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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3600/91

of 12 December 1991

amending Regulation (EEC) No 1641/91 fixing the monetary compensatory amounts in the agricultural sector and certain coefficients required for their application

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture ⁽¹⁾, as last amended by Regulation (EEC) No 2205/90 ⁽²⁾, and in particular Article 9 (2) thereof,

Whereas the monetary compensatory amounts introduced by Regulation (EEC) No 1677/85 were fixed by Commission Regulation (EEC) No 1641/91 ⁽³⁾, as last amended by Regulation (EEC) No 3531/91 ⁽⁴⁾;

Whereas Commission Regulation (EEC) No 3153/85 ⁽⁵⁾, as last amended by Regulation (EEC) No 3672/89 ⁽⁶⁾, lays down detailed rules for calculating monetary compensatory amounts; whereas the spot market rates recorded as provided for in Regulation (EEC) No 3153/85 during the period 4 to 10 December 1991 for the Greek drachma and the Spanish peseta lead, pursuant to Article 5 (3) of Regulation (EEC) No 1677/85, to an adjustment of the monetary compensatory amounts applicable to Greece in the eggs

and poultrymeat and wine sectors and, pursuant to Article 9 (2) of the same Regulation, to an adjustment of the monetary compensatory amounts applicable to Spain; whereas, pursuant to Article 8 of Regulation (EEC) No 3153/85, the monetary compensatory amounts applicable to Greece in the sectors concerned should be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1641/91 is hereby amended as follows:

1. The column headed 'Greece' in parts 1, 3, 4, 5, 6, 7 and 8 of Annex I is replaced by that in Annex I hereto.
2. The column headed 'Spain' in parts 1, 3, 5, 7 and 8 of Annex I is replaced by that in Annex I hereto.
3. Annex II is replaced by Annex II hereto.

Article 2

This Regulation shall enter into force on 16 December 1991.

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

Done at Brussels, 12 December 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 153, 17. 6. 1991, p. 1.

⁽⁴⁾ OJ No L 337, 9. 12. 1991, p. 1.

⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁶⁾ OJ No L 358, 8. 12. 1989, p. 28.

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- (¹) The compensatory amount shall not be applied on animals imported within an annual tariff quota to be granted by the competent authorities of the European Communities:
- (a) for heifers and cows, other than those intended for slaughter, of the grey, brown, and mottled yellow Simmental and Pinzgau breeds;
 - (b) for bulls, heifers and cows, other than those intended for slaughter, of the mottled Simmental breed, the Schwyz breed and the Friburg breed.
- (²) The compensatory amount shall not be applied:
- in respect of quantities coming within an annual tariff quota of 50 000 tonnes, expressed in boned meat, to be granted by the competent authorities of the European Communities for frozen beef and veal,
 - in respect of quantities coming within an annual tariff quota of 2 250 tonnes, expressed in boned meat, to be granted by the competent authorities of the European Communities for frozen buffalo meat.
- (³) Entry under this CN code is subject to the production of a certificate issued on conditions laid down by the competent authorities of the European Communities.
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CN code	Table	Additional code	Notes	Positive				Negative							
				Germany	Netherlands	Spain	Portugal	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	
				DM	Fl	Pta	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	
e				— % non-fatty lactic matter excluding added whey and/or lactose and/or casein and/or caseinates/100 kg product —											
				0,378				1,3							
f				— % sucrose/100 kg product —											
				1,175				5,9							

Annex

For certain milk products, falling within CN codes 0401, 0402, 0403 and 0404, the applicant, when completing customs formalities, shall state on the declaration provided for this purpose: the weight of fat, the weight of non-fatty lactic dry matter and the weight of added sucrose, contained in 100 kg of product, as well as whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case, the actual content by weight of these products and the lactose content of the added whey.

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- (¹) Where the yield of the raw sugar differs from that of the standard quality defined by Regulation (EEC) No 431/68 (OJ No L 89, 10. 4. 1968, p. 3) the monetary compensatory amount shall be adjusted in accordance with the provisions of Article 2 of Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42).
- (²) For flavoured or coloured sugar the monetary compensatory amount per 100 kg of the product in question shall be equal to the amount indicated multiplied by the sucrose content expressed as a percentage.
- (³) The sucrose content, including other sugars expressed as sucrose, shall be determined in accordance with Article 7 (2) of Regulation (EEC) No 837/68 in the case of imports and in accordance with Article 13 of Regulation (EEC) No 394/70 (OJ No L 50, 4. 3. 1970, p. 1) in the case of exports.
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(¹) If the goods contain butter reduced in price under the Regulation indicated in Table 7 of Chapter 4 of the additional codes, the amount indicated in additional code 7xxx shall be reduced, for formula A and formula C products, by the amount indicated in additional code 5xxx and, for formula B products, by that indicated in additional code 6xxx. The additional code to be declared will be 5xxx or 6xxx as appropriate (x representing any figure from 0 to 9).

(*) See the additional codes related to the contents of the goods by weight of, respectively, milkfat, milk proteins, starch/glucose, and sucrose/invert sugar/isoglucose. These codes are mentioned in Annex I to the TARIC in the tables of Chapters 17, 18, 19 and 21. The numbers of the tables are mentioned above in the column 'Table'. The tables are reprinted (OJ No L 153, 17. 6. 1991, p. 52) without prejudice to any later modification of the TARIC.

NB: For the application of the additional code:

Starch/Glucose

The content of the goods (as presented) in starch, its degradation products i.e. all the polymers of glucose, and the glucose, determined as glucose and expressed as starch (on a dry matter basis, 100 % purity; factor for conversion of glucose to starch: 0,9).

However, where a mixture of glucose and fructose is declared (in whatever form) or is found to be present in the goods, the amount of glucose to be included in the above calculation is that which is in excess of the fructose content of the goods.

Sucrose/Invert Sugar/Isoglucose

The content of the goods (as presented), in sucrose, together with the sucrose which results from expressing as sucrose any mixture of glucose and fructose (the sum of the amounts of these two sugars multiplied by 0,95), which is declared (in whatever form) or found to be present in the goods.

However, where the fructose content of the goods is less than the glucose content, the amount of glucose to be included in the above calculation shall be an amount equal, by weight, to that of fructose.

Note: In all cases, where a hydrolysis product of lactose is declared, and/or galactose is found to be present among the sugars, then the amount of glucose equal to that of galactose is deducted from the total glucose content before any other calculations are carried out.

Milk proteins

Milk proteins, excluding those contained in the whey, casein and/or caseinates, added to the product.
