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(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 40/92
of 9 January 1992
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 2661/91 (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 8 January 1992;

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 2661/91 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 10 January 1992.

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

Done at Brussels, 9 January 1992.

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 250, 7. 9. 1991, p. 1.

ANNEX

to the Commission Regulation of 9 January 1992 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Levy
0709 90 60	136,82 (2) (3)
0712 90 19	136,82 (2) (3)
1001 10 10	185,33 (1) (5)
1001 10 90	185,33 (1) (5)
1001 90 91	162,99
1001 90 99	162,99
1002 00 00	167,95 (6)
1003 00 10	146,12
1003 00 90	146,12
1004 00 10	136,58
1004 00 90	136,58
1005 10 90	136,82 (2) (3)
1005 90 00	136,82 (2) (3)
1007 00 90	145,35 (4)
1008 10 00	69,80
1008 20 00	137,05 (4)
1008 30 00	90,39 (5)
1008 90 10	(7)
1008 90 90	90,39
1101 00 00	241,19 (8)
1102 10 00	248,18 (8)
1103 11 10	301,43 (8)
1103 11 90	259,48 (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.