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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 489/93
of 3 March 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 2 March 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 4 March 1993.

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

Done at Brussels, 3 March 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 3 March 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁷⁾
0709 90 60	135,06 ⁽²⁾ ⁽³⁾
0712 90 19	135,06 ⁽²⁾ ⁽³⁾
1001 10 00	173,28 ⁽¹⁾ ⁽²⁾ ⁽¹⁰⁾
1001 90 91	139,41
1001 90 99	139,41 ⁽¹¹⁾
1002 00 00	150,32 ⁽⁹⁾
1003 00 10	126,68
1003 00 20	126,68
1003 00 80	126,68 ⁽¹¹⁾
1004 00 00	115,90
1005 10 90	135,06 ⁽²⁾ ⁽³⁾
1005 90 00	135,06 ⁽²⁾ ⁽³⁾
1007 00 90	137,92 ⁽⁴⁾
1008 10 00	47,35 ⁽¹¹⁾
1008 20 00	81,10 ⁽⁴⁾
1008 30 00	37,97 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	37,97
1101 00 00	208,71 ⁽⁸⁾ ⁽¹¹⁾
1102 10 00	223,13 ⁽⁸⁾
1103 11 30	281,77 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 50	281,77 ⁽⁸⁾ ⁽¹⁰⁾
1103 11 90	224,09 ⁽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 490/93**of 3 March 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 2 March

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 4 March 1993.

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

Done at Brussels, 3 March 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 3 March 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 3	1st period 4	2nd period 5	3rd period 6
0709 90 60	0	0	0	5,04
0712 90 19	0	0	0	5,04
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	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	0	5,04
1005 90 00	0	0	0	5,04
1007 00 90	0	7,55	7,55	7,55
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	10,51	10,58	10,51
1008 90 90	0	10,51	10,58	10,51
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 3	1st period 4	2nd period 5	3rd period 6	4th period 7
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	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 491/93

of 3 March 1993

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

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 point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC)

No 1684/92⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas Council Regulation (EEC) No 1432/92⁽⁸⁾, as last amended by Regulation (EEC) No 3534/92⁽⁹⁾, 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⁽¹⁰⁾ 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⁽¹¹⁾;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁸⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁹⁾ OJ No L 358, 8. 12. 1992, p. 16.

⁽¹⁰⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹¹⁾ OJ No L 387, 31. 12. 1992, p. 17.

HAS ADOPTED THIS REGULATION:

exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and

Article 2

This Regulation shall enter into force on 4 March 1993.

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

Done at Brussels, 3 March 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 3 March 1993 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	35,01 ⁽¹⁾
1701 11 90 910	32,60 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	35,01 ⁽¹⁾
1701 12 90 910	32,60 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3806
	— ECU/100 kg —
1701 99 10 100	38,06
1701 99 10 910	37,95
1701 99 10 950	37,95
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3806

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

⁽³⁾ 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 492/93

of 2 March 1993

concerning the stopping of fishing for cod, haddock, whiting, plaice, common sole, hake and anglerfish by vessels flying the flag of the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3919/92 of 20 December 1992 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1993 and certain conditions under which they may be fished⁽³⁾, provides for cod, haddock, whiting, plaice, common sole, hake and anglerfish quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas the quotas of cod in the waters of ICES divisions III a Skagerrak, VII a, VII b, c, d, e, f, g, h, j, k, VIII, IX, X; CECAF 34.1.1 (EC zone), the haddock in the waters of ICES divisions III a, III b, c, d (EC zone), of whiting in the waters of ICES divisions III a, VII a and VII b, c, d, e, f, g, h, j, k, of plaice in the waters of ICES divisions III a Skagerrak, VII a and VII h, j, k, of common sole, in the waters of ICES divisions III a, III b, c, d (EC zone), VII a, VII h, j, k, and VIII a, b, of hake in the waters of ICES divisions VIII a, b, d, e and of anglerfish in the waters of ICES divisions V b (EC zone), VI, XII, XIV and VII allocated to the Netherlands for 1993, have been exhausted by exchanges of quotas; whereas the Netherlands have prohibited fishing for these stocks as from 1 January 1993; whereas it is therefore necessary to abide by that date,

The quotas of cod in the waters of ICES divisions III a Skagerrak, VII a and VII b, c, d, e, f, g, h, j, k, VIII, IX, X; CECAF 34.1.1 (EC zone), of haddock in the waters of ICES divisions III a and III b, c, d (EC zone), of whiting in the waters of ICES divisions III a, VII a and VII b, c, d, e, f, g, h, j, k, of plaice in the waters of ICES divisions III a Skagerrak, VII a and VII h, j, k, of common sole in the waters of ICES divisions III a, III b, c, d (EC zone), VII a, VII h, j, k, and VIII a, b, of hake in the waters of ICES divisions VIII a, b, d, e and of anglerfish in the waters of ICES divisions V b (EC zone), VI, XII, XIV and VII allocated to the Netherlands for 1993 are deemed to be exhausted.

Fishing for cod in the waters of ICES divisions III a Skagerrak, VII a, VII b, c, d, e, f, g, h, j, k, VIII, IX, X; CECAF 34.1.1 (EC zone), for haddock in the waters of ICES divisions III a, III b, c, d (EC zone), for whiting in the waters of ICES divisions III a, VII a and VII b, c, d, e, f, g, h, j, k, of plaice in the waters of ICES divisions III a Skagerrak, VII a and VII h, j, k, for common sole in the waters of ICES divisions III a, III b, c, d (EC zone), VII a, VII h, j, k, and VIII a, b, for hake in the waters of ICES divisions VIII a, b, d, e and for anglerfish in the waters of ICES divisions V b (EC zone), VI, XII, XIV and VII by vessels flying the flag of the Netherlands or registered in the Netherlands is prohibited, as well as the retention on board, the transshipment and the landing of such stocks captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 1 January 1993.

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 397, 31. 12. 1992, p. 1.

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

Done at Brussels, 2 March 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

COMMISSION REGULATION (EEC) No 493/93

of 3 March 1993

ending the charges against the tariff ceilings opened for 1992 in the framework of generalized tariff preferences by Council Regulation (EEC) No 3832/90 in respect of certain textile products originating in China, India, Brazil, Thailand, Singapore, Pakistan, Indonesia and Mexico

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries ⁽¹⁾, and in particular the third paragraph of Article 12 thereof, extended for 1992 by Regulation (EEC) No 3587/91 ⁽²⁾, and in particular the second paragraph of Article 9 thereof,

Whereas, pursuant to Articles 1 and 10 of Regulation (EEC) No 3832/90 suspension of customs duties in the context of preferential tariff ceilings is granted within the limits of the individual ceilings set out in column 8 of Annex I to that Regulation in respect of each of the categories of product under consideration ; whereas as provided for in the third paragraph of Article 12 of the said Regulation, the Commission may, after 31 December 1992, take measures to stop quantities being charged against any particular preferential tariff limit if these limits were exceeded particularly as a result of regularizations of imports actually made during the preferential tariff period ;

Whereas, in respect of the products of order Nos, categories and origins indicated in the table below, the relevant ceilings were fixed at the levels indicated in that table :

Order No	Category	Origin	Ceiling
40.0170	17	India	81 000 pieces
40.0180	18	Brazil	112 tonnes
40.0180	18	Thailand	112 tonnes
40.0210	21	India	562 000 pieces
40.0220	22	Singapore	649 tonnes
40.0290	29	Pakistan	124 000 pieces
40.0290	29	Indonesia	124 000 pieces
40.0730	73	Pakistan	181 000 pieces
40.0900	90	China	15 tonnes
40.0970	97	Mexico	22 tonnes

Whereas on 1 January 1993, the sum of the quantities charged during the 1992 preferential period exceeded the ceilings in question ;

Whereas it appears desirable to take measures to stop quantities being charged against the said ceilings for the order Nos, categories and origins in question,

HAS ADOPTED THIS REGULATION :

Article 1

The quantities charged against the tariff ceilings opened for 1992 by Regulation (EEC) No 3832/90 relating to the products and origins indicated in the table below, shall cease to be allowed from 7 March 1993.

⁽¹⁾ OJ No L 370, 30. 12. 1990, p. 1. Regulation last amended by Regulation (EEC) No 3917/92 (OJ No L 396, 31. 12. 1992).

⁽²⁾ OJ No 341, 12. 12. 1991, p. 1. Regulation last amended by Regulation (EEC) No 1509/92 (OJ No L 159, 12. 6. 1992, p. 1).

Order No	Category	Description	Origin
40.0170	17	Men's or boys' jackets excluding waister jackets and blazers, other than knitted or crocheted, of wool, of cotton or of manmade fibres	India
40.0180	18	Men's or boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted ; Women's and girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, négligés, bathrobes, dressing gowns and similar articles, other than knitted or crocheted	Brazil Thailand
40.0210	21	Parka's, anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or man-made fibres ; upper parts of tracksuits with lining, other than of category 16 or 29, of cotton or of man-made fibres	India
40.0220	22	Yarn of staple or waste synthetic, fibres not put up for retail sale	Singapore
40.0290	29	Womens or girls suits and ensembles, other than knitted or crocheted, of wool, of cotton or man-made fibres, excluding ski suits ; womens or girls tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres	Pakistan Indonesia
40.0730	73	Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres	Pakistan
40.0900	90	Twine, cordage, ropes and cables, of synthetic fibres, plaited or not	China
40.0970	97	Nets and netting made of twine, cordage or rope, and made up fishing nets of yarn, twine, cordage or rope	Mexico

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, 3 March 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 494/93

of 3 March 1993

opening invitations to tender for the fixing of aid for the private storage of
carcasses and half-carcasses of lamb

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat⁽³⁾, as amended by Regulation (EEC) No 1258/91⁽⁴⁾, provides in particular for detailed rules on the invitation to tender;

Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat⁽⁵⁾, as last amended by Regulation (EEC) No 1258/91, provides in particular the minimum quantities in respect of which a tender may be submitted;

Whereas the application of Article 7 (3) of Regulation (EEC) No 3013/89 results in the opening of invitations to tender for private storage aid;

Whereas that Article provides for the application of these measures on the basis of the situation of each quotation

zone; whereas it is appropriate consequently to open tenders separately for each of the zones where the conditions are fulfilled,

HAS ADOPTED THIS REGULATION:

Article 1

Separate invitations to tender are opened in Great Britain, Belgium, Denmark, Germany, Greece, Spain, France, Netherlands, Ireland, Northern Ireland, Italy and in Portugal for aid to private storage for carcasses and half-carcasses of lamb.

Subject to the provisions of Regulation (EEC) No 3447/90 tenders may be submitted to the intervention agencies of the Member States concerned.

Article 2

Tenders must be submitted not later than 2 p.m. on 12 March 1993 to the relevant intervention agency.

Article 3

This Regulation shall enter into force on the day of 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, 3 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 333, 30. 11. 1990, p. 39.

⁽⁴⁾ OJ No L 120, 15. 5. 1991, p. 15.

⁽⁵⁾ OJ No L 333, 30. 11. 1990, p. 46.

COMMISSION REGULATION (EEC) No 495/93

of 3 March 1993

amending Regulation (EEC) No 1725/79 on the rules for granting aid to skimmed milk processed into compound feedingstuffs and skimmed-milk powder intended for feed for calves

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 2071/92⁽²⁾, and in particular Article 10 (3) thereof,

Whereas Article 4 (2) of Commission Regulation (EEC) No 1725/79⁽³⁾, as last amended by Regulation (EEC) No 184/93⁽⁴⁾, provides that certain information must be printed on the packaging of compound feedingstuffs, in particular the month and year of manufacture; whereas this provision should be amended in order to bring it into line with the amended provisions of Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs⁽⁵⁾, as last amended by Directive 90/654/EEC⁽⁶⁾;

Whereas Article 4 (4) of Regulation (EEC) No 1725/79 lays down provisions concerning mixtures containing skimmed milk used in the manufacture of compound feedingstuffs; whereas experience confirms the need to make this method of utilization subject to stricter conditions in order to ensure that the skimmed milk or skimmed-milk powder used meets the requirements laid down for the grant of the aid;

Whereas it is also appropriate to adapt certain references to other Community Regulations;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1725/79 is hereby amended as follows:

1. Article 4 is amended as follows:

(a) the second subparagraph of paragraph 2 is replaced by the following:

'In addition, packages must indicate in clearly legible characters the skimmed-milk powder content and the date of manufacture in accordance with Article 5d (2) of the aforementioned Directive or, where appropriate, the batch number referred to in Article 5 (1) (j) of that Directive providing this number makes it possible to identify the date of manufacture. This information must be:

- either indicated on the label inserted in the closing device, or
- printed on the package itself';

(b) in paragraph 4:

— point (a) is replaced by the following:

'(a) the mixture:

- complies with the requirements laid down in Article 1 (3);
- has been manufactured in an approved undertaking in accordance with paragraph 5;
- has been manufactured using skimmed milk or skimmed-milk powder without further processing, manufactured in the Community or imported as such';

— a third indent is added to point (b) as follows:

'— an indication making it possible to identify the manufacturer by reference to his approval number.';

(c) the following paragraph 5 is added:

'5. The approval referred to in paragraph 4 shall be granted by the competent authority of the Member State on whose territory the mixture is manufactured to undertakings which have the appropriate technical installations and administrative and accounting facilities making it possible to implement the provisions of this Regulation.

Approval shall be withdrawn where such guarantees no longer exist or where it is established that the undertaking concerned has failed to meet an obligation under this Regulation. At the request of the interested party, approval may be re-established following a thorough check, but after a suspension period of six months at the earliest.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁴⁾ OJ No L 22, 30. 1. 1993, p. 69.

⁽⁵⁾ OJ No L 86, 6. 4. 1979, p. 30.

⁽⁶⁾ OJ No L 353, 17. 12. 1990, p. 48.

The competent authority of the Member State shall check for compliance with the requirements for the grant of the approval at least once every six months. The check shall comprise in particular an audit of incoming and outgoing products.

Where manufacture of the mixtures takes place in an approved undertaking pursuant to Article 8 of this Regulation, the approval shall be deemed to be pursuant to this paragraph.'

2. In Article 7:

- (a) the words 'referred to in Article 10 of Regulation (EEC) No 223/77' in paragraph 1 are replaced by

the words 'referred to in Article 2 of Commission Regulation (EEC) No 3566/92 (*)';

(*) OJ No L 362, 11. 12. 1992, p. 11.';

- (b) the opening text of paragraph 2 is replaced by the following:

'Section 104 must indicate one of the following':

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 from 1 April 1993 as regards point 1 (b) and (c) of Article 1.

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

Done at Brussels, 3 March 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 496/93
of 3 March 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 488/93 ⁽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 2 March 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 4 March 1993.

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

Done at Brussels, 3 March 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 51, 3. 3. 1993, p. 27.

ANNEX

to the Commission Regulation of 3 March 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	37,06 ⁽¹⁾
1701 11 90	37,06 ⁽¹⁾
1701 12 10	37,06 ⁽¹⁾
1701 12 90	37,06 ⁽¹⁾
1701 91 00	44,56
1701 99 10	44,56
1701 99 90	44,56 ⁽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 497/93
of 3 March 1993

fixing the maximum export refund for white sugar for the 43rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 920/92

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 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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 920/92 of 10 April 1992 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾, as last amended by Regulation (EEC) No 31/93⁽⁴⁾, requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 920/92, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 43rd partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 43rd partial invitation to tender for white sugar issued pursuant to amended Regulation (EEC) No 920/92 the maximum amount of the export refund is fixed at ECU 40,515 per 100 kilograms.

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 Regulation (EEC) No 1432/92.

Article 2

This Regulation shall enter into force on 4 March 1993.

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

Done at Brussels, 3 March 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 98, 11. 4. 1992, p. 11.

⁽⁴⁾ OJ No L 5, 9. 1. 1993, p. 18.

⁽⁵⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁶⁾ OJ No L 358, 8. 12. 1992, p. 16.

COMMISSION REGULATION (EEC) No 498/93**of 3 March 1993****fixing the import levy on molasses**

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 market in sugar ⁽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 levy on molasses was fixed by Commission Regulation (EEC) No 93/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 411/93 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 93/93 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 2 March 1993 as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be fixed, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00 to ECU 0,47 per 100 kilograms.

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

Article 2

This Regulation shall enter into force on 4 March 1993.

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

Done at Brussels, 3 March 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 13, 21. 1. 1993, p. 8.

⁽⁵⁾ OJ No L 47, 25. 2. 1993, p. 24.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE 93/5/EEC

of 25 February 1993

on assistance to the Commission and cooperation by the Member States in the scientific examination of questions relating to food

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas the completion and smooth operation of the internal market for foodstuffs make it necessary to examine and evaluate scientific questions relating to food, particularly when these questions concern human health ;

Whereas consumers are entitled to a Community food policy which promotes safe food particularly regarding nutritional, microbiological and toxicological issues ;

Whereas in order to assist with this task the Commission set up a Scientific Committee for Food by Decision 74/234/EEC ⁽⁴⁾ ;

Whereas consultation of this Committee is currently required, in relation to questions of public health, by a

number of Directives such as those on dietetic foodstuffs, materials and articles intended to come into contact with foodstuffs, additives, flavourings and extraction solvents ;

Whereas the Scientific Committee for Food should be involved much more widely in Community policies that affect food, diet and public health ;

Whereas the process of achieving a satisfactory scientific base for matters relating to food safety must, in the interests of consumers and industry be independent, transparent and effective and must reflect the situation existing in all Member States ;

Whereas in order to ensure the smooth running of this Committee the Community needs scientific support from the Member States ;

Whereas the Community also needs scientific support for other questions of public interest essential to the operation of the internal market, such as the handling of incidents involving food contamination and in general where it is necessary to lay down new rules concerning foodstuffs which may affect human health ;

Whereas, in order to ensure that these tasks are carried out, the Commission must have access to the information and assistance available in the Member States, which must facilitate the accomplishment of its tasks ;

Whereas in the Member States there are various bodies whose task is to provide their governments with scientific back-up on questions concerning foodstuffs ; whereas it is necessary to use these resources effectively to support Community activities through cooperation ;

⁽¹⁾ OJ No C 108, 23. 4. 1991, p. 7 and OJ No C 107, 28. 4. 1992, p. 13.

⁽²⁾ OJ No C 94, 13. 2. 1992, p. 286 and Decision of 20 January 1993 (not yet published in the Official Journal).

⁽³⁾ OJ No C 14, 20. 1. 1992, p. 6.

⁽⁴⁾ OJ No L 136, 20. 5. 1974, p. 1.

Whereas Member States shall take all the necessary measures including financial measures, within the limits of their resources, to enable their competent authorities and bodies to cooperate with the Commission and lend it the assistance it needs in the scientific examination of questions of public interest relating to food;

Whereas there must therefore be an approximation of the provisions governing these bodies in order that they may cooperate with the Commission with the aim especially of drawing up future rules to ensure the free movement of foodstuffs, on the basis of all the scientific data available;

Whereas it is necessary to enhance and strengthen the powers and expertise of the Scientific Committee for Food, particularly with the aim of increasing the effectiveness of the Community in food issues;

Whereas it is necessary to make provision for third countries to participate in this cooperation;

Whereas the Commission must be responsible for the management of this cooperation and the Member States for their part must assist in this task, in the context of the Standing Committee for Food;

Whereas the completion of the internal market should give rise to increased participation of the Community in meetings and work on foodstuffs of international organizations and also in bilateral relations,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Member States shall take the necessary measures to enable their competent authorities and bodies to cooperate with the Commission and lend it the assistance it needs in the scientific examination of questions of public interest relating to food, particularly in the field of public health, through disciplines such as those associated with medicine, nutrition, toxicology, biology, hygiene, food technology, biotechnology, novel foods and processes, risk assessment techniques, physics and chemistry.

2. (a) The cooperation procedure of this Directive shall apply when a Council act requires the opinion of the Scientific Committee for Food.

(b) Where appropriate, the application of the cooperation procedure of this Directive to other questions relating to the protection of the health and safety of persons arising from the consumption of food shall be decided in accordance with the procedure laid down in Article 5.

Article 2

Each Member State shall designate the authority or body which will be responsible for the cooperation with the

Commission and for distribution of work to appropriate institutes within Member States as regards the tasks laid down in Article 3 and shall notify the Commission accordingly.

The Commission shall publish in the *Official Journal of the European Communities* and update the list of designated authorities referred to in the preceding paragraph.

Each designated authority shall send to the Commission a list of the institutes participating in the cooperation procedure in its jurisdiction, and any modifications to that list. The Commission shall circulate this information to the above authorities and other interested parties.

Article 3

1. The principal tasks to be carried out by the institutes participating in the cooperation shall include those listed in the Annex.

2. The following measures shall be adopted in accordance with the procedure laid down in Article 5:

- establishment of rules for the administrative management of the cooperation, including:
 - measures to ensure the transparency of recommendations made by the Scientific Committee for Food,
 - procedures for the presentation and appraisal of dossiers;
- establishment, and updating at least every six months, of the inventory of tasks and their associated priorities.

3. The tasks to be carried out in accordance with the inventory adopted in accordance with paragraph 2, second indent, shall be distributed in accordance with the procedure laid down in Article 5 on the basis of scientific expertise and within the limits set by the resources available in the Member States.

Article 4

The Commission may, after consultation with the authorities or bodies mentioned in Article 2, invite institutes in third countries to participate, on a voluntary basis, in carrying out the tasks necessary for the achievement of the objectives of this Directive and, in particular, the tasks listed in the inventory mentioned in Article 3 (2) second indent. Where an institute in a third country has agreed to participate in the carrying out of tasks, the Commission shall take that participation into account when allocating tasks under Article 3 (3).

In no event may the participation referred to in the first paragraph involve charges for the Community budget.

Article 5

The Commission shall be assisted by the Standing Committee on Food set up by Decision 69/414/EEC⁽¹⁾, hereafter referred to as the 'Committee'.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. 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 matter. 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.

The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If, on the expiry of a period of three months from the date of referral to the Council, the Council has not acted, the proposed measures shall be adopted by the Commission, save where the Council had decided against the said measures by a simple majority.

Article 6

The Commission shall report to the European Parliament and to the Council on the structures, works and efficiency

of the Scientific Committee for Food within three years of the implementation of this Directive and every three years thereafter.

Article 7

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before 1 June 1993. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, they shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The methods of making such reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the main provisions of domestic law which they adopt in the field governed by this Directive.

Article 8

This Directive is addressed to the Member States.

Done at Brussels, 25 February 1993.

For the Council

The President

J. TRØJBORG

⁽¹⁾ OJ No L 291, 19. 11. 1969, p. 9.

ANNEX

The principal tasks to be carried out by the institutes participating in the cooperation shall include :

- drawing up protocols for the assessment of risks relating to food components and elaborating methods of nutritional evaluation ;
 - assessing the nutritional adequacy of the diet ;
 - examining test data submitted to the Community rule and the production of a monograph for assessment by the Scientific Committee for Food ;
 - carrying out food intake surveys, particularly those necessary for the determination or evaluation of the conditions of use of food additives or the laying down of limit values for other substances in food ;
 - conducting investigations relating to components of diets of the various Member States or of biological or chemical food contaminants ;
 - helping the Commission honour the Community's international commitments by providing expertise on food safety questions.
-