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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 386/93

of 22 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 19 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 23 February 1993.

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

Done at Brussels, 22 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 22 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	134,98 ⁽²⁾ ⁽³⁾
0712 90 19	134,98 ⁽²⁾ ⁽³⁾
1001 10 00	175,28 ⁽¹⁾ ⁽³⁾ ⁽¹⁰⁾
1001 90 91	138,15
1001 90 99	138,15 ⁽¹¹⁾
1002 00 00	148,42 ⁽⁶⁾
1003 00 10	124,92
1003 00 20	124,92
1003 00 80	124,92 ⁽¹¹⁾
1004 00 00	113,82
1005 10 90	134,98 ⁽²⁾ ⁽³⁾
1005 90 00	134,98 ⁽²⁾ ⁽³⁾
1007 00 90	135,94 ⁽⁴⁾
1008 10 00	46,44 ⁽¹¹⁾
1008 20 00	78,69 ⁽⁴⁾
1008 30 00	36,64 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	36,64
1101 00 00	206,98 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	220,51 ⁽⁸⁾
1103 11 30	284,92 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 50	284,92 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	222,39 ⁽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.

(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 387/93**of 22 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 19

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 23 February 1993.

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

Done at Brussels, 22 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 22 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	0	6,11
0712 90 19	0	0	0	6,11
1001 10 00	0	0	0	0
1001 90 91	0	0,91	0,91	0,21
1001 90 99	0	0,91	0,91	0,21
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	0	6,11
1005 90 00	0	0	0	6,11
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	7,01
1008 90 90	0	0	0	7,01
1101 00 00	0	1,28	1,28	0,30

B. Malt

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1107 10 11	0	1,62	1,62	0,37	0,37
1107 10 19	0	1,21	1,21	0,28	0,28
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 388/93

of 22 February 1993

determining for the period 1 March 1993 to 30 June 1993 the quantities of raw sugar produced in the French overseas departments benefiting from the refining aid referred to in Council Regulation (EEC) No 2225/86 and amending Regulation (EEC) No 476/92

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 9 (6) thereof,

Having regard to Council Regulation (EEC) No 2225/86 of 15 July 1986 laying down measures for the marketing of sugar produced in the French overseas departments and for the equalization of the price conditions with preferential raw sugar⁽³⁾, and in particular the second subparagraph of Article 3 (2) thereof,

Whereas Article 3 of Regulation (EEC) No 2225/86 provides for the granting of an aid for raw sugar produced in the French overseas departments and refined in a refinery situated in the European regions of the Community within the limits of the quantities to be determined according to the regions of destination in question and separately according to origin; whereas those quantities must be determined on the basis of a Community supply balance sheet for raw sugar; whereas in a first stage quantities were fixed by Commission Regulation (EEC) No 1730/92⁽⁴⁾ on the basis of a forward estimate covering the period 1 July 1992 to 28 February 1993;

Whereas the final production of the French overseas department of Réunion and the quantities available for refining are now known; whereas the latter quantities which may qualify for this refining aid are accordingly to be determined for the remainder of the 1992/93 marketing year; whereas the quantity of raw sugar available for

refining in French refineries during the period 1 March to 30 June 1992 turns out to be slightly more than that fixed by Commission Regulation (EEC) No 476/92⁽⁵⁾; whereas the said quantity should accordingly be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

The quantities of sugar referred to in Article 3 (2) of Regulation (EEC) No 2225/86 shall be fixed for the period 1 March to 30 June 1993 in accordance with Annex I hereto.

Article 2

Annex I to Regulation (EEC) No 476/92 shall be replaced by Annex II hereto.

Article 3

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 1 March 1993 with the exception of Article 2 which shall apply with effect from 1 March 1992.

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

Done at Brussels, 22 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 194, 17. 7. 1986, p. 7.

⁽⁴⁾ OJ No L 179, 1. 7. 1992, p. 112.

⁽⁵⁾ OJ No L 53, 28. 2. 1992, p. 49.

ANNEX I

Quantities of raw cane sugar, expressed in 1 000 tonnes of white sugar :

(Period from 1 March to 30 June 1993)

Originating from the French overseas departments	For refining			
	in metropolitan France	in Portugal	in the United Kingdom	in the other regions of the Community
1. Réunion	0	0	0	0
2. Guadeloupe and Martinique	42	0	0	0

*ANNEX II**ANNEX I*

Quantities of raw cane sugar, expressed in 1 000 tonnes of white sugar :

(Period from 1 March to 30 June 1992)

Originating from the French overseas departments	For refining			
	in metropolitan France	in Portugal	in the United Kingdom	in the other regions of the Community
1. Réunion	0	0	0	0
2. Guadeloupe and Martinique	22,08	0	0	0'

COMMISSION REGULATION (EEC) No 389/93

of 22 February 1993

on the supply of cereals as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain beneficiaries 10 000 tonnes of cereals;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the 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, 22 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 1386/92
2. **Programme**: 1992
3. **Recipient** (2): Madagascar (Régie malgache des monopoles fiscaux (RMMF), 21, avenue de l'Indépendance, BP 23, Antananarivo 101)
4. **Representative of the recipient**: Ambassade de la république démocratique de Madagascar, avenue de Tervuren 276, B-1150 Brussels, tel. 770 17 746, telex 61197 TELMAD B
5. **Place or country of destination** (3): Madagascar
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** (4): see OJ No C 114, 29. 4. 1991, p. 1 (under II.A.1(a)); specific characteristics: moisture content: 13,5 % maximum
8. **Total quantity**: 10 000 tonnes
9. **Number of lots**: one
10. **Packaging**: in bulk plus 150 000 sacks,
Sacks: OJ No C 114, 29. 4. 1991, p. 1 (under II.B.2.(d))
Markings: only II.B.3.(a), (c) and (g)
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Toamasina
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 29. 3 — 11. 4. 1993
18. **Deadline for the supply**: 30. 4. 1993
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 9. 3. 1993, at 12 noon (Brussels time)
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 23. 3. 1993 at 12 noon (Brussels time)
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 12 — 25. 4. 1993
 - (c) deadline for the supply: 14. 5. 1993**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 4. 1993, at 12 noon (Brussels time)
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 26. 4 — 9. 5. 1993
 - (c) deadline for the supply: 28. 5. 1993
22. **Amount of the tendering security**: ECU 5 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (5): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles; telex AGREC 22037 B or AGREC 25670 B; telefax (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on request by the successful tenderer** (6): refund applicable on 26. 2. 1993, fixed by Commission Regulation (EEC) No 166/93 (OJ No L 22, 30. 1. 1993, p. 17)

Notes:

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

- (4) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the accession compensatory amounts. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 8 to 12 of Commission Regulation (EEC) No 3819/92 (OJ No L 387, 31. 12. 1992, p. 17) shall not apply to this amount.

- (5) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
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COMMISSION REGULATION (EEC) No 390/93
of 22 February 1993
on the supply of vegetable oil as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 751 tonnes of vegetable oil;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the 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, 22 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 1446/92
2. **Programme**: 1992
3. **Recipient** (2): CICR, 19, avenue de la Paix, CH-1202 Genève [tél. (41-22) 734 60 01 ; télex 22269 CH CICR]
4. **Representative of the recipient**: Sub-Delegação do Comité Internacional da Cruz Vermelha, rua Luís Inácio 276, Caixa Postal 1130, Beira/Republica Popular de Moçambique [tél. (258-3) 323 472/473/623]
5. **Place or country of destination** (3): Mozambique
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** (4): see OJ No C 114, 29. 4. 1991, p. 1 [under III.A.1.(a)]
8. **Total quantity**: 751 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** (5): see OJ No C 114, 29. 4. 1991, p. 1 [under III.A.2.1 and and III.A.3]:
 - five-litre metalcanister, without cardboard crosspieces
 - Markings in Portuguese
 - Supplementary markings: 'MZ-95'
11. **Method of mobilization**: Community market
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Entrepoto CICR-Beira
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 29. 3 — 11. 4. 1993
18. **Deadline for the supply**: 2. 5. 1993
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 9. 3. 1993, at 12 noon (Brussels time)
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 23. 3. 1993, at 12 noon (Brussels time)
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 12. — 25. 4. 1993
 - (c) deadline for the supply: 16. 5. 1993**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 6. 4. 1993 at 12 noon (Brussels time)
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 26. 4. — 9. 5. 1993
 - (c) deadline for the supply: 30. 5. 1993
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; telefax (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on request by the successful tenderer** (6): —

Notes :

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 and iodine -131 levels.

- (⁴) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) The cartons shall be stacked on wooden pallets (made of pine, fir or poplar) measuring not more than 1 200 × 1 400 mm, and with the following features :
 - four-way entry, non-reversible, with wings ;
 - a top deck consisting of a minimum of seven planks measuring 100 mm in width and of a thickness of 22 mm ;
 - a bottom deck consisting of three planks measuring 100 mm in width and of a thickness of 22 mm ;
 - three bearers measuring 100 mm in width and of a thickness of 22 mm ;
 - nine dowels : 100 × 100 × 78 mm minimum.

The palletized cartons shall be covered by a shrink film of a thickness of at least 150 µm (shrink wrapping or stretch wrapping).

The cartons must have reinforced protection consisting of four angles (35 × 35 mm) made of cardboard at least 3 mm thick placed on the four upper edges.

The whole of the above must be bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.

COMMISSION REGULATION (EEC) No 391/93
of 22 February 1993
on the supply of cereal-based weaning food as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 99 tonnes of cereal-based weaning food;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Cereal-based weaning food shall be mobilized in the Community as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the 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, 22 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation Nos** (1): 1124/92
2. **Programme**: 1992
3. **Recipient** (2):
UNRWA, Supply Division, Vienna International Center, PO Box 700, A-1400 Vienna; tel. (43 1) 211 310; telex 135310 UNRWA A — fax: 230 75 29
4. **Representative of the recipient**:
UNRWA Field Supply and Transport Officer, West Bank, PO Box 19149, Jerusalem (tel.: 82 80 93; telex: 26194 UNRWA IL; fax: 81 65 64)
5. **Place or country of destination** (3): Israel
6. **Product to be mobilized**: cereal-based weaning food
7. **Characteristics and quality of the goods** (3) (4): see OJ No C 34, 6. 2. 1993, p. 3
8. **Total quantity**: 99 tonnes
9. **Number of lots**: 1
10. **Packaging and marking** (5):
OJ No C 34, 6. 2. 1993, p. 3
Markings in English
Supplementary markings
'UNRWA'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Ashdod
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 — 18. 4. 1993
18. **Deadline for the supply**: 9. 5. 1993
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 9. 3. 1993 (Brussels time)
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 23. 3. 1993 (Brussels time)
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 19. 4 — 2. 5. 1993
 - (c) deadline for the supply: 23. 5. 1993**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 6. 4. 1993 (Brussels time)
 - (b) period for making the goods available at the port of shipment stage: 3 — 16. 5. 1993
 - (c) deadline for the supply: 6. 6. 1993
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; telefax: (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on application by the successful tenderer** (6): refunds applicable on 2 March 1993 (fixed in accordance with Article 4 (2), first subparagraph of Regulation (EEC) No 3035/80) (OJ No L 323, 29. 11. 1980, p. 27)

Notes :

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

- (4) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the accession compensatory amounts. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 8 to 12 of Commission Regulation (EEC) No 3819/92 (OJ No L 387, 31. 12. 1992, p. 17) shall not apply to this amount.

- (5) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- (6) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
 - health certificate,

- (7) Consignment to be stowed in 20-foot containers not more than 17 tonnes each, net, not more than 50 containers being shipped per week on any vessel. The contracted shipping terms shall be considered full liner terms (liner in/liner out) free Ashdod/container yard and are understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 days free of container detention charges should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.

After take over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.

COMMISSION REGULATION (EEC) No 392/93

of 22 February 1993

amending Regulations (EEC) No 1356/92 and (EEC) No 1910/92 on special intervention measures for barley in Spain and durum wheat in Greece

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 8 (3) thereof,

Whereas Commission Regulations (EEC) No 1356/92⁽³⁾ and (EEC) No 1910/92⁽⁴⁾ provide for the opening of invitations to tender for the export refund and the fixing in advance of monetary compensatory amounts;

Whereas Council Regulation (EEC) No 1677/85 of 11 June 1985 on monetary compensatory amounts in agriculture⁽⁵⁾, as last amended by Regulation (EEC) No 2205/90⁽⁶⁾, was repealed by Council Regulation (EEC) No 3813/92 of 28 December 1992 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁷⁾; whereas, as a result, all references to MCAs in the Regulations concerned should be deleted;

Whereas under the aforementioned tendering procedures the fixing in advance of monetary compensatory amounts ensured, up to the time they were abolished, that the cereals in question were actually exported from the Member State for which a particular intervention measure was implemented; whereas their abolition makes it necessary to restrict the use of export licences to exports from the Member State in which the licence was applied for;

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

1. Article 3 of Regulation (EEC) No 1356/92 and (EEC) No 1910/92 is hereby replaced by the following:

'Article 3

A tender shall be valid only if it relates to not less than 1 000 tonnes.'

2. The following paragraph is added to Article 5 of Regulation (EEC) No 1356/92:

'3. Notwithstanding Article 11 of Regulation (EEC) No 3719/88, export licences under this tendering procedure shall be valid in Spain only.'

3. The following paragraph is added to Article 5 of Regulation (EEC) No 1910/92:

'3. Notwithstanding Article 11 of Regulation (EEC) No 3719/88, export licences under this tendering procedure shall be valid in Greece only.'

Article 2

Under the tendering procedures referred to in Article 1, box 20 of applications and the export licences shall indicate, where appropriate, the following:

'Reglamento (CEE) n° 1356/92 certificado válido exclusivamente en España.'

'Κανονισμός (ΕΟΚ) αριθ. 1910/92 πιστοποιητικό που ισχύει μόνο στην Ελλάδα'.

Article 3

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

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 145, 27. 5. 1992, p. 58.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 20.

⁽⁵⁾ OJ No L 164, 24. 6. 1985, p. 6.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 9.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

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

Done at Brussels, 22 February 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 393/93

of 22 February 1993

introducing a countervailing charge on fresh lemons originating in Cyprus

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 the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1413/92 of 27 May 1992 fixing for the 1992/93 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I for the period November 1992 to April 1993 at ECU 47,15 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 249/93⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for fresh lemons originating in Cyprus the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these fresh lemons;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾ 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⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 6,67 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Cyprus.

Article 2

This Regulation shall enter into force on 24 February 1993.

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

Done at Brussels, 22 February 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

⁽³⁾ OJ No L 146, 28. 5. 1992, p. 71.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 28, 5. 2. 1993, p. 45.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 17.

COMMISSION REGULATION (EEC) No 394/93**of 22 February 1993****on the issue of import licences for frozen thin skirt of bovine animals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3394/92 of 23 November 1992 opening a Community tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 (1993)(¹), and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3770/92 (²) lays down detailed rules for the application of import arrangements provided for by Regulation (EEC) No 3394/92 for frozen thin skirt of bovine animals;

Whereas Article 1 (1) (b) of Regulation (EEC) No 3770/92 fixes the amount of frozen thin skirt which may be imported on special terms in 1993 at 800 tonnes;

Whereas Article 8 (4) of Regulation (EEC) No 3770/92 lays down that the quantities applied for may be reduced;

whereas the applications lodged relate to total quantities which exceed the quantities available; whereas, under these circumstances and taking care to ensure an equitable distribution of the available quantities, it is appropriate to reduce proportionally the quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

All applications for import licences made pursuant to Article 6 of Regulation (EEC) No 3770/92 are hereby met to the extent of 0,039920 % of the quantity requested.

Article 2

This Regulation shall enter into force on 23 February 1993.

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

Done at Brussels, 22 February 1993.

For the Commission

René STEICHEN

Member of the Commission

(¹) OJ No L 346, 27. 11. 1992, p. 6.
(²) OJ No L 383, 29. 12. 1992, p. 30.

COMMISSION REGULATION (EEC) No 395/93
of 22 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 385/93 ⁽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 19 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 23 February 1993.

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

Done at Brussels, 22 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 43, 20. 2. 1993, p. 35.

ANNEX

to the Commission Regulation of 22 February 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	38,24 ⁽¹⁾
1701 11 90	38,24 ⁽¹⁾
1701 12 10	38,24 ⁽¹⁾
1701 12 90	38,24 ⁽¹⁾
1701 91 00	46,02
1701 99 10	46,02
1701 99 90	46,02 ⁽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.

COMMISSION REGULATION (EEC) No 396/93**of 22 February 1993****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

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 syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 167/93 ⁽⁴⁾, as amended by Regulation (EEC) No 272/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 167/93 to the informa-

tion known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 19 February 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of amended Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 167/93 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 February 1993.

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

Done at Brussels, 22 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 22, 30. 1. 1993, p. 19.

⁽⁵⁾ OJ No L 30, 6. 2. 1993, p. 59.

ANNEX

to the Commission Regulation of 22 February 1993 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4602	—
1702 20 90	0,4602	—
1702 30 10	—	55,89
1702 40 10	—	55,89
1702 60 10	—	55,89
1702 60 90	0,4602	—
1702 90 30	—	55,89
1702 90 60	0,4602	—
1702 90 71	0,4602	—
1702 90 90	0,4602	—
2106 90 30	—	55,89
2106 90 59	0,4602	—

⁽¹⁾ 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)

COUNCIL

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES, MEETING WITHIN THE COUNCIL,**

of 15 February 1993

**concerning the temporary suspension of customs duties applicable to imports of
ECSC products originating in Iceland**

(93/113/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE
EUROPEAN COAL AND STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

The temporary suspension of the customs duties applicable to imports of ECSC products originating in Iceland, decided upon by the Representatives of the Governments of the Member States meeting within the Council on 23 July 1992 ⁽¹⁾, is hereby extended until 31 December 1993.

Article 2

Member States shall take the measures necessary to implement this Decision.

Done at Brussels, 15 February 1993.

The President

M. JELVED

⁽¹⁾ OJ No L 214, 30. 7. 1992, p. 36 (Decision 92/394/ECSC).

COUNCIL DECISION

of 15 February 1993

concerning the conclusion of the Protocol to the Convention of 8 October 1990 between the Governments of the Federal Republic of Germany and of the Czech and Slovak Federal Republic and the European Economic Community on the International Commission for the Protection of the Elbe

(93/114/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, by Decision 91/598/EEC ⁽⁴⁾, the Community approved the Convention on the International Commission for the Protection of the Elbe;

Whereas it is essential that the International Commission established by that Convention be given legal personality and capacity in order that it may carry out its tasks;

Whereas, to this end, a Protocol to the Convention was adopted in Magdeburg on 9 December 1991; whereas the Protocol has been signed on behalf of the Community;

Whereas it is therefore necessary that the Community approve the Protocol,

Article 1

The Protocol to the Convention of 8 October 1990 between the Governments of the Federal Republic of Germany and of the Czech and Slovak Federal Republic and the European Economic Community on the International Commission for the Protection of the Elbe is hereby approved on behalf of the European Economic Community.

The text of the Protocol is attached hereto.

Article 2

The President of the Council will, on behalf of the European Economic Community, inform the Government of the Federal Republic of Germany, in its capacity as depositary State, that the preconditions for the entry into force of the Protocol have been fulfilled as far as the Community is concerned, in accordance with Article 2 of the Protocol.

Done at Brussels, 15 February 1993.

For the Council

The President

M. JELVED

⁽¹⁾ OJ No C 185, 22. 7. 1992, p. 14.

⁽²⁾ OJ No C 305, 23. 11. 1992.

⁽³⁾ OJ No C 287, 4. 11. 1992, p. 38.

⁽⁴⁾ OJ No L 321, 23. 11. 1991, p. 24.

PROTOCOL

to the Convention of 8 October 1990 between the Governments of the Federal Republic of Germany and the Czech and Slovak Federal Republic and the European Economic Community on the International Commission for the Protection of the Elbe

THE GOVERNMENTS OF THE FEDERAL REPUBLIC OF GERMANY AND THE CZECH AND SLOVAK FEDERAL REPUBLIC AND THE EUROPEAN ECONOMIC COMMUNITY,

Having regard to the Convention of 8 October 1990 on the International Commission for the Protection of the Elbe,

HAVE AGREED AS FOLLOWS:

Article 1

For the purpose of fulfilment of tasks conferred on it under the Convention, the Commission shall have legal capacity in accordance with the law obtaining at the place at which its Secretariat has its headquarters. It shall in particular have the capacity to conclude any contracts required to fulfil its tasks, to acquire and to dispose of immovable and movable property and to take part in legal proceedings. For this purpose, the Commission shall be represented by its chairman. The chairman may appoint a representative in accordance with the rules of procedure.

Article 2

This Protocol shall enter into force 30 days after the day on which all signatories have informed the Government of the Federal Republic of Germany as depository that any preconditions for the entry into force required by national laws have been fulfilled.

Done at Magdeburg, 9 December 1991.

In original copies in the German and Czech languages, each text being equally binding.

For the Government of the Federal Republic of Germany

For the Government of the Czech and Slovak Federal Republic

For the European Economic Community

COUNCIL DECISION**of 15 February 1993****granting a Community guarantee to the European Investment Bank against losses under loans for projects of mutual interest in certain third countries**

(93/115/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the Council of 13 and 14 May 1991 decided, on the basis of a communication from the Commission, on a limited extension of European Investment Bank (EIB) operations in those third countries with which the Community has concluded cooperation agreements;

Whereas the Council of 8 July 1991 confirmed these guidelines;

Whereas the Council of 19 May 1992 decided on the guidelines to be applied for loans from the EIB granted in third countries with which the Community has concluded cooperation agreements;

Whereas the Council has invited the EIB, to make available, in accordance with its statutes and usual criteria, loans for projects of mutual interest in certain third countries covered by a guarantee;

Whereas a Guarantee Fund will be established as soon as possible in order to provide appropriate budgetary treatment of the guarantees for Community loans granted to third countries, in accordance with the conclusions of the European Council on 11 and 12 December 1992,

Article 1

The Community shall fully guarantee the European Investment Bank in cases where the Bank does not receive the payments due under any loan granted in accordance with its usual criteria to those third countries with which the Community has concluded cooperation agreements. An overall limit of ECU 250 million per year, shall be set for a three-year period. This limit shall be reviewed at the end of that period.

To this end the EIB and the Commission shall agree on the procedures for implementing the guarantee.

Article 2

Every six months the Commission shall inform the European Parliament and the Council as to the rhythm of take-up of loans under the guarantee. To this end, the Bank shall forward to the Commission all necessary details for the complete information of the European Parliament and the Council.

Once a year, the Commission shall forward to the European Parliament and the Council a report which will include an evaluation of the implementation of this Decision.

Done at Brussels, 15 February 1993.

For the Council

The President

M. JELVED

⁽¹⁾ OJ No C 172, 8. 7. 1992, p. 6.

⁽²⁾ OJ No C 21, 25. 1. 1993.

COMMISSION

COMMISSION DECISION

of 22 February 1993

authorizing Portugal to import from third countries at a reduced levy certain quantities of raw sugar during the period 1 January to 30 June 1993

(Only the Portuguese text is authentic)

(93/116/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/91 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 Articles 13 (2), 16 (7) and 16a (11) thereof,

Whereas Article 16a (1) of Regulation (EEC) No 1785/81 has fixed the maximum quantity of raw sugar to be imported at a reduced levy from certain ACP States in order to supply the Portuguese refineries for the period 1 January 1993 to 30 June 1993;

Whereas Article 16a (2) of the said Regulation provides in particular that, where, during the specified period, the Community forward estimate for raw sugar shows that the availability of raw sugar is insufficient to ensure adequate supply of Portuguese refineries, Portugal may be authorized to import from third countries under that period the quantities which it is estimated are lacking; whereas the 1992/93 forward estimate showed that the foreseeable shortfall could be fixed in a first stage by Commission Decision 92/336/EEC⁽³⁾ at 74 000 tonnes to be imported from third countries in respect of the period 1 July 1992 to 31 December 1992;

Whereas the actual quantities of raw sugar available; the Community, and in particular production in the French department of Reunion, and quantities available for refining are now known; whereas the remainder of the shortfall in respect of the period 1 January to 30 June 1993

should accordingly be fixed; whereas a risk exists however that all or part of the quantity to be imported from certain ACP States by virtue of Article 16a (1) of Regulation (EEC) No 1785/81, will not be available; whereas account should accordingly be taken of this risk when fixing the shortfall to be imported at a reduced rate of levy;

Whereas, in order to ensure sound management of the markets in the sector and, in particular, effective control of operations, it is necessary to apply to the sugar concerned the normal rules for performance of the customs formalities for import;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

1. Portugal is hereby authorized to import from third countries during the period 1 March to 30 June 1993 a quantity of raw sugar not exceeding 106 100 tonnes expressed as white sugar, at the reduced levy determined in accordance with Article 16a (3) of Regulation (EEC) No 1785/81.

2. The quantities imported from third countries under Article 16a (1) of Regulation (EEC) No 1785/81 shall be set against the quantity referred to in paragraph 1.

Article 2

1. The import licences for the raw sugar referred to in Article 1 shall be valid from the date of issue until 30 June 1993.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 47.

2. The application for the licence referred to in paragraph 1 must be made to the competent authority in Portugal, during the 1992/93 marketing year, and must be accompanied by a declaration from a refiner in which he undertakes to refine the quantities of raw sugar concerned in Portugal within six months following the month in which the customs import formalities take place.

Except in cases of *force majeure* if the sugar in question is not refined within the prescribed time limit the importer must pay an amount equal to the difference between the threshold price and the intervention price for raw sugar applicable on the day of acceptance of the import declaration concerned.

In cases of *force majeure*, the competent authority in Portugal shall adopt the measures that it considers necessary, in the light of the circumstances worked by the interested party.

3. The application for the import licence and the licence itself shall include in box 12 the following:

'import of raw sugar at reduced levy in accordance with Decision 93/116/EEC'.

4. The rate of deposit applicable to the licence referred to in paragraph 1 is hereby fixed at ECU 0,25 for each 100 kilograms of sugar net.

Article 3

If the volume of applications for licences exceeds the quantity provided for in Article 1. Portugal shall proceed with a fair apportionment of this quantity among the applicants concerned.

Article 4

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 22 February 1993.

For the Commission

René STEICHEN

Member of the Commission
