seed

(amounts per 100 kg)

	Current 6	1st period 7	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)
1. Gross aids (ECU):					
— Spain	29,177	28,923	22,126	22,228	22,228
— Portugal	38,135	37,885	29,253	29,353	29,353
— Other Member States	25,895	25,645	17,013	17,113	17,113
2. Final aids:					
(a) Seed harvested and processed in (2):					
— Federal Republic of Germany (DM)	60,96	60,37	40,05	40,29	40,29
— Netherlands (Fl)	68,69	68,02	45,13	45,39	45,39
— BLEU (Bfrs/Lfrs)	1 257,37	1 245,23	826,09	830,94	830,94
— France (FF)	204,46	202,48	134,33	135,12	135,12
— Denmark (Dkr)	232,53	230,29	152,77	153,67	153,67
— Ireland (£ Irl)	22,756	22,536	14,951	15,038	15,038
— United Kingdom (£)	19,942	19,743	12,937	13,016	13,016
— Italy (Lit)	45 613	45 172	29 968	30 144	30 144
— Greece (Dr)	5 207,05	5 129,26	2 976,62	2 959,34	2 959,34
— Portugal (Esc)	8 008,61	7 957,31	6 173,78	6 194,30	6 194,30
(b) Seed harvested in Spain and processed:					
— in Spain (Pta)	4 575,97	4 538,85	3 534,82	3 546,53	3 546,53
— in another Member State (Pta)	4 636,83	4 600,39	3 608,74	3 620,25	3 620,25

(1) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular to:

- the Commission's proposals for the 1991/92 marketing year as regards the target price, the monthly increases, the reduction for rape seed other than 'double zero' and the arrangements applying to rape seed harvested in Spain;
- the adjustment resulting from the maximum guaranteed quantity arrangements and the agricultural conversion rates applied for the 1990/91 marketing year.

(2) For seed harvested in Member States other than Spain and processed in Spain, the amounts shown in 2 (a) to be multiplied by 1,0186140.

ANNEX IV

Exchange rate of the ecu to be used for converting final aids into the currency of the processing country when the latter is a country other than the country of production

(value of ECU 1)

	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10	5th period 11
DM	2,057600	2,055850	2,054490	2,053230	2,053230	2,049710
Fl	2,317150	2,315760	2,314170	2,312610	2,312610	2,308820
Bfrs/Lfrs	42,334900	42,298100	42,265899	42,237900	42,237900	42,155700
FF	6,989170	6,985830	6,981820	6,978070	6,978070	6,966890
Dkr	7,881980	7,880160	7,877700	7,875310	7,875310	7,866730
£Irl	0,768489	0,768907	0,769044	0,769276	0,769276	0,769680
£	0,694297	0,695296	0,696175	0,696939	0,696939	0,698451
Lit	1 528,70	1 530,56	1 532,21	1 533,84	1 533,84	1 539,85
Dr	225,67100	227,62200	229,79600	231,84800	231,84800	238,22600
Esc	179,69400	179,76600	179,96800	180,32300	180,32300	182,23600
Pta	127,48800	127,75900	128,01600	128,24900	128,24900	128,87000

COMMISSION REGULATION (EEC) No 1465/91

of 31 May 1991

fixing the amount of aid for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 2249/90⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1990/91 marketing year was fixed by Council Regulation (EEC) No 1189/90⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly increases in the threshold price was fixed by Council Regulation (EEC) No 1191/90⁽⁸⁾;

Whereas the abatement of the subsidy which arises, where appropriate, from the system of maximum guaranteed quantities for the 1990/91 year, has been fixed by Commission Regulation (EEC) No 2510/90⁽⁹⁾;

Whereas the threshold price activating the aid and the minimum price fixed by the Council are to be reduced in accordance with Commission Regulation (EEC) No 1755/90 of 27 June 1990 establishing the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990⁽¹⁰⁾;

'Whereas, owing to the lack of an activating threshold price, a guide price for peas, field beans and sweet lupins and of the adjustment in the rate of aid resulting from the maximum guaranteed quantity arrangements for the 1991/92 marketing year, the amount of the aid fixed in advance for this marketing year has only been able to be calculated provisionally conforming to the Commission's price proposals to the Council; whereas this amount should, therefore, only be applied provisionally and should be confirmed or replaced once the prices and related measures and the consequences of the maximum guaranteed quantity arrangements for the 1991/92 marketing year are known';

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

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

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 203, 1. 8. 1990, p. 56.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 119, 11. 5. 1990, p. 37.

⁽⁸⁾ OJ No L 119, 11. 5. 1990, p. 40.

⁽⁹⁾ OJ No L 237, 1. 9. 1990, p. 8.

⁽¹⁰⁾ OJ No L 162, 28. 6. 1990, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

- in the case of currencies which are maintained in relation to each other at any moment within a band of 2,25 %, a rate of exchange based on their central rate, multiplied by the correcting factor provided for in Article 6 (1) of Council Regulation (EEC) No 1677/85⁽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 pursuant to Articles 121 (2) and 307 (2) of the Act of Accession the amount of the aid for products harvested and processed in either of these Member States should be reduced by the customs duty charged on importation of products from third countries;

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1834/90⁽³⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from

Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State,

HAS ADOPTED THIS REGULATION:

Article 1

1. The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annexes hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for peas, field beans and sweet lupins shall be confirmed or replaced with effect from 1 June 1991 to take account of the prices and related measures for the 1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

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, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽³⁾ OJ No L 167, 30. 6. 1990, p. 94.

ANNEX I

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)	6th period 12 (1)
Peas used :							
— in Spain	6,681	4,537	4,537	4,695	4,853	5,011	5,169
— in Portugal	6,699	4,555	4,555	4,713	4,871	5,029	5,187
— in another Member State	6,834	4,690	4,690	4,848	5,006	5,164	5,322
Field beans used :							
— in Spain	6,834	4,690	4,690	4,848	5,006	5,164	5,322
— in Portugal	6,699	4,555	4,555	4,713	4,871	5,029	5,187
— in another Member State	6,834	4,690	4,690	4,848	5,006	5,164	5,322

Products used in animal feed :

(ECU per 100 kg)

	Current 6	1st period 7 (1)	2nd period 8 (1)	3rd period 9 (1)	4th period 10 (1)	5th period 11 (1)	6th period 12 (1)
A. Peas used :							
— in Spain	9,061	6,377	6,505	6,663	6,820	6,892	7,049
— in Portugal	9,113	6,435	6,563	6,720	6,878	6,950	7,108
— in another Member State	9,113	6,435	6,563	6,720	6,878	6,950	7,108
B. Field beans used :							
— in Spain	9,061	6,377	6,505	6,663	6,820	6,892	7,049
— in Portugal	9,113	6,435	6,563	6,720	6,878	6,950	7,108
— in another Member State	9,113	6,435	6,563	6,720	6,878	6,950	7,108
C. Sweet lupins harvested in Spain and used :							
— in Spain	10,729	8,859	9,030	9,030	9,030	8,916	8,916
— in Portugal	10,798	8,937	9,107	9,107	9,107	8,994	8,994
— in another Member State	10,798	8,937	9,107	9,107	9,107	8,994	8,994
D. Sweet lupins harvested in another Member State and used :							
— in Spain	10,729	8,859	9,030	9,030	9,030	8,916	8,916
— in Portugal	10,798	8,937	9,107	9,107	9,107	8,994	8,994
— in another Member State	10,798	8,937	9,107	9,107	9,107	8,994	8,994

ANNEX VIII

Corrective amount to be added to amounts in Annex VII

(in national currency per 100 kg)

Use of products:	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
Products harvested in:											
— BLEU (Bfrs/Lfrs)	0,00	0,00	0,00	30,05	0,14	0,00	0,00	0,00	0,00	0,00	0,00
— Denmark (Dkr)	0,00	0,00	0,00	5,56	0,03	0,00	0,00	0,00	0,00	0,00	0,00
— Federal Republic of Germany (DM)	0,00	0,00	0,00	1,46	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Greece (Dr)	0,00	0,00	0,00	152,73	0,69	0,00	0,00	0,00	0,00	0,00	0,00
— Spain (Pta)	0,00	0,00	0,00	94,97	0,43	0,00	0,00	0,00	0,00	0,00	0,00
— France (FF)	0,00	0,00	0,00	4,89	0,02	0,00	0,00	0,00	0,00	0,00	0,00
— Ireland (£ Irl)	0,000	0,000	0,000	0,544	0,002	0,000	0,000	0,000	0,000	0,000	0,000
— Italy (Lit)	0	0	0	1090	5	0	0	0	0	0	0
— Netherlands (Fl)	0,00	0,00	0,00	1,64	0,01	0,00	0,00	0,00	0,00	0,00	0,00
— Portugal (Esc)	0,00	0,00	0,00	129,16	0,58	0,00	0,00	0,00	0,00	0,00	0,00
— United Kingdom (£)	0,000	0,000	0,000	0,483	0,002	0,000	0,000	0,000	0,000	0,000	0,000

ANNEX IX

Exchange rate of the ecu to be used

	BLEU	DK	DE	EL	ES	FR	IRL	IT	NL	PT	UK
In national currency, ECU 1 =	42,4032	7,84195	2,05586	225,214	127,286	6,89509	0,767417	1 538,24	2,31643	179,188	0,694000

(¹) Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular:

- to the Commission's proposals for the 1991/92 marketing year as regards the target price, the activating threshold prices and the monthly increases;
- to the adjustment resulting from the maximum guaranteed quantity arrangements and that of the agricultural conversion rates applied for the 1990/91 marketing year.

COMMISSION REGULATION (EEC) No 1466/91
of 31 May 1991
fixing the rate of the aid for dried fodder

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 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Having regard to the opinion of the Monetary Committee,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas this percentage and the guide price were fixed by Council Regulation (EEC) No 1357/91 of 24 May 1991 fixing the guide price for dried fodder products for the period from 27 May to 16 June⁽³⁾;

Whereas, in the absence of the guide price for dried fodder and of the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 and of the intervention price for barley for the 1991/92 marketing year, the rate of the aid was fixed in accordance with Commission proposals to the Council and should be confirmed or replaced once the guide price, related measures, the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 and the intervention price for barley for the 1991/92 marketing year are known;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁴⁾, as last

amended by Regulation (EEC) No 1110/89⁽⁵⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1757/90⁽⁷⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced,

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 130, 25. 5. 1991, p. 7.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁵⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁷⁾ OJ No L 162, 28. 6. 1990, p. 21.

adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78 ; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero ;

Whereas, if the aid 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 conversion rate 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 the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing ;

Whereas, pursuant to Articles 120 (2) and 306 (2) of the Act of Accession, the additional aid applicable in these two Member States is to be adjusted by an amount equal to the amount of customs duties on imports of these products from third countries ; whereas, in addition, in

Spain the amount is to be adjusted by the difference, multiplied by the percentage referred to in Article 5 (2) of Regulation (EEC) No 1117/78, between the guide price applied in Spain and the common guide price ;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

1. The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

2. However, the rate of aid for the 1991/92 marketing year shall be confirmed or replaced with effect from 1 June 1991 to take account of the guide price for dried fodder, the intervention price for barley and the percentages referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1991/92 marketing year.

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, 31 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 31 May 1991 fixing the rate of the aid for dried fodder

Aid applicable from 1 June 1991 to dried fodder :

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried	
	Spain	Portugal	Other Member States	Portugal	Other Member States
Aid (1)	46,189	48,937	49,637	15,997	16,697

Aid in case of advance fixing for the month of :

(ECU/tonne)

	Spain	Portugal	Other Member States	Portugal	Other Member States
July 1991 (1)	60,882	63,741	64,330	30,801	31,390
August 1991 (1)	62,410	65,281	65,858	32,341	32,918
September 1991 (1)	61,485	64,348	64,933	31,408	31,993
October 1991 (2)	0,000	0,000	0,000	0,000	0,000
November 1991 (2)	0,000	0,000	0,000	0,000	0,000
December 1991 (2)	0,000	0,000	0,000	0,000	0,000
January 1992 (2)	0,000	0,000	0,000	0,000	0,000
February 1992 (2)	0,000	0,000	0,000	0,000	0,000
March 1992 (2)	0,000	0,000	0,000	0,000	0,000

(1) Rate fixed provisionally, pending and subject to the setting of the prices and related measures for the 1991/92 marketing year, as regards :

- (a) the guide price for dried fodder;
- (b) the percentage referred to in Article 5 of Regulation (EEC) No 1117/78;
- (c) the intervention price for barley.

(2) In accordance with Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 1467/91**of 31 May 1991****fixing the aid for cotton**

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1100/91⁽⁴⁾, as amended by Regulation (EEC) No 1130/91⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1100/91 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 50,329 per 100 kilograms.

2. However, the amount of the aid will be confirmed or replaced with effect from 1 June 1991 to take account of the guide price of cotton adopted in respect of the 1991/92 marketing year and which appear to have been offered in the largest quantities.

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, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 85, 30. 3. 1989, p. 7.

⁽⁴⁾ OJ No L 110, 1. 5. 1991, p. 35.

⁽⁵⁾ OJ No L 111, 3. 5. 1991, p. 46.

COMMISSION REGULATION (EEC) No 1468/91
of 31 May 1991
fixing the aid for soya beans

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 1491/85 of 23 May 1985 laying down special measures in respect of soya beans ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 2 (7) thereof,

Whereas the amount of the aid referred to in Article 2 (1) of Regulation (EEC) No 1491/85 was fixed by Commission Regulation (EEC) No 771/91 ⁽³⁾, as last amended by Regulation (EEC) No 1250/91 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 771/91 to the information at present available to the Commission that the amount of the aid at present in force should be altered as set out in this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

1. The amount of the aid provided for in Article 2 of Regulation (EEC) No 1491/85 shall be as set out in the Annex hereto.

2. However, the amount of the aid fixed in advance for the 1991/92 marketing year for soya seed shall be confirmed or replaced with effect from 1 June 1991 to take account of the prices and related measures for the 1991/92 marketing year and of the consequences of the maximum guaranteed quantity arrangements.

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, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1991 fixing the aid for soya beans

(ECU/100 kg)

	Current period 6	First period 7	Second period 8	Third period 9	Fourth period 10 ⁽¹⁾	Fifth period 11 ⁽¹⁾
Seed harvested :						
— Spain	16,149	16,156	16,072	16,036	16,248	16,134
— another Member State	21,693	21,700	21,616	19,760	19,972	19,858

⁽¹⁾ Amount fixed provisionally, pending and subject to the setting of the prices and related measures and of the application of the maximum guaranteed quantity arrangements for the 1991/92 marketing year, conforming in particular :

- to the Commission's proposals for the 1991/92 marketing year as regards the guide price,
- to the adjustment resulting from the maximum guaranteed quantity arrangements applied for the 1990/91 marketing year.

⁽¹⁾ OJ No L 151, 10. 6. 1985, p. 15.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 81, 28. 3. 1991, p. 60.

⁽⁴⁾ OJ No L 119, 14. 5. 1991, p. 34.

COMMISSION REGULATION (EEC) No 1469/91
of 31 May 1991

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

which use third-country products under inward processing arrangements ;

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 19 (4) (a) and (7) thereof,

Whereas Article 4(3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products ;

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation ; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81 ;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry ⁽⁵⁾, as last amended by Regulation (EEC) 464/91, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto ; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices ; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration ; whereas this system is the only one which discards the risk of fraud ;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month ; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to :

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market ;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions ;
- (c) the need to ensure equality of competition for the industries which use Community products and those

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁶⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁷⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁸⁾, as last amended by Regulation (EEC) No 1615/90 ⁽⁹⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted ;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁷⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁸⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 152, 16. 6. 1990, p. 33.

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

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance ; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

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, 31 May 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 May 1991 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar :	38,68	
Raw sugar :	35,49	
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$38,68 \times \frac{S^{(1)}}{100}$	or
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :		the rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses :	—	
Isoglucose ⁽²⁾ :	38,68 ⁽³⁾	

(¹) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(²) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(³) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 1470/91

of 31 May 1991

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

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 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 1157/91 ⁽⁸⁾, lay down that butter at reduced prices should be made available to industries which manufacture certain goods;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 362, 27. 12. 1990, p. 5.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 112, 4. 5. 1991, p. 57.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in

Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

Article 3

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, 31 May 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 May 1991 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

<i>(ECU/100 kg)</i>		
CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501	—
	b) On exportation of other goods	70,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) Where goods containing reduced-price butter which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	53,82
	b) On exportation of other goods	115,00
ex 0405 00 10	Butter, with a fat content by weight of 82 % (PG 6):	
	a) Where goods containing reduced-price butter which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	6,40
	b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat	171,00
	c) On exportation of other goods	165,00

COMMISSION REGULATION (EEC) No 1471/91

of 31 May 1991

fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽⁵⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to :

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted pursuant to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector ⁽⁷⁾, as last amended by Regulation (EEC) No 3655/90 ⁽⁸⁾, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁹⁾, as amended by Regulation (EEC) No 2026/83 ⁽¹⁰⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽¹¹⁾, as last amended by Regulation (EEC) No 1615/90 ⁽¹²⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC ⁽¹³⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 362, 27. 12. 1990, p. 33.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹²⁾ OJ No L 152, 16. 6. 1990, p. 33.

⁽¹³⁾ OJ No L 275, 29. 9. 1987, p. 36.

Whereas, in order to ensure equitable treatment between maize products exported in the form of pellets, rolled or flaked grains falling within CN code 1904 10 and other maize products, it is necessary to differentiate the refunds on those goods,

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported

have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

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, 31 May 1991.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 May 1991 fixing the rates of the refunds applicable to certain cereal and rice products exported in the form of goods not covered by Annex II to the Treaty

		(ECU/100 kg)
CN code	Description	Rate of refund
1001 10 90	Durum wheat :	
	— On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	7,791
	— In all other cases	12,985
1001 90 99	Common wheat, and meslin (mixed wheat and rye) :	
	— On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	6,176
	— In all other cases	10,293
1002 00 00	Rye	9,627
1003 00 90	Barley	9,592
1004 00 90	Oats	8,305
1005 90 00	Maize, other than hybrid maize for sowing) :	
	— Maize in pellets, rolled or flake grains with a fat content exceeding 1,5 % in the form of goods falling within CN code 1904 10	7,223
	— In all other cases	12,747
1006 20	Round grain husked rice	21,832
	Medium grain husked rice	18,063
	Long grain husked rice	18,063
ex 1006 30	Round grain wholly milled rice	28,220
	Medium grain wholly milled rice	33,871
	Long grain wholly milled rice	33,871
1006 40 00	Broken rice	13,415
1007 00 90	Sorghum	6,377
1101 00 00	Wheat or meslin flour :	
	— On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	7,309
	— In all other cases	12,182
1102 10 00	Rye flour	20,704
1103 11 10	Durum wheat groats and meal :	
	— On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	12,076
	— In all other cases	20,127
1103 11 90	Common wheat groats and meal :	
	— On exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	7,309
	— In all other cases	12,182

COMMISSION REGULATION (EEC) No 1472/91

of 29 May 1991

imposing a provisional anti-dumping duty on imports of oxalic acid originating in India or China and terminating the anti-dumping proceeding in respect of imports of oxalic acid originating in Czechoslovakia

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports originating in countries not members of the European Economic Community⁽¹⁾, and in particular Articles 9, 11 and 14 thereof,

After consultations within the Advisory Committee as provided for by the above Regulation,

WHEREAS:

A. PREVIOUS PROCEEDING

- (1) In May 1987 the Commission published a notice in the *Official Journal of the European Communities* initiating an anti-dumping proceeding concerning imports of oxalic acid originating in China or Czechoslovakia⁽²⁾.

By Decision 88/623/EEC⁽³⁾, the Commission accepted the undertakings offered by the Chinese and Czechoslovak producers.

B. REQUEST FOR A REVIEW AND INITIATION OF THE PROCEEDING

- (2) In July 1990 the Commission received, from a group of producers accounting for a large part of Community production, a request for a review, pursuant to Article 14 of Regulation (EEC) No 2423/88, of the abovementioned measures concerning imports originating in China or Czechoslovakia together with a request for a proceeding to be initiated concerning imports of oxalic acid originating in India.
- (3) The complainants justified their request for a review on the grounds that Chinese and Czechoslovak exporters other than those covered by the undertakings were exporting to the Community at prices lower than normal value and that in certain cases undertakings had been breached. Considerable margins of dumping were alleged in the complaint concerning India.

It was also claimed that dumped imports originating in the three countries concerned were causing material injury.

- (4) The evidence of dumping and injury, in the case of India, and of a change in circumstances, in the case of China and Czechoslovakia, was judged sufficient to justify the initiation of an investigation. The Commission therefore published notices in the *Official Journal of the European Communities* announcing the initiation of an anti-dumping proceeding concerning imports of oxalic acid originating in India and a review concerning imports of oxalic acid originating in China or Czechoslovakia⁽⁴⁾.

C. SUBSEQUENT PROCEDURE

- (5) The Commission officially informed the producers, exporters and importers known to be concerned. India's representatives and the complainant. It gave the parties directly concerned the opportunity to make known their views in writing and to request a hearing.
- (6) The Community industry concerned, the producer/exporters and certain importers made their views known in writing. The Commission called for and obtained written comments from other Community producers in order to determine trends in Community consumption and its utilization capacity. Some exporters requested and were granted a hearing.
- (7) Pursuant to, and in accordance with Article 7(4) of Regulation (EEC) No 2423/88, those concerned had the opportunity to examine any information supplied to the Commission by anyone concerned in the investigation.
- (8) The Commission collected and verified all information it deemed necessary and carried out checks at the premises of the following firms:

— Community producer:

Destilados Agrícolas Vimbodi, SA (DAVSA),
Tarragona, Spain

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No C 137, 22. 5. 1987, p. 4.

⁽³⁾ OJ No L 343, 13. 12. 1988, p. 34.

⁽⁴⁾ OJ No C 216, 31. 8. 1990, p. 2.

— Non-Community producer/exporters :

Punjab Chemicals and Pharmaceuticals Ltd,
Chandigarh, India

Excel Industries Ltd, Bombay, India.

- (9) The dumping investigation covered the period 1 April 1989 to 31 August 1990 (hereinafter referred to as the 'investigation period').

D. PRODUCT

- (10) The product concerned is oxalic acid, which is sold in the form of a white, crystalline powder and used *inter alia* in the textile, building, metal-working, chemical and pharmaceutical industries. The product falls within CN code ex 2917 11 00.
- (11) With regard to whether the imported products and the Community products are all like products, within the meaning of Article 2 (12) of Regulation (EEC) No 2423/88, the Commission found that their chemical properties and end-use were the same, and the manufacturing process, from a glucide base, also identical. None of those concerned made any comment.

E. RESULTS OF THE DUMPING INVESTIGATION

I. Normal value

(a) India

- (12) Since sales at a profit on the domestic market greatly exceeded sales to the European Community, the Commission considered domestic sales a suitable basis for the calculation of normal value.

Pursuant to Article 2 (3) (a) of Regulation (EEC) No 2423/88, normal value was provisionally determined on the basis of the comparable weighted average price charged by the exporters concerned for like products sold on the domestic market.

(b) China and Czechoslovakia

- (13) In order to establish whether imports originating in China or Czechoslovakia were being dumped, the Commission, pursuant to Article 2 (5) of Regulation (EEC) No 2423/88, had to take account of the fact that they were not market economy countries. It had therefore to base its calculations on the normal value in a market economy country.

The complainants had proposed India as a comparable country. The Commission thought this a

reasonable choice in that oxalic acid was manufactured by an identical process and that there was competition on the Indian market. Since neither the Chinese nor the Czechoslovak producer/exporters objected, the Commission used India as a basis for its provisional calculations.

II. Export prices

- (14) Export prices were generally established on the basis of the prices actually paid or payable for products sold for export to the Community.
- (15) Since the Chinese exporters and all but one of the importers failed to cooperate, the export prices were provisionally established, in accordance with Article 7 (7) (b) of Regulation (EEC) No 2423/88, on the basis of the facts available, in this case the data given in the complaint. These prices tally with those given by the one importer which did cooperate.

III. Comparison

- (16) Pursuant to Article 2 (9) and (10) of Regulation (EEC) No 2423/88, the Commission compared normal value with export prices, in each case making due allowance in the form of adjustments for differences affecting price comparability, e.g. transport, insurance and handling charges, credit terms and ancillary costs.

Export prices were compared, transaction by transaction, with normal value at the ex-factory stage.

IV. Dumping margins

- (17) A preliminary examination of the facts showed that dumping was taking place. The margin varied from one exporter to another. The individual dumping margins established for each exporter represent the difference between the normal value established and the price, duly adjusted, of each consignment exported to the Community. On this basis, the provisional average dumping margins, expressed as a percentage of the total cif value of imports of the product in question during the investigation period, are :

(a) India

— Punjab Chemicals and Pharmaceuticals Ltd	6,48 %
— Excel Industries Ltd	6,56 %

(b) China 20,32 %

(c) Czechoslovakia 0,01 %.

F. INJURY

(b) *Price of imports*

Preliminary comment

- (18) In the case of Czechoslovakia, the Commission took into consideration not only the fact that the low dumping margin had been influenced partly by the level of the price undertaking offered by the Czechoslovak exporter, but also that this exporter had for some ten years respected its undertakings and sold at prices appreciably higher than those laid down in the undertaking currently in force. In the absence of any evidence to suggest that this exporter might subsequently change its trading behaviour, the Commission concluded that this exporter posed no immediate threat to the Community industry and that this country should therefore be removed from the examination of injury.

- (21) Evidence available to the Commission shows that during the first eight months of 1990 the average unit price of imports originating in India, which had risen by 68 % from 1986 to 1989, was 46,8 % down on the previous year, reaching its lowest level since 1986. Community prices were undercut by an average of 27,2 % during the first eight months of 1990.
- (22) Since China did not give satisfactory answers to the questionnaire, the Commission based its provisional calculations on the facts available, i.e. the data given in the complaint; the prices used tally with those supplied by the only importer to cooperate.

I. Volume, market share and price of imports

In order to establish the impact of imports of oxalic acid originating in India or China, the Commission took account of the following:

(a) *Volume and market share of dumped imports*

- (19) Figures available to the Commission show that imports of oxalic acid originating in India or China rose from 1 406 tonnes in 1986 to 3 689 tonnes in 1989, an increase of 162 %. During the first eight months of 1990, the volume was 2 092 tonnes. If these figures are extrapolated to cover the whole of 1990, a 15 % drop in exports is revealed; this should, however, be set against a 28 % drop in Community consumption.
- (20) In terms of the Community's apparent consumption of oxalic acid, which, after stabilizing at about 18 500 tonnes from 1986 to 1988, in 1989 increased by 15 % to 21 400 tonnes, the market share held by the imports in question climbed in the same period from 7,5 to 17,2 %. In 1990 Community consumption fell back to 15 500 tonnes, 28 % down on 1989, while the market share of the imports in question rose from 17,2 to 20,3 %.

Thus the Commission established that undercutting averaged 25,05 % during the first eight months of 1990.

II. Cumulative effect

- (23) In order to establish whether dumped imports were causing material injury, the Commission examined whether there was a case for aggregating imports of oxalic acid originating in India and China. The Commission found that the imported products were so alike as to be interchangeable, that they were in competition on the Community market, that they were distributed through the same networks and that they held considerable shares of the market. The Commission therefore found that the imports in question should be aggregated.
- (24) The Indian producer/exporters claimed that, since their share of the Community market was relatively small, their exports to this market should not be aggregated with others. The Commission, observing that Indian exporters held more than 9 % of the market, not only considers this market share far from negligible, but finds that it is increasing all the time. Consequently, the Commission considers that these exports must be aggregated with those of the other parties concerned in the proceeding.

III. The state of the Community industry

The Commission examined whether dumped imports had materially affected the Community industry concerned.

(a) Community production

- (25) Community production increased by 4,6 % from 1986 to 1989. The Community's extrapolated 1990 output was down 9,9 % on the previous year, falling to a level below that of 1986.

(b) Capacity utilization

- (26) In the course of 1990 extrapolated capacity utilization, which had fallen from 80,5 to 77,3 % between 1986 and 1989, fell to 69,6 %.

(c) Community sales and market share

- (27) Sales by the Community industry were found to have risen by 9,3 % from 1986 to 1989. In 1990 (extrapolated), they were down 28,2 % on 1989.
- (28) The Community industry saw its market share drop from 17,2 to 16,3 % between 1986 and 1989, despite a 15 % increase in Community consumption. During the investigation period, this market share dropped a little further to 16 %.

(d) Stocks

- (29) The Community industry increased its stocks considerably between 1986 and 1989 (up 157 %). By the end of the investigation period, they were found to have increased still further, by almost 341 %.

(e) Prices

- (30) Examination of the facts available showed that the anti-dumping measures in force had led to an appreciable increase (21,7 %) in prices on the Community market between 1986 and 1989. Prices in the investigation period were down 1 % on the previous year, a decline which acquired momentum in the first eight months of 1990 and attained 3 %.

(f) Financial results

- (31) The position of the Community industry, which had seen its profits recover in 1988 and 1989 under the influence of anti-dumping measures taken

against some countries, worsened and it again recorded losses during the investigation period.

(g) Employment

- (32) In 1988 the level of employment in the Community industry, which had previously been rising steadily, fell back to its 1986 level.

IV. Conclusions on the current state of the Community industry

- (33) The evidence above shows that imports of oxalic acid originating in India or China increased from 1986 to 1989 at a markedly faster rate than overall consumption, increasing by 162 % against the 15 % increase in Community consumption.

Extrapolated figures for 1990 show Community consumption down by 28 % on the previous year, while imports fell by only 15 %.

Consequently, the market share held by the imports concerned rose from 7,5 % in 1986 to 17,2 % in 1989 and 20,3 % in the first eight months of 1990.

In 1989 the state of the Community industry, which had from 1986 to 1988 increased its production, capacity utilization and stocks as a result of anti-dumping measures against certain countries, began to decline; this downturn became more pronounced during the investigation period. Its sales increased by only 9,3 % between 1986 and 1989, while Community consumption rose by 15 %. Extrapolated figures for 1990 show that the downturn in Community consumption was accompanied by a 28 % drop in sales. In 1990 sales prices, which had until 1989 been rising steadily, began to fall, with the result that a trading loss was registered during the investigation period. It should be noted that the Community industry had made a small profit in 1988 and 1989.

Other indicators, such as employment and returns on investment, also point to a deterioration in the situation of the Community industry since 1989.

- (34) In view of the above, the Commission concludes, for the purposes of its preliminary examination, that there has been material injury to the Community industry, within the meaning of Article 4 (2) of Regulation (EEC) No 2423/88.

G. CAUSATION

I. Import of dumped imports

- (35) When trying to gauge the extent to which the dumping had been the cause of material injury to the Community industry, the Commission found that the Community industry's loss of market share coincided with the growth in the market share held by Indian and Chinese exporters.
- (36) The fall in import prices in 1990 exerted a downward pressure on prices in the Community. The Community industry was therefore forced to sell at less than cost price, without, however, being able to stop further considerable erosion of its market share. This brought an increase in production costs, which in turn provoked further losses. The Commission therefore considers that there is a direct causal link between the material injury to the Community industry and undercutting on the Community market by Indian and Chinese exporters.

II. Impact of other factors

In order to establish whether the Community industry had been injured by imports originating in India or China, the Commission examined whether other factors could have contributed to the injury caused to the industry.

- (37) The Commission found that rising Community consumption between 1986 and 1989 was accompanied by a 17 % increase in imports from countries other than India and China; in 1990, however, these were 51 % (extrapolated figures) down on the year before, i.e. by more than the equivalent of the downturn in Community consumption. Imports from India and China did not follow this trend. Having increased faster than Community consumption between 1986 and 1989, in 1990 they fell less quickly than Community consumption.
- (38) While the market share of countries other than Indian and China dropped from 41,1 % in 1986 to 28,6 % in 1990, that of the two countries in question climbed from 7,5 to 20,3 % in the same period.
- (39) The Commission found that whereas exporters other than those in India and China had raised their prices by 15,5 % between 1986 and the first

eight months of 1990, prices of exports originating in India or China had fallen by an average of 18,1 %.

- (40) The Commission concluded by investigating whether the injury to the complainant might to some extent have been caused by other Community producers.

Finding that oxalic acid was only a marginal product to the Community producers which had not complained, that their sales on the Community market were generally in decline, that one of these producers sold the bulk of its production to the other, which then sold on the Community market at prices markedly higher than those charged by the complainant, the Commission concluded that the complainant could not have been injured by the activities of these producers.

- (41) In the circumstances, the Commission found that, taken in isolation, the volume of dumped imports originating in India or China and the prices at which the product was sold in the Community had to be considered the cause of injury to the Community industry concerned.

H. COMMUNITY INTEREST

- (42) The Commission considers that, without suitable measures to protect it from the material injury caused by dumped imports, the survival of the Community industry is threatened by the collapse of its market share and profit margins. Imposition of an anti-dumping duty will admittedly push up prices for oxalic acid, but the short-term benefit to the user and the consumer from low prices is offset by the restriction of competition, which leads to higher prices in the long term. Falling prices must be a consequence of fair competition and not of dumped imports.
- (43) The Commission took note of the fact that China, despite its undertakings, has continued to dump, contributing to the injury suffered by the Community industry and nullifying the measures taken to defend it. This behaviour suggests that simply maintaining in force existing measures would aggravate the situation of the Community industry.
- (44) The Commission therefore considers that the Community interest calls for the introduction of defense measures in the form of provisional anti-dumping duties.

I. PROVISIONAL DUTY

- (45) The Commission established the level of provisional duty by comparing the cif price charged in the Community by the exporters concerned with the price considered necessary to remove the injury, based on the costs of the industry concerned plus a 10 % profit margin. This margin was established on the basis of a reasonable return on investment.
- (46) The duty on the cif price level established equals the provisionally established dumping margin; the difference between the price deemed necessary for the Community industry and the export price charged by the exporters in question was higher.

This calculation enabled the following provisional anti-dumping duties to be established:

- India: in view of the minimal differences in the dumping margins established for each of the two exporting companies, which are connected, the duty has been rounded off at 6,5 %;
 - China: 20,3 %.
- (47) A period should be allowed for the parties concerned to make known their views in writing and request a hearing. It should be pointed out that all the findings on which this Regulation is based are provisional and calculations may be revised should the Commission propose a definitive duty.

J. TERMINATION OF THE ANTI-DUMPING PROCEEDING CONCERNING CZECHOSLOVAKIA

- (48) In view of the conclusions regarding the non-existence of dumping by Czechoslovakia, and the behaviour of the Czechoslovak exporter, the Commission considers, in the circumstances, that the review should be terminated without defence measures being imposed,

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

Done at Brussels, 29 May 1991.

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of oxalic acid falling within CN code ex 2917 11 00 and Taric code 2917 11 00 * 00, originating in India or China.
2. The amount of the duty, based on the free-at-Community-frontier price, not cleared through customs, shall be:
 - 6,5 % for imports of oxalic acid originating in India, and
 - 20,3 % for imports of oxalic acid originating in China.
3. The provisions in force concerning customs duties shall apply.
4. Release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to the provision of a security equivalent to the amount of the provisional duty.

Article 2

The review concerning Czechoslovakia is hereby terminated.

Article 3

Without prejudice to Article 7 (4) (b) of Regulation (EEC) No 2423/88, the parties concerned may make known their views in writing and request a hearing by the Commission within one month of entry into force of this Regulation.

Article 4

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

Subject to Articles 11, 12 and 13 of Regulation (EEC) No 2423/88, this Regulation shall apply for a period of four months, unless the Council adopts definitive measures before the expiry of that period.

For the Commission

Jean DONDELINGER

Member of the Commission

COMMISSION REGULATION (EEC) No 1473/91

of 31 May 1991

amending Regulation (EEC) No 1239/91 on the supply of various consignments
of cereals as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1750/89 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Commission Regulation (EEC) No 1239/91 ⁽³⁾, as amended by Regulation (EEC) No 1301/91 ⁽⁴⁾, issued an invitation to tender for the supply, as food aid, of 25 000 tonnes of cereals; whereas the characteristics and quality of the wheat of lot A stored at the addresses given in Annex II to the Regulation in question do not fulfil the quality requirements specified under II.A.1 on page 8 of the *Official Journal of the European Communities* No C 216 of 14 August 1987; whereas the Annex to the said Regulation should be amended to show the addresses of the new places of storage; whereas the date referred to in Article 5 of Commission Regulation (EEC) No 1385/89 ⁽⁵⁾ for the determination of the purchase price at the intervention agency should also be specified,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1239/91 is hereby amended as follows:

1. In Annex I, the following point is added:
'26. Date referred to in Article 5 of Regulation (EEC) No 1385/89 for determination of the applicable purchase price: 27. 5. 1991 (168,94 ECU/tonne).'
2. Annex II is replaced by the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.⁽²⁾ OJ No L 172, 21. 6. 1989, p. 1.⁽³⁾ OJ No L 119, 14. 5. 1991, p. 13.⁽⁴⁾ OJ No L 123, 18. 5. 1991, p. 21.⁽⁵⁾ OJ No L 139, 23. 5. 1989, p. 10.

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

Número de la partida	Cantidad total del lote (en toneladas)	Nombre y dirección del almacenista
Partiets nummer	Totalmængde (tons)	Lagerindehaverens navn og adresse
Nummer der Partie	Gesamtmenge der Partie (in Tonnen)	Name und Adresse des Lagerhalters
Αριθμός παρτίδων	Συνολική ποσότητα της παρτίδας (σε τόνους)	Όνομα και διεύθυνση εναποθηκευτού
Number of lot	Total quantity (in tonnes)	Address of store
Numéro du lot	Quantité totale du lot (en tonnes)	Nom et adresse du stockeur
Numero della partita	Quantità totale della partita (in tonnellate)	Nome e indirizzo del detentore
Nummer van de partij	Totale hoeveelheid van de partij (in ton)	Naam en adres van de deponhouder
Número do lote	Quantidade total (em toneladas)	Nome e endereço do armazenista
A	10 000	5 225 Tonnen, Partie Nr. 210 580 ; 4 775 Tonnen, Partie Nr. 209 350 ; Lager Nr. 658 101 Lagerhalter : Getreide-Terminal Hamburg GmbH & Co, Eversween 11, D-2102 Hamburg Tel. : (040) 75 10 60 Fax : (040) 75 10 633
B	15 000	SIMAGIR SA Cours Bacolan, 28 F-33390 Blaye

COMMISSION REGULATION (EEC) No 1474/91

of 31 May 1991

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories (1991/92)

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 States or the overseas countries and territories⁽¹⁾, extended by Regulation (EEC) No 523/91⁽²⁾, and in particular Articles 15, 16 and 27 thereof,

Whereas Articles 15 and 16 of Regulation (EEC) No 715/90 provide for the opening by the Community of quotas for imports of the following :

- 2 000 tonnes of tomatoes, other than cherry tomatoes falling within CN codes ex 0702 00 10, for the period 15 November to 30 April,
- 2 000 tonnes of cherry tomatoes, falling within CN code ex 0702 00 10, for the period 15 November to 30 April,
- 200 tonnes of fresh figs falling within CN code ex 0804 20 10, for the period 1 November to 30 April,
- 1 500 tonnes of fresh strawberries falling within CN code ex 0810 10 90, for the period 1 November to 29 February ;

Whereas within the limits of these tariff quotas, customs duties are phased out progressively ;

- during the same periods and in accordance with the same timetables provided for in Articles 75 and 268 of the Act of Accession of Spain and Portugal, concerning the tariff quotas for chilled tomatoes, fresh figs and, strawberries,
- by 60 % of the said duties concerning the tariff quota in relation to tomatoes other than cherry tomatoes and that these maximal reduction rates shall be applied from the moment of entry into force of the present Regulation ;

Whereas under Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the third ACP-EEC Convention consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Community⁽³⁾, the abovementioned tariff concession will apply in Spain and in Portugal ; whereas within the limits of their tariff quotas Spain and Portugal apply customs duties calculated in accordance with the abovementioned protocol to the third ACP-EEC Convention ;

Whereas it is in particular necessary to ensure that all Community importers enjoy equal and uninterrupted access to the abovementioned quotas and that the rates laid down for those quotas should apply consistently to all imports of the products concerned into all Member States until the quotas have been used up ; whereas, in the present case, it would appear advisable not to allocate the quotas among the Member States, without prejudice to the drawing against the quota volumes of such quantities as they may need, under the conditions and according to the procedures specified in Article 3 ;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, all transactions concerning the administration of the quotas may be carried out by any of its members ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The customs duties applicable to imports into the Community of the following products originating in the African, Caribbean and Pacific States of the overseas countries and territories shall be suspended at the levels indicated and within the limits of the Community tariff quotas as shown below :

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.⁽²⁾ OJ No L 58, 5. 3. 1991, p. 1.⁽³⁾ OJ No L 172, 30. 6. 1987, p. 1.

Order No	CN code (1)	Description	Amount of quota (tonnes)	Quota duty (%)
09.1601	ex 0702 00 10	Tomatoes, fresh or chilled, from 15 November 1991 to April 1992	2 000	4,4 min 0,8 ECU/100 kg/net
09.1613	ex 0702 00 10	Cherry tomatoes, fresh or chilled from 15 November 1991 to 30 April 1992	2 000	— from 15 November to 31 December 1991 : 3,6 min 0,6 ECU/100 kg/net — from 1 January to 29 February 1992 : 0,2 ECU/100 kg/net (?) — from 1 March to 30 April 1992 : 2,4 min 0,4 ECU/100 kg/net
09.1608	ex 0804 20 10	Fresh figs, from 1 November 1991 to 30 April 1992	200	— from 1 November to 31 December 1991 : 2,2 — from 1 January to 30 April 1992 : 0
09.1603	ex 0810 10 90	Fresh strawberries, from 1 November 1991 to 29 February 1992	1 500	— from 1 November to 31 December 1991 : 5,6 — from 1 January to 29 February 1992 : 5,0

(1) Taric codes appear in the Annex.

(2) This specific customs duty is only levied when it exceeds 2% *ad valorem*.

2. From that date and within the limits of the tariff quotas Spain and Portugal shall apply customs duties calculated in accordance with the Protocol to the third ACP-EEC Convention consequent on the Accession of Spain and Portugal to the European Communities.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer preserves an entry for release for free circulation in a Member State in respect of a product covered by this Regulation, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to requirements from the quota.

Requests for drawings, indicating the data on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries

for release for free circulation to the extent that the available balance so permits.

If a Member State does not use a drawing in full it shall return any unused portion to the corresponding quota as soon as possible.

If the quantities requested are greater than the available balance of the quota, the balance shall be allocated among applicants *pro rata*. The Commission shall inform the Member States of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have free access to the quotas for such time as the residual balance of the quotas so permits.

Article 5

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

Article 6

This Regulation shall enter into force on 1 November 1991.

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

Done at Brussels, 31 May 1991.

For the Commission
Christiane SCRIVENER
Member of the Commission

ANNEX

Taric codes (*)

Order No	CN code	Taric code
09.1601	ex 0702 00 10	0702 00 10 * 29 0702 00 10 * 39 0702 00 10 * 49 0702 00 10 * 59 0702 00 10 * 69 0702 00 10 * 79 0702 00 10 * 84
09.1613	ex 0702 00 10	0702 00 10 * 21 0702 00 10 * 31 0702 00 10 * 41 0702 00 10 * 51 0702 00 10 * 61 0702 00 10 * 71 0702 00 10 * 81
09.1608	ex 0804 20 10	0804 20 10 * 10 0804 20 10 * 20 0804 20 10 * 30
09.1603	ex 0810 10 90	0810 10 90 * 30

(*) The Taric codes shown are those applicable on the date of entry into force of the present Regulation.

COMMISSION REGULATION (EEC) No 1475/91

of 31 May 1991

on the arrangements applicable to agricultural products subject to reference quantities and originating in the African Caribbean and Pacific States or in the overseas countries and territories (1991/92)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 71/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, extended by Regulation (EEC) No 523/91⁽²⁾, and in particular Articles 16 and 27 thereof,

Whereas Article 16 of Regulation (EEC) No 715/90 stipulates for certain agricultural products, covered by that Regulation and originating in those countries, the progressive reduction, subject to reference quantities laid down within a set timetable, of the customs duties;

Whereas, under the provisions of Council Regulation (EEC) No 486/85⁽³⁾, as last amended by Regulation (EEC) No 3530/89⁽⁴⁾, when the rate of customs duty applied to imports into the Community of Ten of a product subject to a reference quantity is lower than that applying in respect of Spain, Portugal or both of these Member States, the process of dismantling begins once duty on imports of that product originating in Spain and Portugal falls below that applied to imports of the product in question from the other countries; whereas, for this reason, the Annex to this Regulation lists only products in respect of which tariff dismantling begins or continues in 1991;

Whereas by virtue of Council Regulation (EEC) No 1820/87 of 25 June 1987 concerning the application of Decision No 2/87 of the ACP-EEC Council of Ministers on the advance implementation of the Protocol to the Third ACP-EEC Convention⁽⁵⁾ consequent on the Accession of the Kingdom of Spain and the Portuguese Republic to the European Communities, the said reference quantities shall be applied in Spain and Portugal;

Whereas, in order to enable the competent authorities within the Commission to establish an annual trade balance sheet for each of the products and, if necessary, to put into application the arrangement provided for in Article 16 (3) of the abovementioned Regulation (EEC)

No 715/90, these products are subject to a statistical surveillance in accordance with Council Regulation (EEC) No 2658/87⁽⁶⁾ and (EEC) No 1736/75⁽⁷⁾;

Whereas imports of the products in question are charged against the reference quantities at Community level within pre-established timetables, as and when the products are entered with the customs authorities for free circulation; whereas, therefore, it is appropriate to establish reference quantities for those products listed in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Imports into the Community of certain products originating in the African, Caribbean and Pacific States or in the overseas countries and territories shall be subject to reference quantities and to a statistical surveillance.

The products referred to in the first subparagraph, their CN codes, the periods of validity and the levels of the reference quantities are set out in the Annex.

2. Quantities shall be charged against the reference quantities as and when products are entered with customs authorities for free circulation and accompanied by a movement certificate. If the movement certificate is submitted *a posteriori*, the goods shall be charged against the corresponding reference quantity at the moment when the goods are entered for free circulation.

The extent to which the reference quantities are used up shall be determined at Community level on the basis of the imports charged against them in the manner defined in the first subparagraph, as communicated to the Statistical Office of the European Communities in application of Regulations (EEC) No 2658/87 and (EEC) No 1736/75.

Article 2

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

Article 3

This Regulation shall enter into force on 1 July 1991.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 58, 5. 3. 1991, p. 1.

⁽³⁾ OJ No L 61, 1. 3. 1985, p. 2.

⁽⁴⁾ OJ No L 347, 28. 11. 1989, p. 3.

⁽⁵⁾ OJ No L 172, 30. 6. 1987, p. 1.

⁽⁶⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁷⁾ OJ No L 183, 14. 7. 1975, p. 3.

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

Done at Brussels, 31 May 1991.

For the Commission
Christiane SCRIVENER
Member of the Commission

ANNEX

(tonnes)

Order No	CN code	Taric codes	Description	Period	Reference quantities
12.0030	ex 0704 90 90	0704 90 90 * 92	Cabbages, fresh or chilled	1. 11 – 31. 12. 1991	1 000
12.0050	ex 0705 11 10	0705 11 10 * 21 0705 11 10 * 33	'Iceberg' lettuce, (<i>Lactuca sativa L</i> , <i>var. capitata L</i>)	1. 7 – 31. 10. 1991	1 000
12.0060	ex 0709 10 00	0709 10 00 * 10 0709 10 00 * 20	Globe artichokes fresh or chilled	1. 10 – 31. 12. 1991	1 000
12.0080	ex 0809 10 00	0809 10 00 * 10 0809 10 00 * 20 0809 10 00 * 30 0809 10 00 * 40 0809 10 00 * 80	Apricots, fresh	1. 9. 1991 – 30. 4. 1992	2 000
12.0090	ex 0809 20 90	0809 20 90 * 21 0809 20 90 * 25 0809 20 90 * 29 0809 20 90 * 31 0809 20 90 * 33 0809 20 90 * 39 0809 20 90 * 41 0809 20 90 * 45 0809 20 90 * 49	Cherries, fresh	1. 11. 1991 – 31. 3. 1992	2 000
12.0100	ex 0809 30 00	0809 30 00 * 11 0809 30 00 * 12 0809 30 00 * 13 0809 30 00 * 91 0809 30 00 * 92 0809 30 00 * 93	Peaches (including nectarines), fresh	1. 12. 1991 – 31. 3. 1992	2 000
12.0110	ex 0809 40 19	0809 40 19 * 30 0809 40 19 * 40 0809 40 19 * 51	Plums, fresh	15. 12. 1991 – 31. 3. 1992	2 000

COMMISSION REGULATION (EEC) No 1476/91

of 31 May 1991

laying down special measures for the application of monetary compensatory amounts and accession compensatory amounts to certain trade in sugar beet and sugar between Portugal and Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 464/91⁽²⁾, and in particular Article 24 (8) thereof,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽³⁾, as last amended by Regulation (EEC) No 2205/90⁽⁴⁾, and in particular Article 12 thereof,

Having regard to Council Regulation (EEC) No 469/86 of 25 February 1986 laying down general rules for the system of accession compensatory amounts in the sugar sector⁽⁵⁾ and in particular Article 7 (1) thereof,

Having regard to Council Regulation (EEC) No 3792/85 of 20 December 1985 laying down the arrangements applying to trade in agricultural products between Spain and Portugal⁽⁶⁾, as last amended by Regulation (EEC) No 3296/88⁽⁷⁾, and in particular Article 13 (1) thereof,

Whereas the third and fourth subparagraphs of Article 24 (1a) of Regulation (EEC) No 1785/81 provide that, as a transitional measure, if an undertaking which is intended for sugar production, which is approved as such by Portugal and which is situated in its maintained region is not likely to start up sugar production, that Member State may allocate to it an A quota and a B quota during the 1991/92 and 1992/93 marketing years;

Whereas for the application of this measure, where a sugar-producing undertaking which is situated in another Member State and to which production quotas have been allocated, processes sugar beet harvested in Portugal and purchased by the undertaking situated in Portugal, the sugar obtained as a result shall be considered as having been produced by the Portuguese undertaking in question;

Whereas in practice the Portuguese sugar beet will be processed into sugar in Spain and this sugar will, by necessity, have to be reintroduced into Portugal in order to be considered there as having been produced by the undertaking situated in the latter Member State; whereas this operation presupposes a traffic between Portugal and Spain which cannot be considered as taking place within the framework of commercial trade between Member States in view of the fact that the production of the sugar in question has to be attributed to the quotas of the Portuguese undertaking; whereas under these conditions it is justified that such operations should not be subject to the monetary compensatory amounts which are applicable between these Member States; whereas for these same reasons and owing to the fact that operations do not represent, in particular within the meaning of Article 3 of Regulation (EEC) No 1677/85, any risk of disturbance in the trade in agricultural products between these two Member States, they should similarly not be subject to the accession compensatory amounts which are applicable to the said trade; whereas to enable the two Member States concerned to supervise the operations in question, provision should be made for the use of the 'information sheet' provided for by Council Decision 77/415/EEC of 3 June 1977 accepting, on behalf of the Community, several annexes to the international convention on the simplification and harmonization of customs procedures⁽⁸⁾; whereas it should be indicated on the 'information sheet' that monetary compensatory amounts and accession compensatory amounts do not apply to these operations in accordance with this Regulation;

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

During the marketing years 1991/92 and 1992/93 no monetary compensatory amounts shall be applied to sugars falling within CN codes 1701 99 10 and 1701 12 90 produced during those marketing years and in transit from Spain to Portugal within the framework of operations carried out by virtue of the transitional arrangements provided for in the third and fourth subparagraphs of Article 24 (1a) of Regulation (EEC) No 1785/81.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁵⁾ OJ No L 53, 1. 3. 1986, p. 32.

⁽⁶⁾ OJ No L 367, 31. 12. 1985, p. 7.

⁽⁷⁾ OJ No L 293, 27. 10. 1988, p. 7.

⁽⁸⁾ OJ No L 166, 4. 7. 1977, p. 1.

Article 2

During the marketing years 1991/92 and 1992/93 no accession compensatory amounts shall be applied:

- (a) to sugar beets falling within CN code 1212 91 10 harvested during these marketing years and in transit from Portugal to Spain,
and
- (b) to sugars falling within CN codes 1701 99 10 and 1701 12 90 produced during these marketing years and in transit from Spain to Portugal, within the framework of operations carried out by virtue of the transitional arrangements provided for in the third and fourth subparagraphs of Article 24 (1a) of Regulation (EEC) No 1785/81.

Article 3

1. The two Member States concerned shall take the measures necessary in order to guarantee that the operations are carried out under official control and that the quantities of sugar sent from Spain to Portugal correspond

for each marketing year to the quantity of the transitional arrangements provided for in the third and fourth subparagraphs of Article 24 (1a) of Regulation (EEC) No 1785/81.

2. For the purpose of applying paragraph 1, the two Member States concerned shall utilize the 'information sheet' for facilitating the temporary export of goods sent from one country to another for processing, working or repair appearing in Appendix I to Annex E8 of Decision 77/415/EEC. Under heading C of this sheet 'non-application of monetary compensatory amounts and accession compensatory amounts in conformity with Regulation (EEC) No 1476/91 (OJ No L 138, 1. 6. 1991, p. 77) should be indicated. These words must appear on all the customs entries concerned.

Article 4

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

It shall apply with effect from 1 July 1991.

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

Done at Brussels, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

COMMISSION REGULATION (EEC) No 1477/91

of 31 May 1991

fixing the additional co-responsibility levy on cereals for the 1991/92 marketing year

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

Having regard to Council Regulation (EEC) No 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 4b (5) thereof,

Whereas, in accordance with Article 4b (2) of Regulation (EEC) No 2727/75, the additional co-responsibility levy is to be fixed, as from the 1990/91 marketing year, on the basis of a flat rate of 1,5 %, adjusted where appropriate in the following marketing year to take account of the amount by which the maximum guaranteed quantity is exceeded during the preceding marketing year; whereas the Commission has ascertained that the 1990 harvest does not exceed the maximum guaranteed quantity; whereas the additional co-responsibility levy should therefore not be collected during the 1991/92 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional co-responsibility levy provided for in Article 4b of Regulation (EEC) No 2727/75 shall not apply for the 1991/92 marketing year.

Article 2

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

It shall apply from 1 June 1991.

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

Done at Brussels, 31 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.

COMMISSION REGULATION (EEC) No 1478/91
of 30 May 1991
concerning the stopping of fishing for pollack by vessels flying the flag of France

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, as amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3926/90 of 20 December 1990 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 793/91 ⁽⁴⁾, provides for pollack quotas for 1991;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of pollack in the waters of ICES division VIII d by vessels flying the flag of France or

registered in France have reached the quota allocated for 1991,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of pollack in the waters of ICES division VIII d by vessels flying the flag of France or registered in France are deemed to have exhausted the quota allocated to France for 1991.

Fishing for pollack in the waters of ICES division VIII d by vessels flying the flag of France or registered in France is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

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

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

Done at Brussels, 30 May 1991.

For the Commission

Manuel MARÍN

Vice-President

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 378, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 82, 28. 3. 1991, p. 2.

COMMISSION REGULATION (EEC) No 1479/91
of 31 May 1991
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 11a (5) thereof,

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

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EEC) No 1398/91 ⁽⁶⁾, provides that the production refund is to be fixed on the first day of each month; Whereas the provisions of that Regulation, in the light of the present situation of the market, result in the production refund being fixed at the level laid down in this Regulation;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with Regulation (EEC) No 2169/86 as amended shall be as follows in ECU 143,84 per tonne.

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, 31 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 94, 9. 4. 1986, p. 6.

⁽⁴⁾ OJ No L 362, 27. 12. 1990, p. 33.

⁽⁵⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁶⁾ OJ No L 134, 29. 5. 1991, p. 19.

COMMISSION REGULATION (EEC) No 1480/91

of 31 May 1991

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1806/89 ⁽⁴⁾, and in particular Article 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid ⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;Whereas Article 3 of Council Regulation (EEC) No 2746/75 ⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75 ⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76 ⁽⁹⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations the refunds applicable for June 1991 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

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, 31 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 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 177, 24. 6. 1989, p. 1.
⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 31 May 1991 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

<i>(ECU/tonne)</i>	
Product code	Refund
1001 10 90 000	140,00
1001 90 99 000	88,00
1002 00 00 000	—
1003 00 90 000	85,00
1004 00 90 000	—
1005 90 00 000	85,00
1006 20 92 000	201,12
1006 20 94 000	201,12
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	251,40
1006 30 92 900	251,40
1006 30 94 100	251,40
1006 30 94 900	251,40
1006 30 96 100	251,40
1006 30 96 900	251,40
1006 40 00 000	—
1007 00 90 000	85,00
1101 00 00 100	119,00
1101 00 00 130	119,00
1102 20 10 100	178,46
1102 20 10 300	152,96
1102 30 00 000	—
1102 90 10 100	135,33
1103 11 10 500	215,00
1103 11 90 100	119,00
1103 13 19 100	229,45
1103 14 00 000	—
1104 12 90 100	166,10
1104 21 50 100	180,44

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 1481/91

of 31 May 1991

derogating from Regulation (EEC) No 891/89 on special detailed rules for the application of the system of import and export licences for cereals and rice

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Articles 12 (2) and 16 (6) thereof,

Whereas, in view of the expected disparity in the price of maize on the Community market in the current marketing year and that following the next harvest, it is considered necessary to temporarily adapt the duration of validity of export licences for maize-based cereal products and for potato starch, where the price level is dependent on the price of maize, whereas a temporary derogation from Commission Regulation (EEC) No 891/89⁽³⁾, as last amended by Regulation (EEC) No 675/91⁽⁴⁾, is considered necessary for the products in question;

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

HAS ADOPTED THIS REGULATION:

Article 1

By derogation from Regulation (EEC) No 891/89, the duration of validity of export certificates delivered between 1 June and 30 September 1991 for the products listed in the Annex to this Regulation is limited to 30 September 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, 31 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 94, 7. 4. 1989, p. 13.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 30.

ANNEX

CN code	Description
	Products derived from maize, consisting of the following subheadings :
1102 20	Maize flour
1103 13	Maize groats
1103 29 40	Maize pellets
1104 19 50	Rolled or flaked maize
1104 23	Hulled maize
1108 12 00	Maize starch
1702 30	} Glucose and glucose syrup
1702 40	
1702 90	Other invert sugar
2106 90	Food preparations not elsewhere specified
2302 10	Maize brans
2303 10	Residues of starch manufacture
1108 13 00	Potato starch

COMMISSION REGULATION (EEC) No 1482/91

of 31 May 1991

derogating from Regulation (EEC) No 3353/90 laying down detailed rules for the application of the aid scheme for small producers of certain arable crops

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 1346/90 of 14 May 1990 instituting aid for small producers of certain arable crops⁽¹⁾, and in particular Article 3 thereof,

Whereas Article 3 (1) of Commission Regulation (EEC) No 3353/90⁽²⁾ provides that aid applications must be submitted to the competent authorities of the Member State concerned by 31 May each year at the latest for the current marketing year; whereas the complexity and the novelty of the aid scheme instituted by Regulation (EEC) No 1346/90 does not permit compliance with the above-mentioned date in all cases; whereas provision should accordingly be made for the extension of the latter as regards the 1990/91 marketing year;

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

Article 1

Notwithstanding Article 3 (1) of Regulation (EEC) No 3353/90, aid applications relating to the 1990/91 marketing year may be submitted up to 15 June 1991 at the latest.

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, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 134, 28. 5. 1990, p. 10.

⁽²⁾ OJ No L 324, 23. 11. 1990, p. 19.

COMMISSION REGULATION (EEC) No 1483/91

of 31 May 1991

amending Regulation (EEC) No 921/91 on the opening of a sale by periodic invitation to tender for rapeseed held by the Spanish intervention agency

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⁾, and in particular Article 26 (3) thereof,Having regard to Commission Regulation (EEC) No 3418/82 of 20 December 1982 on the procedure for sale of oilseeds held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 676/89⁽⁴⁾, and in particular Article 4 thereof,Whereas Commission Regulation (EEC) No 921/91⁽⁵⁾ opens a sale by periodic invitation to tender for 13 948 tonnes of rapeseed; whereas, in view of the risk of a deterioration in the quality of the seed, the sale in question should be facilitated; whereas, to that end, the period of sale should be extended and the terms should be made more flexible; whereas provision should therefore be made, notwithstanding Regulation (EEC) No 3418/82, for a reduction in the minimum selling price such as to facilitate the disposal of those stocks;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 921/91 is hereby amended as follows:

1. Article 1 (2) is replaced by the following:

'2. Notwithstanding Article 8 (1) of Regulation (EEC) No 3418/82, the minimum price to be met shall be the buying-in price referred to in that paragraph minus 10 %, and, as regards lot 13/01/88, that price minus 20 %.'

2. In Article 3 (2), the date '6 May 1991' is replaced by '13 June 1991'.

*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, 31 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 360, 21. 12. 1982, p. 19.⁽⁴⁾ OJ No L 73, 17. 3. 1989, p. 17.⁽⁵⁾ OJ No L 92, 13. 4. 1991, p. 24.

COMMISSION REGULATION (EEC) No 1484/91
of 31 May 1991

**amending Regulation (EEC) No 1310/91 introducing a countervailing charge on
tomatoes originating in the Canary Islands**

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

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

Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables⁽¹⁾, as last amended by
Regulation (EEC) No 3920/90⁽²⁾, and in particular the
second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1310/91⁽³⁾ as
amended by Regulation (EEC) No 1373/91⁽⁴⁾, introduced
a countervailing charge on tomatoes originating in the
Canary Islands;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72
laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is
amended; whereas, if those conditions are taken into
consideration, the countervailing charge on the import of
tomatoes originating in the Canary Islands must be
altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1310/91, ECU 32,26
is hereby replaced by ECU 58,24.

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, 31 May 1991.

For the Commission
Ray MAC SHARRY
Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 123, 18. 5. 1991, p. 36.

⁽⁴⁾ OJ No L 130, 25. 5. 1991, p. 53.

COMMISSION REGULATION (EEC) No 1485/91

of 31 May 1991

**adjusting the corrective amount on the import of aubergines into the
Community of Ten from Spain (except the Canary Islands)**

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 3709/89
of 4 December 1989 laying down general rules for imple-
menting the Act of Accession of Spain and Portugal as
regards the compensatory mechanism for imports of fruit
and vegetables from Spain ⁽¹⁾, and in particular Article 4
(2) thereof,

Whereas Article 152 of the Act of Accession introduces
from 1 January 1990 a compensatory mechanism for
imports into the Community as constituted on 31
December 1985, hereinafter called 'the Community of
Ten', of fruit and vegetables from Spain (except the
Canary Islands) for which a reference price is fixed with
regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general
rules for applying the said compensatory mechanism and
Commission Regulation (EEC) No 3815/89 ⁽²⁾ lays down
detailed rules for applying the said compensatory
mechanism;

Whereas Commission Regulation (EEC) No 1374/91 ⁽³⁾,
introduces a corrective amount on imports of aubergines
into the Community of Ten from Spain (except the
Canary Islands);

Whereas Article 3 (4) of Regulation (EEC) No 3709/89
lays down the conditions under which a corrective
amount introduced pursuant to Article 3 (1) of the said
Regulation, is to be adjusted; whereas the said conditions
require that the corrective amount on imports of auber-
gines from Spain (except the Canary Islands) into the
Community of Ten be adjusted,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1374/91 'ECU 0,67'
is replaced by 'ECU 28,40'.

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, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 130, 25. 5. 1991, p. 54.

COMMISSION REGULATION (EEC) No 1486/91
of 31 May 1991
amending Regulation (EEC) No 1309/91 introducing a countervailing charge on
tomatoes originating in Turkey

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 3920/90⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1309/91⁽³⁾, introduced a countervailing charge on tomatoes originating in Turkey;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of tomatoes originating in Turkey must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1309/91, 'ECU 3,6' ECU is hereby replaced by 'ECU 27,59'.

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, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 375, 31. 12. 1990, p. 17.

⁽³⁾ OJ No L 123, 18. 5. 1991, p. 34.

COMMISSION REGULATION (EEC) No 1487/91

of 31 May 1991

abolishing the corrective amount on the import of cabbage lettuces into the Community of Ten from Spain (except the Canary Islands)

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 3709/89 of 4 December 1989 laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensatory mechanism for imports of fruit and vegetables from Spain⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas Article 152 of the Act of Accession introduces from 1 January 1990 a compensatory mechanism for imports into the Community as constituted on 31 December 1985, hereinafter called 'the Community of Ten', of fruit and vegetables from Spain (except the Canary Islands) for which a reference price is fixed with regard to third countries;

Whereas Regulation (EEC) No 3709/89 lays down general rules for applying the said compensatory mechanism and Commission Regulation (EEC) No 3815/89⁽²⁾ lays down detailed rules for applying the said compensatory mechanism;

Whereas Commission Regulation (EEC) No 1389/91⁽³⁾, as amended by Regulation (EEC) No 1405/91⁽⁴⁾, intro-

duces a corrective amount on imports of cabbage lettuces into the Community of Ten from Spain (except the Canary Islands);

Whereas Article 3 of Regulation (EEC) No 3709/89 on the introduction of corrective amounts applies to a given product only during the period in respect of which a Community offer price has been fixed for that product whereas Commission Regulation (EEC) No 3541/90⁽⁵⁾ fixed the Community offer prices for cabbage lettuces up to 31 May 1991;

whereas Regulation (EEC) No 1389/91 should therefore be repealed with effect from 1 June 1991,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1389/91 is hereby repealed.

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, 31 May 1991.

For the Commission

Ray MAC SHARRY

Member of the Commission

⁽¹⁾ OJ No L 363, 13. 12. 1989, p. 3.

⁽²⁾ OJ No L 371, 20. 12. 1989, p. 28.

⁽³⁾ OJ No L 133, 28. 5. 1991, p. 32.

⁽⁴⁾ OJ No L 134, 29. 5. 1991, p. 35.

⁽⁵⁾ OJ No L 344, 8. 12. 1990, p. 15.

COUNCIL REGULATION (EEC) No 1488/91

of 31 May 1991

fixing the amount of the co-responsibility levy for cereals for the 1991/92 marketing year

THE COUNCIL 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 4 (2) thereof,Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the conversion 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 2 (3) thereof,Having regard to the proposal from the Commission ⁽⁵⁾,Having regard to the opinion of the European Parliament ⁽⁶⁾,Having regard to the opinion of the Economic and Social Committee ⁽⁷⁾,

Whereas the amount of the co-responsibility levy referred to in Article 4 of Regulation (EEC) No 2727/75 is to be determined on the basis of cereal production, the quantities of cereals used in the Community without financial intervention and of imports of the substitute products shown in Annex D to the abovementioned Regulation; whereas, however, in view of the cereal production situation in the Community and of the restrictive price policy for the 1991/92 marketing year, the co-responsibility levy for the 1991/92 marketing year should be set at the level indicated below;

Whereas Commission Regulation (EEC) No 1432/88 of 26 May 1988 laying down detailed rules for applying the co-responsibility levy in the cereals sector ⁽⁸⁾, as lastamended by Regulation (EEC) No 2712/89 ⁽⁹⁾, determined on 1 July of the marketing year in question the operative event of the agricultural conversion rate for the co-responsibility levy; whereas a new rate is laid down for the 1991/92 marketing year in Greece and Spain where the co-responsibility levy is to apply for certain cereals as from 1 June; whereas in order to avoid a distortion of competition the agricultural conversion rates laid down as from 1 July 1991 should be applied during the month of June 1991,

HAS ADOPTED THIS REGULATION:

Article 1

For the 1991/92 marketing year, the amount of the co-responsibility levy referred to in Article 4 of Regulation (EEC) No 2727/75 shall be ECU 8,43/tonne.

Article 2

The amount referred to in Article 1 applicable in Greece and Spain from 1 to 30 June 1991 shall be respectively converted into the national currency at the rate of:

- ECU 1 = Dr 252,121,
- ECU 1 = Pta 153,498.

*Article 3*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

It shall apply from the beginning of the 1991/92 marketing year.

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

Done at Brussels, 31 May 1991.

*For the Council**The President*

A. BODRY

⁽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, 26. 6. 1985, p. 1.⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 9.⁽⁵⁾ OJ No C 104, 19. 4. 1991, p. 7.⁽⁶⁾ Opinion delivered on 16 May 1991 (not yet published in the Official Journal).⁽⁷⁾ Opinion delivered on 25 April 1991 (not yet published in the Official Journal).⁽⁸⁾ OJ No L 131, 27. 5. 1988, p. 37.⁽⁹⁾ OJ No L 262, 8. 9. 1989, p. 22.