COUNCIL REGULATION (EEC) No 2110/92

of 13 July 1992

reducing the variable components applicable to certain goods originating in the Republic of Poland resulting from the processing of agricultural products referred to in the Annex to Regulation (EEC) No 3033/80 (1992)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Council Regulation (EEC) No 3033/80 of 11 November 1980 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products [1], which establishes the method of calculation of variable components applicable to goods referred to in its Annex;

Whereas Protocol No 3 to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Republic of Poland of the other part [2] provides for reductions in the variable components for certain goods referred to in Annex I within the limit of quotas fixed in Annex II to the said Protocol;

Whereas Council Regulation (EEC) No 521/92 of 27 February 1992 opening and providing for the administration of Community tariff quotas and tariff ceilings for certain industrial and agricultural products, originating in Hungary, Poland and the Czech and Slovak Federal Republic (CFSR) (1992) [3], establishes the rules necessary to administer the quotas; whereas Annex II thereof needs to be supplemented by the elements necessary for the administration of the quotas of this Regulation;

Whereas Article 3 (4) of the said Protocol No 3 provides for the variable components applicable to other goods to be replaced by reduced variable components if the said goods are added to Annex III to the same Protocol relating to goods subject, on importation into Poland, to the arrangements established by the said Protocol;

Whereas under Article 1 (2) of the said Protocol No 3 the Joint Committee can extend the lists of processed agricultural products covered by the Protocol;

Whereas Regulation (EEC) No 518/92 [4] adopted in particular detailed rules of application of Articles 24 and 25 of the Interim Agreement; whereas safeguard measures need to be made applicable to the transformed agricultural products not covered by Annex II to the Treaty referred to by this Regulation;

Whereas Article 5 of the said Protocol No 3 provides for the application of reduced variable components as from 1 May 1992,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 May to 31 December 1992, goods originating in Poland listed in Annex I shall be subject to a reduced variable component determined in accordance with Article 2 within the limits of the quotas fixed in the Annex.

2. For the purposes of this Regulation 'originating goods' means goods meeting the conditions established by Protocol No 4 to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, of the other part.

Article 2

The reduced variable components applicable for the three-monthly periods 1 May to 31 July, 1 August to 31 October and the period 1 November 1992 to 31 December 1992 shall be calculated as follows.

(a) The difference, established in accordance with Article 6 (2) of Regulation (EEC) No 3033/80, between the average threshold price and the average cif price or free-at-frontier price for each basic product shall be reduced by 10 %, except that the difference established for basic products falling within Chapter 4 of the Combined Nomenclature (dairy products) shall be reduced by 20 %.

(b) The amounts thus obtained shall apply to the quantities of basic products considered to have been used in the manufacture of the goods concerned pursuant to Article 4 (1) of Regulation (EEC) No 3033/80.

[1] OJ No 323, 29. 11. 1980, p. 1. Regulation as last amended by Regulation (EEC) No 1436/90 (OJ No L 138, 31. 5. 1990, p. 9).
[2] OJ No L 114, 30. 4. 1992, p. 2.
[3] OJ No L 56, 29. 2. 1992, p. 12.
[4] OJ No L 56, 29. 2. 1992, p. 3.

Article 3

The variable components applicable to goods listed in the Annex to Regulation (EEC) No 3033/80 but not listed in Annex I to this Regulation and to goods listed in the said Annex I for quantities exceeding the quotas fixed for them shall be those established directly pursuant to Article 6 of Regulation (EEC) No 3033/80.

Article 4

1. The administration of quotas referred to by this Regulation shall be ensured in accordance with Regulation (EEC) No 521/92 and in particular Articles 2 and 4 thereof.

2. Annex II to Regulation (EEC) No 521/92 shall be supplemented by Annex II of this Regulation.

Article 5

For the purposes of applying safeguard measures to goods referred to in Annex I to this Regulation in accordance with Articles 24 and 25 of the Interim Agreement, Articles 5 and 6 of Regulation (EEC) No 518/92 shall apply notwithstanding the terms of Article 8 thereof.

Article 6

1. If the Joint Committee decides to add new goods to Annex III to Protocol No 3 to the Interim Agreement in respect of which quantities have already been provided for in Annex II to the said Protocol, the Commission shall adapt the Annexes to this Regulation in accordance with Article 3 (4) of the said Protocol.

2. If other processed agricultural products are added to the Annexes to the said Protocol pursuant to Article 1 (2) of the said Protocol the Council, acting by a qualified majority, shall take the measures necessary for the implementation of such decisions.

Article 7

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

It shall apply from 1 May 1992.

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

Done at Brussels, 13 July 1992.

For the Council

The President

N. LAMONT

ANNEX I

Goods subject to a reduced variable component within the limits of the quotas

CN code	Description	Quotas (tonnes)
ex 0403	Buttermilk, curdled milk and cream, yoghurt, kephir and other fermented or acidified milk and cream, wether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa :	
0403 10 51 to 0403 10 99	— Yoghurt, flavoured or contained added fruit or cocoa	9
0403 90 71 to 0403 90 99	— Other, flavoured or containing added fruit or cocoa	
ex 1704	Sugar confectionery (including white chocolate), not containing cocoa :	
1704 10	— Chewing gum, whether or not sugar-coated	2 525
1704 90 30	— White chocolate	
1704 90 55	— Throat pastilles and cough drops	
ex 1902	Pasta, whether or not cooked or otherwise prepared excluding stuffed pasta falling within subheadings 1902 20 10 and 1902 20 30, couscous, whether or not prepared	217
1903	Tapioca and substitutes therefor, prepared from starch in the form of flakes, grains, pearls, sittings or similar forms	24
2001 90 40 2008 99 91	Yams, sweet potatoes and similar edible parts of plants containing 5 % or more by weight of starch, prepared or preserved by vinegar or acetic acid or otherwise prepared or preserved, not containing added sugar or added spirit	15
2004 10 91 2005 20 10	Potatoes in the form of flour, meal or flakes, prepared or preserved otherwise than by vinegar or acetic acid	
2101 10 99	Preparations with a basis of extracts, essences and concentrates of coffee or with a basis of coffee, other than those of subheading CN 2101 10 91	9
2101 20 90	Extracts, essences and concentrates of tea or maté and preparations with a basis of these extracts, or with a basis of tea or maté, other than those of subheading CN 2101 20 10	
2101 30 19	Roasted coffee substitutes excluding roasted chicory	183
2101 30 99	Extracts, essences and concentrates of roasted coffee substitutes excluding those of roasted chicory	
2106 90 10	— Cheese fondues	333

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

Número de orden	Código NC	Origen	Volumen del contingente (toneladas)	Preferencia
Løbenummer	KN-kode	Oprindelse	Kontingentmængde (tons)	Preference
Laufende Nummer	KN-Code	Ursprung	Kontingentsmenge (Tonnen)	Präferenz
Αύξων αριθμός	Κωδικός ΣΟ	Δικαιούχες χώρες	Ύψος της ποσόστωσης (τόνοι)	Προτίμηση
Order No	CN code	Origin	Quota volume (tonnes)	Preference
Numéro d'ordre	Code NC	Origine	Volume du contingent (tonnes)	Préférence
Numero d'ordine	Codice NC	Origine	Volume del contingente (tonnellate)	Preferenza
Volgnummer	GN-code	Oorsprong	Omvang van het contingent (in ton)	Preferentie
Número de ordem	Código NC	Origem	Volume do contingente (tonelada)	Preferência
09 5401	0403 10 51 0403 10 53 0403 10 59 0403 10 91 0403 10 93 0403 10 99 0403 90 71 0403 90 73 0403 90 79 0403 90 91 0403 90 93 0403 90 99	PL	9	MO8R
09 5403	1704 10 1704 90 30 1704 90 55	PL	2 525	MO8R
09 5405	1902 11 1902 19 1902 20 91 1902 20 99 1902 30 1902 40 10 1902 40 90	PL	217	MO8R
09 5407	1903	PL	24	MO8R
09 5409	2001 90 40 2004 10 91 2005 20 10 2008 99 91	PL	15	MO8R
09 5411	2101 10 99 2101 20 90	PL	9	MO8R
09 5413	2101 30 19 2101 30 99	PL	183	MO8R
09 5415	2106 90 10	PL	333	MO8R