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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 339/93

of 8 February 1993

on checks for conformity with the rules on product safety in the case of products imported from third countries

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 ⁽¹⁾,

Whereas products may not be placed on the Community market unless they conform to the rules applicable; whereas Member States are thus responsible for carrying out checks on their conformity;

Whereas, in view of the abolition of controls at the Community's internal frontiers in accordance with Article 8a of the Treaty, Member States should, when carrying out controls at external frontiers, act in accordance with comparable detailed rules in order to avoid any distortion which might adversely affect safety and health;

Whereas, with due regard for the powers of, and the means available to, the national administrations concerned, the customs authorities must, in the case of products from third countries, be closely involved in the market-monitoring operations and information systems provided for under Community and national rules;

Whereas, in particular, if the customs authorities find, when carrying out checks in connection with releases for free circulation, that goods display certain characteristics which would give rise to a serious doubt as to the existence of a serious and immediate risk to health and safety, these authorities must be in a position to suspend the release of those goods and to inform the national authorities responsible for monitoring the market so that the latter may take suitable action;

Whereas the same should apply when, in the same circumstances, the customs authorities find that a document which should accompany the products is missing and/or products are not market as specified in the Community or national rules on product safety in force in the Member State where release of the products for free circulation is sought;

Whereas, in the interests of effectiveness and coordination, Member States must designate the national authority or authorities responsible for monitoring the market which must be notified by the customs authorities in the cases referred to above;

Whereas, when thus notified, the authority responsible must be in a position to verify that the products concerned comply with the Community or national rules on product safety;

Whereas, however, such authority must act within a sufficiently short period in the light of the serious doubt referred to above and the international commitments entered into by the Community, in particular with regard to checks on conformity with technical standards;

Whereas, therefore, unless the national authorities responsible for monitoring the market take action, including the adoption of interim protective measures, within that same period, the release of the products in question for free circulation must be authorized provided that all the other import formalities have been completed;

Whereas, however, this Regulation should, in the interests of consistency, apply only in so far as Community rules on health and safety do not contain specific provisions relating to the organization of border controls on specific products;

Whereas such controls should comply, on the one hand, with the principle of proportionality and thus be strictly in keeping with requirements and, on the other, with the obligations set out in the International Convention on the Harmonization of Frontier Controls of Goods, which was approved on behalf of the Community by virtue of Council Regulation (EEC) No 1262/84 ⁽²⁾;

Whereas, in order to ensure a high level of safety in respect of import operations, the Commission and each Member State should seek to ensure the transparency of the measures taken to implement this Regulation, while all the Member States should provide each other with the necessary assistance;

⁽¹⁾ OJ No C 329, 15. 12. 1992, p. 3.

⁽²⁾ OJ No L 126, 12. 5. 1984, p. 1.

Whereas, in particular, the customs authorities must be provided with information, suitable to the exercise of their duties, gained from knowledge of, on the one hand, the products or product categories which are more specifically concerned and, on the other, the marking of the products and the documents accompanying them;

Whereas the implementation of this Regulation must be monitored so that adjustments can, where necessary, be made in the interests of effectiveness;

Whereas this Regulation forms an integral part of the common commercial policy; whereas it is limited to what is required for the smooth operation of the checks carried out on products imported from third countries to ensure their conformity with the rules on product safety applicable on the Community market;

Whereas such controls should comply with obligations incumbent upon the Community under GATT to conduct trade on a non-discriminatory basis and under the GATT Code on Technical Barriers to Trade, according to which standards should not be applied as a means of creating obstacles to international trade,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

- 'national authority responsible for monitoring the market' shall mean the national authority or authorities designated by the Member States and required by them to check the conformity of products placed on the Community or national market with the Community or national legislation applicable,
- 'accompanying document' shall mean any document which must physically accompany a product when it is placed on the market, in accordance with the Community or national legislation in force,
- 'marking' shall mean any marking or labelling which products must bear in accordance with the Community or national legislation in force and which certifies that the product conforms with that legislation;
- 'customs authorities' shall mean the authorities responsible for, *inter alia*, the application of customs legislation.

Article 2

When, in the context of checks which they carry out in respect of goods declared for release for free circulation, the customs authorities find:

- that a product or batch of products displays certain characteristics which would give rise to a serious doubt as to the existence of a serious and immediate risk to health or safety in the event of that product's being used under normal and foreseeable conditions, and/or
- that a product or batch of products is not accompanied by a document or not market in accordance with the Community or national rules on product safety applicable in the Member State in which release for free circulation is sought,

they shall suspend release of the product or batch of products concerned and immediately notify the national authority responsible for monitoring the market.

Article 3

Each Member State shall inform the Commission, which shall inform the other Member States accordingly, of the national authority or authorities responsible for monitoring the market which it has designated as having to be informed whenever Article 2 is applied.

Article 4

1. The national authority responsible for monitoring the market shall be in a position to act in respect of any product the release of which has been suspended by the customs authorities pursuant to Article 2. In the absence of such action, the second paragraph of Article 5 shall apply.

2. In the case of perishable goods, the national authorities responsible for monitoring the market and the customs authorities shall, as far as possible, seek to ensure that any requirements they may impose with regard to the storage of the goods or the parking of the vehicles used for transport are not incompatible with the preservation of those goods.

Article 5

Where, after intervening in accordance with Article 4, the national authorities responsible for monitoring the market consider that the product in question does not present a serious and immediate risk to health and safety and/or cannot be regarded as being in breach of Community or national laws on product safety, the product in question shall be released for free circulation provided that all the other requirements and formalities pertaining to such release have been met.

This shall also apply if, within three working days of the suspension of release, the customs authorities, having applied Article 2, have not been notified of any action, including precautionary measures, taken by the national authorities responsible for monitoring the market.

Article 6

1. Where the national authorities responsible for monitoring the market find that the product in question presents a serious and immediate risk, they shall, in accordance with the Community or national rules applicable, take measures to prohibit the product from being placed on the market and ask the customs authorities to include one of the following endorsements on the commercial invoice accompanying the product and on any other relevant accompanying document:

- 'Producto peligroso — no se autoriza su despacho a libre práctica — Reglamento (CEE) n° 339/93',
- 'Farligt produkt — overgang til fri omsætning ikke tilladt — forordning (EØF) nr. 339/93',
- 'Gefährliches Erzeugnis — Überführung in den zollrechtlich freien Verkehr nicht gestattet — Verordnung (EWG) Nr. 339/93',
- 'Επικίνδυνο προϊόν — Δεν επιτρέπεται η ελεύθερη κυκλοφορία — Κανονισμός (ΕΟΚ) αριθ. 339/93',
- 'Dangerous product — release for free circulation not authorized — Regulation (EEC) No 339/93',
- 'Produit dangereux — mise en libre pratique non autorisée — règlement (CEE) n° 339/93',
- 'Prodotto pericoloso — immissione in libera pratica non autorizzata — regolamento (CEE) n. 339/93',
- 'Gevaarlijk produkt — het in het vrije verkeer brengen ervan niet toegestaan — Verordening (EEG) nr. 339/93',
- 'Produto perigoso — colocação em livre prática não permitida — Regulamento (CEE) n° 339/93'.

2. Where the national authorities responsible for monitoring the market find that the product in question does not comply with the Community or national rules in force on product safety, they shall take appropriate action which may, if necessary, include prohibiting the product from being placed on the market in accordance with the said rules; in cases where placing on the market is prohibited, they shall ask the customs authorities to include one of the following endorsements on the commercial invoice accompanying the product and on any other relevant accompanying document:

- 'Producto no conforme — no se autoriza su despacho a libre práctica — Reglamento (CEE) n° 339/93',
- 'Ikke overensstemmende produkt — overgang til fri omsætning ikke tilladt — forordning (EØF) nr. 339/93',
- 'Nichtkonformes Erzeugnis — Überführung in den zollrechtlich freien Verkehr nicht gestattet — Verordnung (EWG) Nr. 339/93',
- 'Ακατάλληλο προϊόν — Δεν επιτρέπεται η ελεύθερη κυκλοφορία — Κανονισμός (ΕΟΚ) αριθ. 339/93',
- 'Product not in conformity — release for free circulation not authorized — Regulation (EEC) No 339/93',
- 'Produit non conforme — mise en libre pratique non autorisée — règlement (CEE) n° 339/93',

- 'Prodotto non conforme — immissione in libera pratica non autorizzata — regolamento (CEE) n. 339/93',
- 'Niet-conform produkt — het in het vrije verkeer brengen ervan niet toegestaan — Verordening (EEG) nr. 339/93',
- 'Produto não conforme — colocação em livre prática não permitida — Regulamento (CEE) n° 339/93'.

3. For the purposes of implementing this Regulation, the provisions of Council Regulation (EEC) No 1468/81 of 19 May 1981 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters⁽¹⁾ shall apply *mutatis mutandis*.

4. Where the product in question is subsequently declared for a customs destination other than release for free circulation and provided the national authorities responsible for monitoring the market do not object, the endorsements listed in paragraphs 1 and 2 shall also be included, under the same conditions, on the documents used in connection with that destination.

Article 7

This Regulation shall apply only in so far as Community rules do not contain specific provisions relating to the organization of border controls on specific products.

This Regulation shall in any event not apply in the cases covered by Community rules relating to plant-health, veterinary and zootechnical controls and to animal protection.

Article 8

Within three months of the entry into force of this Regulation and for the purposes of its implementation, a list of the products or product categories which, in the context of Community rules, are more specifically covered by the second indent of Article 2 shall be drawn up in accordance with the procedure specified in Article 9; the list shall be drawn up on the basis of experience and/or of the rules on product safety. In accordance with the same procedure, that list shall be revised, as and when necessary, in order to adapt it to the new situations resulting from the experience and development of the rules on product safety.

Article 9

1. The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.

⁽¹⁾ OJ No L 144, 2. 6. 1981, p. 1. Regulation as amended by Regulation (EEC) No 945/87 (OJ No L 90, 2. 4. 1987, p. 3).

2. The representative of the Commission shall submit to the committee the draft measures drawing up — or amending — a list of the products or product categories which are more particularly covered by the second indent of Article 2. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the measures to be taken. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. (a) The Commission shall adopt measures which shall apply immediately.

(b) However, if the measures envisaged are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith. In that event:

— the Commission shall defer application of the measures which it has decided for a period of not more than three months from the date of such communication,

— The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the first indent.

Article 10

Each Member State shall transmit to the Commission the characteristics of markings and accompanying documents as referred to in Article 1 and required under Community rules or under its own rules, together with the reasons for the instructions given to the customs authorities with a view to applying the second indent of Article 2. The Commission shall forthwith forward to the other Member States the information it has received. Such characteristics

shall first be communicated within two months of the entry into force of this Regulation.

Article 11

1. If, for the purposes of applying this Regulation, a Member State decides that specialized customs-clearance points need to be designated for checks on certain goods, it shall notify the Commission and the other Member States accordingly; the Commission shall keep up to date and publish a list of specialized customs-clearance points.

2. The constraints resulting from the obligation under paragraph 1 to pass through a specialized customs-clearance point must not be disproportionate, as far as economic operators are concerned, to the objective in question, having due regard to the actual circumstances which may justify that obligation.

Article 12

Each Member State shall, within two months of the entry into force of this Regulation, notify the Commission of the provisions it has adopted with a view to its implementation. The Commission shall communicate those provisions to the other Member States.

Article 13

Within two years of the entry into force of this Regulation, the Commission shall report to the European Parliament and the Council on its application and shall propose any change which it feels is appropriate. Member States shall, for the purpose of drawing up that report, provide the Commission with all relevant information relating to the way in which they apply the Regulation, in particular as regards the statistics relating to the application of Article 6.

Article 14

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

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

Done at Brussels, 8 February 1993.

For the Council

The President

J. TRØJBORG

COMMISSION REGULATION (EEC) No 340/93**of 16 February 1993****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 1738/92⁽²⁾, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 3873/92⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 15 February 1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3873/92 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 17 February 1993.

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

Done at Brussels, 16 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 118.

ANNEX

to the Commission Regulation of 16 February 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Third countries (*)
0709 90 60	134,62 (*) (*)
0712 90 19	134,62 (*) (*)
1001 10 00	174,07 (*) (*) (*)
1001 90 91	137,94
1001 90 99	137,94 (*)
1002 00 00	148,29 (*)
1003 00 10	124,19
1003 00 20	124,19
1003 00 80	124,19 (*)
1004 00 00	113,38
1005 10 90	134,62 (*) (*)
1005 90 00	134,62 (*) (*)
1007 00 90	135,79 (*)
1008 10 00	44,75 (*)
1008 20 00	77,25 (*)
1008 30 00	34,73 (*)
1008 90 10	(7)
1008 90 90	34,73
1101 00 00	205,30 (*) (*)
1102 10 00	220,33 (*)
1103 11 30	282,78 (*) (*)
1103 11 50	282,78 (*) (*)
1103 11 90	220,57 (*)

(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.

(3) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

(4) Where millet and sorghum originating in the ACP 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), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

(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.

(9) No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

(10) An amount equal to the amount fixed by Regulation (EEC) No 1825/91 (OJ No L 166, 26. 6. 1991, p. 42) is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

(11) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 341/93**of 16 February 1993****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

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 1738/92 ⁽²⁾, and in particular Article 15 ⁽⁶⁾ thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3874/92 ⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 15

February 1993, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 February 1993.

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

Done at Brussels, 16 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 121.

ANNEX

to the Commission Regulation of 16 February 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	0,63	0,63	3,00
0712 90 19	0	0,63	0,63	3,00
1001 10 00	0	0	0	0
1001 90 91	0	1,03	1,03	0
1001 90 99	0	1,03	1,03	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0,63	0,63	3,00
1005 90 00	0	0,63	0,63	3,00
1007 00 90	0	0	0	6,25
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	5,31
1008 90 90	0	0	0	5,31
1101 00 00	0	1,44	1,44	0

B. Malt

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1107 10 11	0	1,83	1,83	0	0
1107 10 19	0	1,37	1,37	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 342/93

of 16 February 1993

re-establishing the levying of the customs duties on products falling within CN code 6403, originating in Indonesia and Thailand, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries ⁽¹⁾, extended into 1992 by Regulation (EEC) No 3917/92 ⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded for 1993 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 6403, originating in Indonesia and Thailand, the individual ceiling was fixed at ECU 4 410 000; whereas on 22 January 1993, imports of these products into the Community originating in Indonesia and Thailand reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Indonesia and Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 20 February 1993, the levying of customs duties, suspended for 1993 pursuant to Council Regulation (EEC) No 3831/90, shall be reintroduced on imports into the Community of the following products, originating in Indonesia and Thailand:

Order No	CN code	Description
10.0670	6403	Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather

Article 2

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

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

Done at Brussels, 16 February 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 343/93

of 16 February 1993

amending Regulation (EEC) No 859/89 laying down detailed rules for the application of intervention measures in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 3891/92 ⁽⁴⁾, lays down in particular detailed rules for the tendering procedure;

Whereas, as a result of the introduction, in addition to the traditional intervention measures for adult bovine animals, of a new optional intervention scheme for light carcasses, carcasses weighing between 150 and 200 kilograms may, under certain conditions, be presented for both schemes; whereas application of the coefficients referred to in Article 15 (2) may lead to a higher price being paid for inferior qualities in cases where these are presented under the light carcass scheme and not the traditional intervention scheme; whereas, in order to prevent such a situation arising, which would be contrary to the objectives pursued by the reform of the common agricultural policy, application of this provision to carcasses weighing between 150 and 200 kilograms should be suspended;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Beef and Veal,

HAS ADOPTED THIS REGULATION:

Article 1

Article 15 (2) of Regulation (EEC) No 859/89 is hereby replaced by the following:

'2. Where, under a tender procedure referred to in Article 6 of Regulation (EEC) No 805/68, qualities other than the quality R 3 are taken over, the price paid to the successful tenderer shall be adjusted by applying to the quality purchased the conversion coefficient specified in Annex IV.

However, this provision shall not apply to carcasses weighing between 150 and 200 kilograms.'

Article 2

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

It shall apply with effect from the second invitation to tender of February 1993.

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

Done at Brussels, 16 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 391, 31. 12. 1992, p. 57.

COMMISSION REGULATION (EEC) No 344/93

of 16 February 1993

amending Regulation (EEC) No 2047/84 determining the rice intervention centres other than Vercelli

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular Article 4 (5) thereof,Whereas the intervention centres are laid down in Commission Regulation (EEC) No 2047/84 ⁽³⁾, as last amended by Regulation (EEC) No 2790/91 ⁽⁴⁾; whereas, under the terms of the consultations provided for under Article 4 (5) of Regulation (EEC) No 1418/76, the list of centres should be amended;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The section headed '2 Italy' in the Annex to Regulation (EEC) No 2047/84 is hereby replaced by:

'Region

Novara

Oristano

Pavia

Vercelli

Intervention centreCasalvolone
Vespolate

Oristano

Corteolona
Mede Lomellina
Palestro
S. Angelo Lomellina
GambolòDessana
Fontanetto Po
Formigliana
Trino Vercellese
Arborio.*Article 2*This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

It shall apply with effect from 1 January 1993.

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

Done at Brussels, 16 February 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.⁽³⁾ OJ No L 190, 18. 7. 1984, p. 5.⁽⁴⁾ OJ No L 269, 25. 9. 1991, p. 15.

COMMISSION REGULATION (EEC) No 345/93

of 16 February 1993

fixing the export refunds on fruit and vegetables

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 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1754/92⁽²⁾, and in particular Article 30 (4) thereof,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, fresh sweet oranges and apples of the common quality standards 'Extra' Class, Class I and Class II, almonds and hazelnuts, and unshelled walnuts may at present be exported in economically significant quantities;

Whereas Council Regulation (EEC) No 1432/92⁽⁵⁾, as last amended by Regulation (EEC) No 3534/92⁽⁶⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas this prohibition does not apply to certain situations as given in the limitative enumeration laid down in Articles 2 and 3; whereas this should be taken into account when refunds are fixed;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁸⁾;

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

Whereas under the Act of Accession a phased transitional arrangement was introduced in respect of Portugal;

Whereas, from the beginning of the second transitional stage on 1 January 1991, it has been necessary, under Article 255 of the Act of Accession, in fixing the refunds for Portugal, to take account of the difference in prices economically justified for each of the products concerned;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds in the fruit and vegetables sector shall be fixed at the amounts specified in the Annex to this Regulation, in column I for Portugal and in column II for the other Member States.

Article 2

This Regulation shall enter into force on 21 February 1993.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁶⁾ OJ No L 358, 8. 12. 1992, p. 16.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 17.

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

Done at Brussels, 16 February 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 16 February 1993 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)				(ECU/100 kg net)			
Product code	Destination of refund (1)	Amounts of refunds (2)		Product code	Destination of refund (1)	Amounts of refunds (2)	
		Portugal (I)	Other Member States (II)			Portugal (I)	Other Member States (II)
0702 00 10 100	04	1,19	4,50	0806 10 11 900	—	—	—
0702 00 10 900	—	—	—	0806 10 15 200	04	—	—
0702 00 90 100	04	1,19	4,50	0806 10 15 900	—	—	—
0702 00 90 900	—	—	—	0806 10 19 200	04	—	—
0802 12 90 000	04	9,67	9,67	0806 10 19 900	—	—	—
0802 21 00 000	04	11,30	11,30	0808 10 31 100	—	—	—
0802 22 00 000	04	21,80	21,80	0808 10 31 910	02	4,27	8,00
0802 31 00 000	04	14,00	14,00	0808 10 31 990	—	—	—
0805 10 11 200	01	7,24	11,00	0808 10 33 100	—	—	—
0805 10 11 900	—	—	—	0808 10 33 910	02	4,27	8,00
0805 10 15 200	01	7,24	11,00	0808 10 33 990	—	—	—
0805 10 15 900	—	—	—	0808 10 39 100	—	—	—
0805 10 19 200	01	7,24	11,00	0808 10 39 910	02	4,27	8,00
0805 10 19 900	—	—	—	0808 10 39 990	—	—	—
0805 10 21 200	01	7,24	11,00	0808 10 51 100	—	—	—
0805 10 21 900	—	—	—	0808 10 51 910	02	4,27	8,00
0805 10 25 200	01	7,24	11,00	0808 10 51 990	—	—	—
0805 10 25 900	—	—	—	0808 10 53 100	—	—	—
0805 10 29 200	01	7,24	11,00	0808 10 53 910	02	4,27	8,00
0805 10 29 900	—	—	—	0808 10 53 990	—	—	—
0805 10 31 200	01	7,24	11,00	0808 10 59 100	—	—	—
0805 10 31 900	—	—	—	0808 10 59 910	02	4,27	8,00
0805 10 35 200	01	7,24	11,00	0808 10 59 990	—	—	—
0805 10 35 900	—	—	—	0808 10 81 100	—	—	—
0805 10 39 200	01	7,24	11,00	0808 10 81 910	02	4,27	8,00
0805 10 39 900	—	—	—	0808 10 81 990	—	—	—
0805 10 41 200	01	7,24	11,00	0808 10 83 100	—	—	—
0805 10 41 900	—	—	—	0808 10 83 910	02	4,27	8,00
0805 10 45 200	01	7,24	11,00	0808 10 83 990	—	—	—
0805 10 45 900	—	—	—	0808 10 89 100	—	—	—
0805 10 49 200	01	7,24	11,00	0808 10 89 910	02	4,27	8,00
0805 10 49 900	—	—	—	0808 10 89 990	—	—	—
0805 20 50 100	—	—	—	0809 30 10 100	03	—	—
0805 20 50 900	—	—	—	0809 30 10 900	03	—	—
0805 30 10 100	04	5,92	13,50	0809 30 90 100	03	—	—
0805 30 10 900	—	—	—	0809 30 90 900	—	—	—
0806 10 11 200	04	—	—				

(1) The destinations are as follows:

01 Austria, Switzerland, Finland, Sweden, Greenland, Norway, Iceland, Malta, Poland, the Czech Republic, the Slovak Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia,

02 Sweden, Norway, Iceland, Austria, the Faroe Islands, Finland, Greenland, Malta, Syria, Poland, the Czech Republic, the Slovak Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, the countries and territories of Africa other than South Africa, countries of the Arabian peninsula (Saudi Arabia, Bahrain, Qatar, Oman, the United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm, al Qaiwain, Fujairah and Ras al Khaimah), Kuwait, Yemen), Iran and Jordan,

03 all destinations excluding Switzerland and Austria,

04 all destinations.

(2) Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

COMMISSION REGULATION (EEC) No 346/93
of 16 February 1993
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 29/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 336/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 29/93 to

the information known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 15 February 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 February 1993.

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

Done at Brussels, 16 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 5, 9. 1. 1993, p. 14.

⁽⁵⁾ OJ No L 38, 16. 2. 1993, p. 24.

ANNEX

to the Commission Regulation of 16 February 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	39,27 ⁽¹⁾
1701 11 90	39,27 ⁽¹⁾
1701 12 10	39,27 ⁽¹⁾
1701 12 90	39,27 ⁽¹⁾
1701 91 00	45,04
1701 99 10	45,04
1701 99 90	45,04 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 22 December 1992

amending Council Decision 79/542/EEC drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine and equidae, fresh meat and meat products

(93/99/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries⁽¹⁾ as last amended by Regulation (EEC) No 1601/92⁽²⁾ and in particular Article 3 thereof,

Having regard to Council Directive 90/426/EEC of 26 June 1990 on animal health conditions governing the movement and importation from third countries of equidae⁽³⁾, as amended by Commission Decision 92/130/EEC⁽⁴⁾, and in particular Article 12 thereof,

Whereas by Council Decision 79/542/EEC⁽⁵⁾ as last amended by Commission Decision 92/376/EEC⁽⁶⁾, a list of third countries from which Member States authorize imports of bovine and porcine animals, equidae, fresh meat and meat products has been established;

Whereas following a Community veterinary mission it appears that the animal health situation and the structure of the veterinary services of Belarus, Estonia, Latvia, Lithuania and Russia are satisfactory and the competent veterinary authorities provided the necessary guarantees,

whereas it is therefore possible to take into account those countries in relation to imports of bovine and porcine animals, fresh meat and meat products and the list in the Annex of Council Decision 79/542/EEC must be amended accordingly;

Whereas Council Directive 91/688/EEC⁽⁷⁾ lays down additional health measures towards classical swine fever, whereas additional health measures, namely the prohibition of importation of fresh meat of wild swine must be taken against those countries which continue to carry out vaccination against classical swine fever and the list in the Annex of Council Decision 79/542/EEC must be amended accordingly;

Whereas although a Community Veterinary mission has been undertaken to Ukraine, certain guarantees have not been provided; whereas it is therefore necessary to take into account this country in relation to imports of equidae and to amend the list in the annex of Council Decision 79/542/EEC accordingly;

Whereas political changes have occurred in the former Republic of Yugoslavia, it is therefore necessary to amend the list in the Annex of Council Decision 79/542/EEC accordingly, without prejudice to the application of veterinary provisions laid down previously;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

(7) OJ No L 377, 31. 12. 1991, p. 18.

(1) OJ No L 302, 31. 12. 1972, p. 28.

(2) OJ No L 173, 27. 6. 1992, p. 13.

(3) OJ No L 224, 18. 8. 1990, p. 42.

(4) OJ No L 47, 22. 2. 1992, p. 26.

(5) OJ No L 146, 14. 6. 1979, p. 15.

(6) OJ No L 197, 16. 7. 1992, p. 70.

HAS ADOPTED THIS DECISION:

Article 3

This Decision is addressed to the Member States.

Article 1

The Annex of Decision 79/542/EEC is replaced by the Annex to this Decision.

Done at Brussels, 22 December 1992.

Article 2

This Decision shall be reviewed before 31 December 1992.

For the Commission

Ray MAC SHARRY

Member of the Commission

ANNEX

Country	Fresh meat and meat products				Fresh meat	Live animals		Special remarks	
	Domestic				Wild			Fresh meat	Meat products
	B	S/G	P	D/S	C/H	B	P		
Albania		x	x	x					
Argentina	x	x		x		x	x		(³)
Australia	x	x	x	x	x	x	x		
Austria	x	x	x	x	x	x	x		
Belarus	x	x	x	x	x	x	x	(¹)	(³)
Belize	x			x					(³)
Bosnia-Herzegovina	x	x	x	x	x	x	x	(¹)	(³)
Botswana	x	x		x	x			(¹) (²)	(³)
Brazil	x	x		x					(³)
Bulgaria	x	x	x	x	x	x	x	(¹)	(³)
Canada	x	x	x	x	x	x	x		
Chile	x	x		x	x			(¹)	(³)
People's Republic of China			x	x	x			(¹)	(³)
Colombia	x			x					(³)
Costa Rica	x			x					(³)
Croatia	x	x	x	x	x	x	x	(¹)	(³)
Cuba	x			x					(³)
Cyprus	x	x	x	x	x		x		
Czechoslovakia	x	x	x	x	x	x	x	(¹)	(³)
El Salvador	x	x		x					(³)
Estonia	x	x	x	x	x	x	x	(¹)	(³)
Ethiopia									(³)
Finland	x	x	x	x	x	x	x		
Greenland	x	x		x	x			(¹)	(³)
Guatemala	x			x					(³)
Honduras	x			x					(³)
Hong Kong									(³)
Hungary	x	x	x	x	x	x	x		
Iceland	x	x	x	x	x	x	x		
India									(³)
Israel				x					(³)
Kenya									(³)
Latvia	x	x	x	x	x	x	x	(¹)	(³)
Lithuania	x	x	x	x	x	x	x	(¹)	(³)
Madagascar	x	x		x					(³)
Malta	x		x	x		x	x		(³)
Mauritius									(³)
Mexico	x			x					(³)
Morocco				x					(³)
Namibia	x	x		x	x			(¹) (²)	(³)
New Zealand	x	x	x	x	x	x	x		
Nicaragua	x			x					(³)
Norway	x	x	x	x	x	x	x		
Panama	x			x					(³)
Paraguay	x	x		x					(³)
Poland	x	x	x	x	x	x	x	(¹)	(³)
Romania	x	x	x	x	x	x	x	(¹)	(³)
Russia	x	x	x	x	x	x	x	(¹) (²)	(³)

Country	Fresh meat and meat products				Fresh meat	Live animals		Special remarks	
	Domestic				Wild			Fresh meat	Meat products
	B	S/G	P	D/S	C/H	B	P		
Singapore									(³)
Slovenia	×	×	×	×	×	×	×	(¹)	(³)
South Africa	×	×	×	×	×			(¹) (²)	(³)
Swaziland	×			×	×			(¹) (²)	(³)
Sweden	×	×	×	×	×	×	×		
Switzerland	×	×	×	×	×	×	×		
Thailand									(³)
Tunisia									(³) (⁴)
Turkey				×					(³)
United States of America	×	×	×	×	×	×	×		
Uruguay	×	×		×					(³)
Yugoslav Republics	×	×	×	×	×	×	×	(¹)	(³)
Zimbabwe	×								(³)

B: Bovines (including buffalo)

S/G: Sheep/goat

P: Pig

D/S: Domestic solipeds

C/H: Cloven-hoofed

×: Authorized

Special remarks:

(¹) Excluding meat of wild swine.

(²) Excluding bone-in meat and offal of wild cloven-hoofed animals.

(³) Notwithstanding any restrictions indicated in the above list, meat products which have undergone a heat treatment in a hermetically sealed container to an F value of 3 or more are authorized.

(⁴) Notwithstanding any restrictions indicated in the above list. Meat products which have undergone a heat treatment so that a centre temperature of at least 80 °C has been achieved are authorized.

SPECIAL COLUMN FOR EQUIDAE

PART I	
Country	Equidae
Argentina	x
Algeria	x
Australia	x
Austria	x
Belarus	x
Bosnia-Herzegovina	x
Brazil	x
Bulgaria	x
Canada	x
Chile	x
Colombia	x
Croatia	x
Cyprus	x
Czechoslovakia	x
Estonia	x
Finland	x
Greenland	x
Hungary	x
Iceland	x
Israel	x
Latvia	x
Lithuania	x
Malta	x
Mauritius	x
Mexico	x
Morocco	x ⁽¹⁾
New Zealand	x
Norway	x
Paraguay	x
Poland	x
Romania	x
Russia	x
Slovenia	x
South Africa	x ⁽¹⁾
Sweden	x
Switzerland	x
Tunisia	x
United States of America	x
Uruguay	x
Yugoslav Republics	x

⁽¹⁾ Until specific provisions under Article 13 (2) of Directive 90/426/EEC have been adopted, Member States shall not import equidae coming from this country.

PART II	
Country	Registered horses
Bahrain	×
Barbados	×
Bermuda	×
Bolivia	×
Costa Rica	×
Cuba	×
Egypt	×
Ecuador	×
Hong Kong	×
Jamaica	×
Japan	×
Jordan	×
Kuwait	×
Libya	×
Oman	×
Peru	×
Turkey	×
United Arab Emirates	×
Venezuela	×

COMMISSION DECISION

of 19 January 1993

amending Council Decision 79/542/EEC drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine, and equidae, fresh meat and meat products and repealing Decisions 89/15/EEC and 90/135/EEC

(93/100/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries⁽¹⁾, as last amended by Council Regulation (EEC) No 1601/92⁽²⁾, and in particular Article 3 thereof,

Having regard to Council Directive 86/469/EEC of 16 September 1986 concerning the examination of animals and fresh meat for the presence of residues⁽³⁾, and in particular Article 7 thereof,

Having regard to Council Directive 88/146/EEC of 7 March 1988 prohibiting the use in livestock farming of certain substances having a hormonal action⁽⁴⁾, and in particular Article 6 thereof,

Whereas by Council Decision 79/542/EEC⁽⁵⁾, as last amended by Commission Decision 93/99/EEC⁽⁶⁾, a list of third countries from which Member States authorize imports of bovine and porcine animals, equidae fresh meat and meat products has been established;

Whereas by Commission Decision 89/15/EEC⁽⁷⁾, as last amended by Decision 91/487/EEC⁽⁸⁾, Member States authorize imports of live animals and fresh meat from third countries who gave guarantees in relation to the examination of animals and fresh meat for the presence of residues of substances having a hormonal action;

Whereas by Commission Decision 90/135/EEC⁽⁹⁾, as last amended by Decision 91/486/EEC⁽¹⁰⁾, the plans specifying the guarantees offered by certain third countries, in respect of the examination for residues of substances

other than those having a hormonal action, are taken into account;

Whereas within the internal market the free circulation of live animals and animal products involves the organization of veterinary checks on imports from third countries, at the point of entry into the territory of the Community;

Whereas the proper functioning of this new system is based on the ease of communication of information and transparency;

Whereas in order to achieve this objective it is necessary to combine the different lists of third countries from which Member States authorize imports of live animals and fresh meat and to list the third countries in accordance with the International Standard Code (ISO code);

Whereas guarantees have been forwarded by the competent authorities of certain countries in relation to the use of substances having a hormonal effect for fattening purposes in relation to live animals and these must be taken into account;

Whereas the ban on the use of substances having a hormonal effect for fattening purposes applies to live animals intended for slaughter; whereas, it is not justified, that this ban affects equidae for breeding and production and registered horses coming from those countries listed for equidae;

Whereas, moreover, it is necessary to take into account the regionalization of certain third countries as laid down in Commission Decision 92/160/EEC⁽¹¹⁾, as last amended by Decision 92/161/EEC⁽¹²⁾;

Whereas furthermore, it is necessary to take into account imports of sheep and goats from third countries;

Whereas certain Member States import live sheep for immediate slaughter from Albania, and it is necessary, as an interim measure to authorize direct imports of these animals to the Member States concerned until the Commission has carried out a veterinary mission; whereas it is necessary to lay down a time limit of 1 July 1993 for such imports;

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 275, 26. 9. 1986, p. 36.

⁽⁴⁾ OJ No L 70, 16. 3. 1988, p. 16.

⁽⁵⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽⁶⁾ See page 17 of this Official Journal.

⁽⁷⁾ OJ No L 8, 11. 1. 1989, p. 11.

⁽⁸⁾ OJ No L 260, 17. 9. 1991, p. 15.

⁽⁹⁾ OJ No L 76, 22. 3. 1990, p. 24.

⁽¹⁰⁾ OJ No L 260, 17. 9. 1991, p. 13.

⁽¹¹⁾ OJ No L 71, 18. 3. 1992, p. 27.

⁽¹²⁾ OJ No L 71, 18. 3. 1992, p. 29.

Whereas certain guarantees have been received from the competent authorities of Lithuania and Ukraine and it is appropriate, as a first step, to add Lithuania and Ukraine to the list concerning the introduction into the Community of equidae;

Whereas the Member States should not authorize imports of animals and animal products covered by this Decision from a third country unless such animals and animal products satisfy the animal health requirements for imports from that country;

Whereas it is necessary to amend Decision 79/542/EEC accordingly, and to repeal Decisions 89/15/EEC and 90/135/EEC;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 79/542/EEC is amended as follows:

1. the title is replaced by the following:

'Council Decision 79/542/EEC of 21 December 1976 drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine, equidae, sheep and goats, fresh meat and meat products';

2. in Article 1, paragraph 3 (a) and (b) is replaced by the following:

'3. Without prejudice to Decision 92/160/EEC

(a) Member States shall authorize imports of equidae from third countries or parts of third countries appearing in Part 1 of the Annex,

(b) Member States shall authorize temporary admission into the Community or registered horses from or re-entry of registered horses after being temporarily exported to the third countries or parts of third countries appearing in Part 2 of the Annex';

3. in Article 1, the following paragraph 4 is added:

'4. Member States shall authorize imports of live animals, in particular equidae for slaughter, meat and meat products only from those third countries or parts of those third countries which appear on the list in Part 1 of the Annex and conform to the guarantees regarding residues.';

4. the Annex is replaced by the Annex to this Decision.

Article 2

Decisions 89/15/EEC and 90/135/EEC are repealed.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 January 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

PART 1

LIVE ANIMALS, FRESH MEAT AND MEAT PRODUCTS

Country ISO code	Country	Fresh meat and meat products				Fresh meat		Live animals				Special Remarks				Country ISO Codes
		Domestic				Wild		B	S/G	P	E	Fresh meat	Meat products	Live animals	Residues	
		B	S/G	P	E	CH	E									
AL	Albania	o	x	x	x	o	x	o	x	o	x	o	(³)	(¹)	o	AL
AR	Argentina	x	x	o	x	o	x	o	x	x	x	x			xr	AR
AT	Austria	x	x	x	x	x	x	x	x	x	x	x			xr	AT
AU	Australia	x	x	x	x	x	x	x	x	x	x	x			xr	AU
BG	Bulgaria	x	x	x	x	x	x	x	x	x	x	x	(¹)	(³)	xr	BG
BR	Brazil	x	x	o	x	o	x	o	x	o	x	x	(³)	(³)	xr	BR
BW	Botswana	x	x	o	x	x	x	x	x	o	o	o	(¹)	(²)	xr	BW
BY	Belarus	x	x	x	x	x	x	x	x	x	x	x	(¹)	(³)	o	BY
BZ	Belize	x	o	o	x	o	x	o	x	o	o	o	(¹)	(³)	o	BZ
CA	Bosnia-Herzegovina	x	x	x	x	x	x	x	x	o	x	x	(³)		xr (a) (b)	CA
CH	Canada	x	x	x	x	x	x	x	x	x	x	x			xr	CH
CL	Switzerland	x	x	x	x	x	x	x	x	x	x	x	(¹)	(³)	xr	CL
CN	Chile	x	x	o	x	x	x	x	x	o	o	o	(¹)	(³)	o	CN
CO	People's Republic of China	o	o	x	x	x	x	x	x	o	o	o	(¹)	(³)	o	CO
CR	Colombia	x	o	o	x	o	x	o	x	o	o	o	(³)	(³)	o	CR
CS	Costa Rica	x	o	o	x	o	x	o	x	o	o	o	(³)	(³)	o	CS
CU	Czechoslovakia	x	x	x	x	x	x	x	x	x	x	x	(¹)	(³)	xr	CU
CY	Cuba	x	o	o	x	o	x	o	x	o	o	o		(³)	o	CY
DZ	Cyprus	x	x	x	x	x	x	x	x	o	x	x			o	DZ
EE	Algeria	o	o	o	o	o	o	o	o	o	o	o	(¹)	(³)	o	EE
ET	Estonia	x	x	x	x	x	x	x	x	o	x	x			o	ET
FI	Ethiopia	o	o	o	o	o	o	o	o	o	x	x	(³)	(³)	o	FI
GL	Finland	x	x	x	x	x	x	x	x	x	x	x	(¹)	(³)	xr	GL
GR	Greenland	x	x	o	x	x	x	o	o	o	o	o			xr	GR
GT	Guatemala	x	o	o	x	o	x	o	o	o	o	o	(¹)	(³)	o	GT
HK	Hong Kong	o	o	o	x	o	x	o	o	o	o	o	(³)	(³)	o	HK
HN	Honduras	x	o	o	o	o	o	o	o	o	o	o	(³)	(³)	o	HN
HR	Croatia	x	o	o	x	o	x	o	o	o	o	o	(³)	(³)	o	HR
HU	Hungary	x	x	x	x	x	x	x	x	x	x	x	(¹)	(³)	xr	HU

Country ISO code	Country	Fresh meat and meat products				Fresh meat		Live animals				Special Remarks				Country ISO Codes	
		Domestic				Wild		B	S/G	P	E	Fresh meat	Meat products	Live animals	Residues		
		B	S/G	P	E	CH	E										
IL	Israel	O	O	O	X	O	X	O	O	O	X	(2)			O	IL	
IN	India	O	O	O	O	O	O	O	O	O	O	O	(2)			O	IN
IS	Iceland	X	X	X	X	X	X	X	X	X	X	X			XR	IS	
KE	Kenya	O	O	O	O	O	O	O	O	O	O	O	(2)		O	KE	
LI	Lithuania	X	X	X	X	X	X	X	X	X	X	X	(1)		(d)	LI	
LV	Latvia	X	X	X	X	X	X	X	X	X	X	X	(1)		O	LV	
MA	Morocco	O	O	O	X	O	X	O	O	O	X	X	(2)		O	MA	
MG	Madagascar	X	X	O	X	O	X	O	O	O	O	O	(2)		XR	MG	
MT	Malta	X	O	X	X	X	X	X	X	X	X	X	(2)		XR	MT	
MU	Mauritius	O	O	O	O	O	O	O	O	O	O	X	(2)		O	MU	
MX	Mexico	X	O	O	X	O	X	O	O	O	X	X	(2)		XR	MX	
NA	Namibia	X	X	O	X	O	X	O	O	O	O	O	(1)(2)		XR	NA	
NI	Nicaragua	X	O	O	X	O	X	O	O	O	O	O	(2)		O	NI	
NO	Norway	X	X	X	X	X	X	X	X	X	X	X			XR	NO	
NZ	New Zealand	X	X	X	X	X	X	X	X	X	X	X			XR	NZ	
PA	Panama	X	O	O	X	O	X	O	O	O	O	O	(2)		O	PA	
PL	Poland	X	X	X	X	X	X	X	X	X	X	X	(1)		XR	PL	
PY	Paraguay	X	X	O	X	O	X	O	O	O	O	X	(2)		XR	PY	
RO	Romania	X	X	X	X	X	X	X	X	X	X	X	(1)		XR	RO	
RU	Russia	X	X	X	X	X	X	X	X	X	X	X	(1)(2)		O	RU	
SE	Sweden	X	X	X	X	X	X	X	X	X	X	X			XR	SE	
SG	Singapore	O	O	O	O	O	O	O	O	O	O	O	(2)		O	SG	
SI	Slovenia	X	X	X	X	X	X	X	X	X	X	X	(1)		O	SI	
SV	El Salvador	X	X	O	X	O	X	O	O	O	O	O	(2)		O	SV	
SZ	Swaziland	X	O	O	X	O	X	O	O	O	O	O	(2)		XR	SZ	
TH	Thailand	O	O	O	O	O	O	O	O	O	O	O	(1)(2)		O	TH	
TN	Tunisia	O	O	O	O	O	O	O	O	O	O	O	(2)(4)		O	TN	
TR	Turkey	O	O	O	X	O	X	O	O	O	O	O	(2)		O	TR	
UA	Ukraine	O	O	O	O	O	O	O	O	O	O	X			O	UA	
US	United States of America	X	X	X	X	X	X	X	X	X	X	X			(d)	US	
UY	Uruguay	X	X	O	X	O	X	O	O	O	O	X	(2)		XR(c)	UY	
YU	Yugoslav Republics	X	X	X	X	X	X	X	X	X	X	X	(2)		XR	YU	
ZA	South Africa	X	X	X	X	X	X	X	X	X	X	X	(1)(2)		XR	ZA	
ZW	Zimbabwe	X	O	O	O	O	O	O	O	O	O	O	(2)		XR	ZW	

- B = Bovines (including buffalo)
 S/G = Sheep/Goat
 P = Pig
 C/H = Clovenhoofed
 E = Equidae
 X = Authorized in principle
 O = Not authorized

Special remarks

- (1) Excluding meat of wild swine.
 (2) Excluding bone-in meat and offal of wild clovenhoofed animals.
 (3) Notwithstanding any restrictions indicated in the above list, meat products which have undergone a heat treatment in a hermetically sealed container to a F. value of 3 or more are authorized.
 (4) Notwithstanding any restrictions indicated in the above list, meat products which have undergone a heat treatment so that a centre temperature of at least 80 °C has been achieved are authorized.
 (5) Member States shall only import equidae in accordance with Commission Decision 92/160/EEC establishing the regionalization.
 (6) Member States shall not import equidae coming from this country.
 (7) Member States may import live sheep for immediate slaughter from this country direct to their territory until 1 July 1993.

Additional notes

XR The plan concerning the residues in live animals and fresh meat for substances having a thyrostatic, oestrogenic or gestogenic action and for substances other than those having a hormonal action has been approved by the Commission.

Equidae other than equidae for slaughter shall be imported without the third country concerned being obliged to present a plan.

(a) As regards imports of meat of bovine animals intended for human consumption these are restricted to meat obtained from cows which have been used only for dairy production.

(b) Imports of live bovine animals are restricted to animals intended for reproduction and to veal calves of less than 15 days of age intended for fattening.

(c) As regards imports of meat of bovine animals intended for human consumption these are restricted to :

(i) either meat obtained from cows which have only been used for dairy production,

(ii) or meat :

— complying with the conditions agreed between the United States of America and the European Economic Community ;
and

— which has been obtained from fresh meat establishments supplied with animals from holdings approved by the Commission. The names of such establishments are subject to specific communication from the Commission to the Member States.

(d) As regards imports of live horses for slaughter sufficient guarantees have been received to allow importations.

PART 2

SPECIAL COLUMN FOR REGISTERED HORSES

Country ISO Codes	Country	Registered horses	Special remarks
AE	United Arab Emirates	x	
BB	Barbados	x	
BH	Bahrain	x	
BM	Bermuda	x	
BO	Bolivia	x	
CO	Colombia	x	(¹)
CR	Costa Rica	x	(¹)
CU	Cuba	x	
EC	Equador	x	(¹)
EG	Egypt	x	(¹)
HK	Hong Kong	x	
JM	Jamaica	x	
JO	Jordan	x	
JP	Japan	x	
KW	Kuwait	x	
LY	Libya	x	
OM	Oman	x	
PE	Peru	x	(¹)
TR	Turkey	x	(¹)
VE	Venezuela	x	(¹)

x = Authorized in principle.

(¹) Member States shall only import equidae in accordance with Commission Decision 92/160/EEC establishing the regionalization.