COMMISSION REGULATION (EEC) No 456/92

of 26 February 1992

fixing the import levies on frozen sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat (1), as amended by Regulation (EEC) No 1741/91 (2), and in particular Article 10 thereof,

Whereas, pursuant to Article 9 (2) of Regulation (EEC) No 3013/89, a levy is applicable to the products falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to that Regulation;

Whereas, pursuant to Article 12 of Regulation (EEC) No 3013/89, the levy on frozen carcases and halfcarcases is to be equal to the difference between:

(a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcases, and

(b) the Community free-at-frontier offer price for the said frozen meat;

Whereas the seasonally-adjusted basic price for the 1992 marketing year is fixed in Article 2 of Council Regulation (EEC) No 1742/91 (3); whereas the coefficient referred to in Article 12 (3) (a) of Regulation (EEC) No 3013/89 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80 (4), as amended by Regulation (EEC) No 3939/87 (5);

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on the meat falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to Regulation (EEC) No 3013/89 is to be equal to the levy determined for frozen carcases, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 715/90 (6), as last amended by Regulation (EEC) No 523/91 (7), lays down the arrangements applicable on 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) OJ No L 289, 7. 10. 1989, p. 1.
(2) OJ No L 163, 26. 6. 1991, p. 41.
(3) OJ No L 163, 26. 6. 1991, p. 42.
(4) OJ No L 276, 20. 10. 1980, p. 39.
(5) OJ No L 373, 31. 12. 1987, p. 1.
(6) OJ No L 84, 30. 3. 1990, p. 85.
(7) OJ No L 58, 5. 3. 1991, p. 1.

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community [1], no levies shall apply on imports of products originating in the overseas countries and territories; whereas, however, pursuant to Article 101 (4) of the abovementioned Decision, a special amount shall be charged on imports of certain products originating in the overseas countries and territories in order to prevent products originating from these countries and territories from receiving more favourable treatment than similar products imported from Spain or Portugal into the Community as constituted on 31 December 1985;

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

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 Council Regulation (EEC) No 1676/85 [2], as last amended by Regulation (EEC) No 2205/90 [3],

— 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, having regard to the provisions of the abovementioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 March 1992.

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

Done at Brussels, 26 February 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

[1] OJ No L 263, 19. 9. 1991, p. 1.

[2] OJ No L 164, 24. 6. 1985, p. 1.

[3] OJ No L 201, 31. 7. 1990, p. 9.

ANNEX

to the Commission Regulation of 26 February 1992 fixing the import levies on frozen sheepmeat and goatmeat (1) (2)

(ECU/100 kg)

CN code	Week No 9 from 2 to 8 March 1992	Week No 10 from 9 to 15 March 1992	Week No 11 from 16 to 22 March 1992	Week No 12 from 23 to 29 March 1992	Week No 13 from 30 March to 5 April 1992
0204 30 00	205,705	207,505	208,608	208,608	207,918
0204 41 00	205,705	207,505	208,608	208,608	207,918
0204 42 10	143,994	145,254	146,026	146,026	145,543
0204 42 30	226,276	228,256	229,469	229,469	228,710
0204 42 50	267,417	269,757	271,190	271,190	270,293
0204 42 90	267,417	269,757	271,190	271,190	270,293
0204 43 00	374,383	377,659	379,667	379,667	378,411
0204 50 51	205,705	207,505	208,608	208,608	207,918
0204 50 53	143,994	145,254	146,026	146,026	145,543
0204 50 55	226,276	228,256	229,469	229,469	228,710
0204 50 59	267,417	269,757	271,190	271,190	270,293
0204 50 71	267,417	269,757	271,190	271,190	270,293
0204 50 79	374,383	377,659	379,667	379,667	378,411

(1) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 753/90 and Commission Regulations (EEC) No 19/82, (EEC) No 3652/89, (EEC) No 3989/89, (EEC) No 479/90 and (EEC) No 952/90.

(2) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.