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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 3496/92

of 3 December 1992

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 3389/92 ⁽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 25 November to 1 December 1992 for 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 Spain in the pigmeat sector and, pursuant to Article 8 of the same Regulation, to an adjustment of the monetary compensatory amounts applicable to Spain in the other sectors concerned,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 7 December 1992.

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

Done at Brussels, 3 December 1992.

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 345, 26. 11. 1992, p. 1.

⁽⁵⁾ OJ No L 310, 21. 11. 1985, p. 4.

⁽⁶⁾ OJ No L 358, 8. 12. 1989, p. 28.

CN code	Table	Additional code	Notes	Positive			Negative								
				Germany	Netherlands	Portugal	United Kingdom	Belgium/Luxembourg	Denmark	Italy	France	Greece	Ireland	Spain	
				DM	Fl	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Pta	
2309 90 53	23-13	7686	(*)												— 1 000 kg —
	23-13	7687	(*)												1 986,80
	23-13	7688	(*)												1 304,10
	23-13	7689	(*)												4 925,65
															8 547,21

(*) When completing the customs formalities, the applicant must state in the declaration provided for this purpose the content by weight of starch, expressed as dry matter, per 1 000 kg of the product.

(*) When completing customs formalities, the party concerned shall state in the declaration provided for this purpose, in particular, the actual content by weight per tonne of finished product of:

- milk powder or granules (other than whey),
- whey powder or granules,
- added casein and/or caseinate.

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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 53 000 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	Nether-lands	Portugal	United Kingdom	Belgium/Luxem-bourg	Denmark	Italy	France	Greece	Ireland	Spain
				DM	Fl	Esc	£	Bfrs/Lfrs	Dkr	Lit	FF	Dr	£ Irl	Pta
2204 29 29	22-12	7493	(¹)											19,05
	22-12	7597	(²)											309,72
	22-12	7598	(¹)											19,05
2204 29 35	22-14	7498	(²)											442,08
	22-14	7499	(²)											442,08
	22-14	7518	(¹)											19,05
	22-14	7519	(¹)											19,05
	22-14	7523	(¹)											19,05
	22-14	7599	(²)											442,08
	22-14	7614	(¹)											19,05
2204 29 39	22-15	7524	(²)											309,72
	22-15	7526	(¹)											19,05
	22-15	7527	(¹)											19,05
	22-15	7529	(¹)											19,05
	22-15	7618	(²)											309,72
	22-15	7619	(¹)											19,05

(¹) Per % vol per hectolitre (total alcoholic strength by volume as defined in Annex II b Regulation (EEC) No 822/87).

(²) hl.

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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.
