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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 762/93

of 31 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 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 first subparagraph of Article 13 (1) of Regulation (EEC) No 2727/75 provides that a levy must be charged on imports of the products listed in Article 1 (a), (b) and (c) of that Regulation; whereas the levy is equal for each product to the threshold price less the cif price;

Whereas, the threshold prices for cereals and for wheat and rye flour, and wheat groats and meal, were fixed for 1992/93, marketing year by Council Regulations (EEC) No 2734/75⁽⁴⁾, (EEC) No 1739/92⁽⁵⁾, (EEC) No 1742/92⁽⁶⁾ and Commission Regulation (EEC) No 1801/92⁽⁷⁾;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Commission Regulation No 156/67/EEC⁽⁸⁾, as last amended by Regulation (EEC) No 31/76⁽⁹⁾, and in particular the most favourable purchasing opportunities on the world market among

those which are most representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality corresponds to the standard quality fixed in Council Regulations (EEC) No 2731/75⁽¹⁰⁾, as last amended by Regulation (EEC) No 2094/87⁽¹¹⁾, and (EEC) No 2734/75, or whether adjustments need to be made by applying the coefficients of equivalence provided for in Commission Regulations No 158/67/EEC⁽¹²⁾, as last amended by Regulation (EEC) No 2644/91⁽¹³⁾, and No 159/67/EEC⁽¹⁴⁾;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam;

Whereas Council Regulations (EEC) No 518/92⁽¹⁵⁾, (EEC) No 519/92⁽¹⁶⁾ and (EEC) No 520/92⁽¹⁷⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 585/92⁽¹⁸⁾, as amended by Regulation (EEC) No 955/92⁽¹⁹⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards cereals;

⁽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 281, 1. 11. 1975, p. 34.⁽⁵⁾ OJ No L 180, 1. 7. 1992, p. 2.⁽⁶⁾ OJ No L 180, 1. 7. 1992, p. 6.⁽⁷⁾ OJ No L 182, 2. 7. 1992, p. 83.⁽⁸⁾ OJ No 128, 27. 6. 1967, p. 2533/67.⁽⁹⁾ OJ No L 5, 10. 1. 1976, p. 18.⁽¹⁰⁾ OJ No L 281, 1. 11. 1975, p. 22.⁽¹¹⁾ OJ No L 196, 17. 7. 1987, p. 1.⁽¹²⁾ OJ No 128, 27. 6. 1967, p. 2536/67.⁽¹³⁾ OJ No L 247, 5. 9. 1991, p. 23.⁽¹⁴⁾ OJ No 128, 27. 6. 1967, p. 2542/67.⁽¹⁵⁾ OJ No L 56, 29. 2. 1992, p. 3.⁽¹⁶⁾ OJ No L 56, 29. 2. 1992, p. 6.⁽¹⁷⁾ OJ No L 56, 29. 2. 1992, p. 9.⁽¹⁸⁾ OJ No L 62, 7. 3. 1992, p. 40.⁽¹⁹⁾ OJ No L 102, 16. 4. 1992, p. 26.

Whereas Council Regulation (EEC) No 715/90 ⁽¹⁾, as amended by Regulation (EEC) No 297/91 ⁽²⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽³⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas, in accordance with Article 18 (1) of Regulation (EEC) No 2727/75, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 30

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

Whereas it follows from applying all the provisions of the abovementioned Regulations that the levies should be as set out in the Annex thereto; whereas these levies are altered only where variations in the components used to calculate them have the effect of increasing or reducing them by ECU 0,73 or more,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the 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 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 263, 19. 9. 1991, p. 1.

ANNEX

to the Commission Regulation of 31 March 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	140,77 ⁽²⁾ ⁽³⁾
0712 90 19	140,77 ⁽²⁾ ⁽³⁾
1001 10 00	178,04 ⁽¹⁾ ⁽²⁾
1001 90 91	145,70
1001 90 99	145,70 ⁽²⁾
1002 00 00	152,15 ⁽²⁾
1003 00 10	136,12
1003 00 20	136,12
1003 00 80	136,12 ⁽²⁾
1004 00 00	114,65
1005 10 90	140,77 ⁽²⁾ ⁽³⁾
1005 90 00	140,77 ⁽²⁾ ⁽³⁾
1007 00 90	147,41 ⁽²⁾
1008 10 00	50,32 ⁽²⁾
1008 20 00	91,52 ⁽²⁾
1008 30 00	54,58 ⁽²⁾
1008 90 10	(7)
1008 90 90	54,58
1101 00 00	216,62 ⁽²⁾
1102 10 00	225,65
1103 11 30	288,09
1103 11 50	288,09
1103 11 90	232,47

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

(9) 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 763/93**of 31 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 30

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 1 April 1993.

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

Done at Brussels, 31 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 31 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 4	1st period 5	2nd period 6	3rd period 7
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
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	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
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 764/93**of 31 March 1993****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 674/92⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 81/92 of 15 January 1992 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety⁽³⁾, and in particular Article 8 thereof,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas, in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1992/93 marketing year by Commission Regulation (EEC) No 1841/92⁽⁴⁾;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto⁽⁵⁾, as last amended by Regulation (EEC) No 1614/92⁽⁶⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality as fixed in Council Regulation (EEC) No 1423/76⁽⁷⁾, or whether adjustments need to be made

by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing⁽⁸⁾, as last amended by Regulation (EEC) No 2325/88⁽⁹⁾, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, must adjust the offers so as to conform with the value of one kilogram of broken rice fixed by Regulation No 467/67/EEC; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for in Article 1 (3) of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 10, 16. 1. 1992, p. 9.

⁽⁴⁾ OJ No L 187, 7. 7. 1992, p. 30.

⁽⁵⁾ OJ No L 168, 27. 7. 1971, p. 28.

⁽⁶⁾ OJ No L 170, 25. 6. 1992, p. 15.

⁽⁷⁾ OJ No L 166, 25. 6. 1976, p. 20.

⁽⁸⁾ OJ No 204, 24. 8. 1967, p. 1.

⁽⁹⁾ OJ No L 202, 27. 7. 1988, p. 41.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them must be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas, pursuant to Articles 12 and 13 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT) ⁽¹⁾, as amended by Regulation (EEC) No 297/91 ⁽²⁾, the levy must be further reduced in the case of semi-milled and wholly milled rice;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽³⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Regulation (EEC) No 1423/76 determined the standard qualities for rice and broken rice;

Whereas Council Regulation (EEC) No 3877/86 ⁽⁴⁾, as amended by Regulation (EEC) No 3130/91 ⁽⁵⁾, defined a special arrangement for the importation of certain quantities of Basmati rice into the Community; whereas this arrangement provides for a levy of 75 % of that calculated in accordance with Article 11 of Regulation (EEC) No 1418/76; whereas however this levy may not be less than the difference between the free-at-frontier price for Basmati rice and the threshold price for long-grain rice;

Whereas Council Regulation (EEC) No 3491/90 ⁽⁶⁾ and Commission Regulation (EEC) No 862/91 ⁽⁷⁾ made import arrangements for rice originating in Bangladesh;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least ECU 1,21 per tonne in the amount of the levy in force;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁸⁾ 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 ⁽⁹⁾;

Whereas it follows from applying all the abovementioned provisions that the levies should be fixed as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁴⁾ OJ No L 361, 20. 12. 1986, p. 1.

⁽⁵⁾ OJ No L 297, 29. 10. 1991, p. 1.

⁽⁶⁾ OJ No L 337, 4. 12. 1990, p. 1.

⁽⁷⁾ OJ No L 88, 9. 4. 1991, p. 7.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 31 March 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (%)		
	Arrangement in Regulation (EEC) No 3877/86 ⁽¹⁾	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP) (⁽⁴⁾)
1006 10 21	—	154,80	316,80
1006 10 23	—	167,68	342,56
1006 10 25	—	167,68	342,56
1006 10 27	256,92	167,68	342,56
1006 10 92	—	154,80	316,80
1006 10 94	—	167,68	342,56
1006 10 96	—	167,68	342,56
1006 10 98	256,92	167,68	342,56
1006 20 11	—	194,40	396,00
1006 20 13	—	210,50	428,20
1006 20 15	—	210,50	428,20
1006 20 17	321,15	210,50	428,20
1006 20 92	—	194,40	396,00
1006 20 94	—	210,50	428,20
1006 20 96	—	210,50	428,20
1006 20 98	321,15	210,50	428,20
1006 30 21	—	240,70	505,26
1006 30 23	—	300,27	624,32
1006 30 25	—	300,27	624,32
1006 30 27	468,24	300,27	624,32
1006 30 42	—	240,70	505,26
1006 30 44	—	300,27	624,32
1006 30 46	—	300,27	624,32
1006 30 48	468,24	300,27	624,32
1006 30 61	—	256,70	538,11
1006 30 63	—	322,28	669,27
1006 30 65	—	322,28	669,27
1006 30 67	501,95	322,28	669,27
1006 30 92	—	256,70	538,11
1006 30 94	—	322,28	669,27
1006 30 96	—	322,28	669,27
1006 30 98	501,95	322,28	669,27
1006 40 00	—	72,09	150,18

(⁽¹⁾) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(⁽²⁾) In accordance with Regulation (EEC) No 715/90, the levies are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

(⁽⁵⁾) The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

(⁽⁶⁾) No import levy applies to products originating in the OCT pursuant to Article 101 (1) of Decision 91/482/EEC, subject to the provisions of Decision 93/127/CEE concerning semi-milled rice falling within CN codes 1006 30 21 to 1006 30 48 originating in the Netherlands Antilles.

COMMISSION REGULATION (EEC) No 765/93

of 31 March 1993

fixing the premiums to be added to the import levies on rice and broken rice

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 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽¹⁾, as last amended by Regulation (EEC)
No 674/92 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice
and broken rice were fixed by Commission Regulation
(EEC) No 3862/92 ⁽³⁾, as last amended by Regulation
(EEC) No 693/93 ⁽⁴⁾;

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 to be added to the import levies fixed in
advance in respect of rice and broken rice originating in
third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 86.

⁽⁴⁾ OJ No L 73, 26. 3. 1993, p. 32.

ANNEX

to the Commission Regulation of 31 March 1993 fixing the premiums to be added to the import levies on rice and broken rice

(ECU/tonne)

CN code	Current 4	1st period 5	2nd period 6	3rd period 7
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 766/93

of 31 March 1993

fixing the maximum export refund for white sugar for the 47th 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 634/93⁽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 47th 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 47th 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 38,352 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 1 April 1993.

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

Done at Brussels, 31 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 67, 19. 3. 1993, p. 28.

⁽⁵⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁶⁾ OJ No L 358, 8. 12. 1992, p. 16.

COMMISSION REGULATION (EEC) No 767/93

of 31 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,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 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 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.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 31 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	29,59 ⁽¹⁾
1701 11 90 910	29,59 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	29,59 ⁽¹⁾
1701 12 90 910	29,59 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3542
	— ECU/100 kg —
1701 99 10 100	35,42
1701 99 10 910	35,42
1701 99 10 950	35,42
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3542

⁽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 768/93

of 31 March 1993

fixing 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,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 1738/92 ⁽⁶⁾ for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽⁷⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾ 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⁽²⁾;

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 31 March 1993 fixing 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	0,4290	—
1702 20 90	0,4290	—
1702 30 10	—	52,57
1702 40 10	—	52,57
1702 60 10	—	52,57
1702 60 90	0,4290	—
1702 90 30	—	52,57
1702 90 60	0,4290	—
1702 90 71	0,4290	—
1702 90 90	0,4290	—
2106 90 30	—	52,57
2106 90 59	0,4290	—

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

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

COMMISSION REGULATION (EEC) No 769/93

of 31 March 1993

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation ;

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 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) (d) of that Regulation and prices for those products within the Community may be covered by an export refund ;

Whereas Article 8 of 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 the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose ; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1684/92⁽⁶⁾ ;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements ;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation ; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports ; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88⁽⁹⁾ ;

⁽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 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ 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 ⁽²⁾;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 1432/92 ⁽³⁾, as last amended by Regulation (EEC) No 3534/92 ⁽⁴⁾, 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

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽³⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁴⁾ OJ No L 358, 8. 12. 1992, p. 16.

ANNEX

to the Commission Regulation of 31 March 1993 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702.40 10 100	35,42 ⁽¹⁾ ⁽²⁾
1702 60 10 000	35,42 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 000	0,3542 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	35,42 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3542 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3542 ⁽¹⁾ ⁽³⁾
1702 90 90 900	0,3542 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	35,42 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3542 ⁽¹⁾ ⁽³⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

⁽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.

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 252/93 (OJ No L 28, 5. 2. 1993, p. 48).

COMMISSION REGULATION (EEC) No 770/93

of 31 March 1993

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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 (5) thereof,

Whereas Article 16 a (1) of Regulation (EEC) No 1785/81 provides for a reduced rate levy to apply during the period 1 January to 30 June 1993 to Portuguese imports of certain quantities of raw sugar originating in specified third countries and for use by Portuguese refineries;

Whereas Article 16 a (2) of Regulation (EEC) No 1785/81 stipulates that this reduced levy is to equal the intervention price for raw sugar as indicated in Article 3 (2) of that Regulation applicable when the sugar is imported, less an amount equal to the average of the spot prices, adjusted where necessary to the cif stage, quoted on the London market during the first 20 days of the month preceding that for which the reduced levy amount is set;

Whereas pursuant to Article 16 a (5) the reduced levy is to be set each month for the following month;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽³⁾ 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 ⁽⁴⁾;

Whereas application of the abovementioned provisions gives a reduced rate import levy for the raw sugar concerned of the amount indicated in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 25,69 per 100 kg.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 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 387, 31. 12. 1992, p. 17.

COMMISSION REGULATION (EEC) No 771/93

of 31 March 1993

fixing the production refund for white sugar used in the chemical industry

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,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾, as last amended by Regulation (EEC) No 464/91⁽⁴⁾, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) No 464/91, specifies the method to be used for

establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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 production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 34,364 for the quarter 1 April to 30 June 1993.

Article 2

This Regulation shall enter into force on 1 April 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 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽⁵⁾ OJ No L 201, 25. 7. 1978, p. 26.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 772/93**of 31 March 1993****fixing the amount of aid for peas, field beans and sweet lupins**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1750/92⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1734/92⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1992/93 marketing year was fixed by Council Regulation (EEC) No 1751/92⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Council Regulation (EEC) No 1752/92⁽⁸⁾;

Whereas the abatement of the subsidy which arises from the system of maximum guaranteed quantities for the 1992/93 year, has been fixed by Commission Regulation (EEC) No 2512/92⁽⁹⁾, as amended by Regulation (EEC) No 2752/92⁽¹⁰⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas Commission Regulation (EEC) No 3328/92⁽¹⁴⁾ limits the validity of the certificate provided for in Article 4 of Council Regulation (EEC) No 2036/82 to 30 June 1993;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁵⁾ 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⁽¹⁶⁾;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 17.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 179, 1. 7. 1992, p. 120.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 18.

⁽⁸⁾ OJ No L 180, 1. 7. 1992, p. 20.

⁽⁹⁾ OJ No L 250, 29. 8. 1992, p. 15.

⁽¹⁰⁾ OJ No L 279, 23. 9. 1992, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁴⁾ OJ No L 334, 19. 11. 1992, p. 17.

⁽¹⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁶⁾ OJ No L 387, 31. 12. 1992, p. 17.

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1899/91⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas Article 26a of Regulation (EEC) No 3540/92 has been repealed in accordance with Article 2 of Commission Regulation (EEC) No 3820/92⁽²⁾; whereas the Commission therefore publishes in the *Official Journal*

of the *European Communities* only the gross amount of aid, expressed in ecus, to be granted for 100 kilograms of the product, as soon as it is fixed; whereas the gross aid in ecus resulting from Article 3 of Regulation (EEC) No 1431/82 is to be converted directly into the national currencies at the agricultural conversion rate valid on the day of identification in the Member State in which the products are used,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 169, 29. 6. 1991, p. 29.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 22.

ANNEX

Gross aid

Products intended for human consumption :

(ECU per 100 kg)

	Current 4	1st period 5	2nd period 6		
Peas used :					
— in Portugal	11,824	11,824	11,824		
— in another Member State	11,824	11,824	11,824		
Field beans used :					
— in Portugal	11,824	11,824	11,824		
— in another Member State	11,824	11,824	11,824		

Products used in animal feed :

(ECU per 100 kg)

	Current 4	1st period 5	2nd period 6		
A. Peas used :					
— in Portugal	12,804	12,961	12,961		
— in another Member State	12,804	12,961	12,961		
B. Field beans used :					
— in Portugal	12,804	12,961	12,961		
— in another Member State	12,804	12,961	12,961		
C. Sweet lupins used :					
— in Portugal	14,953	15,163	15,163		
— in another Member State	14,953	15,163	15,163		

COMMISSION REGULATION (EEC) No 773/93
of 31 March 1993
fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas the guide price was fixed by Council Regulation (EEC) No 1379/92⁽³⁾ for the 1992/93 marketing year;

Whereas Council Regulation (EEC) No 1627/91⁽⁴⁾ sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1992/93 marketing year at 80 %;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁵⁾, as last amended by Regulation (EEC) No 1110/89⁽⁶⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real

market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁷⁾, as last amended by Regulation (EEC) No 1757/90⁽⁸⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 147, 29. 5. 1992, p. 14.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 15.

⁽⁵⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁶⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁷⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁸⁾ OJ No L 162, 28. 6. 1990, p. 21.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ 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 ⁽²⁾;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the

Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 31 March 1993 fixing the rate of the aid for dried fodder

Aid applicable from 1 April 1993 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates			Fodder otherwise dried	
	Spain	Portugal	Other Member States	Portugal	Other Member States
Aid	89,646	89,646	89,646	56,706	56,706

Aid in case of advance fixing for the month of:

(ECU/tonne)

May 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
June 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
July 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
August 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
September 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000
October 1993 ⁽¹⁾	0,000	0,000	0,000	0,000	0,000

⁽¹⁾ Pursuant to Article 6 (b) of Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EEC) No 774/93
of 31 March 1993
fixing the aid for cotton

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽²⁾, as last amended by Regulation (EEC) No 2053/92⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 3868/92⁽⁴⁾, as last amended by Regulation (EEC) No 680/93⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3868/92 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 68,717 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 12.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 106.

⁽⁵⁾ OJ No L 72, 25. 3. 1993, p. 25.

COMMISSION REGULATION (EEC) No 775/93
of 31 March 1993
altering the corrective amount applicable to the refund on cereals

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 the fourth sentence of the second subparagraph of Article 16(4) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 431/93⁽⁴⁾, as amended by Regulation (EEC) No 469/93⁽⁵⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16(4) of Regulation (EEC) No 2727/75, fixed in the Annex to amended Regulation (EEC) No 431/93 which is applicable to the export refunds fixed in advance in respect of cereals, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 48, 26. 2. 1993, p. 48.

⁽⁵⁾ OJ No L 49, 27. 2. 1993, p. 86.

ANNEX

to the Commission Regulation of 31 March 1993 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		4	5	6	7	8	9	10
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	01	0	0	- 100,000	- 100,00	- 100,00	—	—
1001 90 91 000	01	0	0	0	- 70,00	- 70,00	—	—
1001 90 99 000	01	0	0	0	- 70,00	- 70,00	—	—
1002 00 00 000	01	0	0	0	- 70,00	- 70,00	—	—
1003 00 10 000	01	0	0	- 70,00	- 70,00	- 70,00	—	—
1003 00 20 000	01	0	0	- 70,00	- 70,00	- 70,00	—	—
1003 00 80 000	01	0	0	- 70,00	- 70,00	- 70,00	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 130	01	0	0	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 150	01	0	0	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 170	01	0	0	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 180	01	0	0	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	- 100,00	- 100,00	- 100,00	—	—
1102 10 00 700	01	0	0	- 100,00	- 100,00	- 100,00	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 30 200	01	0	0	- 160,00	- 160,00	- 160,00	- 160,00	- 160,00
1103 11 30 900	—	—	—	—	—	—	—	—
1103 11 50 200	01	0	0	- 160,00	- 160,00	- 160,00	- 160,00	- 160,00
1103 11 50 400	01	0	0	- 160,00	- 160,00	- 160,00	- 160,00	- 160,00
1103 11 50 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	- 100,00	- 100,00	- 100,00	- 100,00	- 100,00
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EEC) No 776/93**of 31 March 1993****altering the corrective amount applicable to the refund on 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 the fourth sentence of the second subparagraph of Article 16 (4) thereof,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Whereas the corrective amount applicable to the refund on malt was fixed by Regulation (EEC) No 437/93 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on malt should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to the export refunds fixed in advance in respect of malt is hereby altered to the amount set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 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 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 49, 27. 2. 1993, p. 9.

ANNEX

to the Commission Regulation of 31 March 1993 altering the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current	1st period	2nd period	3rd period	4th period	5th period
	4	5	6	7	8	9
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period	7th period	8th period	9th period	10th period	11th period
	10	11	12	1	2	3
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 777/93

of 31 March 1993

fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty

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 the first sentence of the
fourth subparagraph of Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76
of 21 June 1976 on the common organization of the
market in rice ⁽³⁾, as last amended by Regulation (EEC)
No 674/92 ⁽⁴⁾, and in particular the first sentence of the
fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75
and Article 17 (1) of Regulation (EEC) No 1418/76
provide that the difference between quotations of prices
on the world market for the products listed in Article 1 of
each of those Regulations and the prices within the
Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of
11 November 1980 laying down general rules for granting
export refunds on certain agricultural products exported
in the form of goods not covered by Annex II to the
Treaty, and the criteria for fixing the amount of such
refunds ⁽⁵⁾, as last amended by Regulation (EEC)
No 3381/90 ⁽⁶⁾, specifies the products for which a rate of
refund should be fixed, to be applied where these
products are exported in the form of goods listed in
Annex B to Regulation (EEC) No 2727/75 or in Annex B
to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of
Article 4 (1) of Regulation (EEC) No 3035/80, the rate of
the refund per 100 kilograms for each of the basic
products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article,
that rate must be determined with particular reference to:

(a) the average costs incurred by processing industries in
obtaining supplies of the basic products in question
on the Community market and the prices ruling on
the world markets;

(b) the level of the refunds on exports of processed agri-
cultural products covered by Annex II to the Treaty
which are manufactured under similar conditions;

(c) the need to ensure equality of competition for the
industries which use Community products and those
which use third-country products under inward
processing arrangements;

Whereas in the absence of evidence that no production
refund was granted pursuant to Council Regulation (EEC)
No 1009/86 of 25 March 1986 establishing general rules
applying to production refunds in the cereals and rice
sector ⁽⁷⁾, as last amended by Regulation (EEC)
No 1309/92 ⁽⁸⁾, the export refund should be reduced by
the amount of the production refund applicable on the
day of acceptance of the export declaration; whereas this
system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of
4 March 1980 on the advance payment of export refunds
in respect of agricultural products ⁽⁹⁾, as amended by
Regulation (EEC) No 2026/83 ⁽¹⁰⁾, and Commission Regu-
lation (EEC) No 3665/87 of 27 November 1987 laying
down common detailed rules for the application of the
system of export refunds on agricultural products ⁽¹¹⁾, as
last amended by Regulation (EEC) No 1525/92 ⁽¹²⁾, lay
down rules on the advance payment of export refunds
that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between
the European Economic Community and the United
States of America on Community exports of pasta
products to the United States and has been approved by
Council Decision 87/482/EEC ⁽¹³⁾, it is necessary to diffe-
rentiate the refund on goods falling within CN codes

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 139, 22. 5. 1992, p. 47.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹²⁾ OJ No L 160, 13. 6. 1992, p. 7.

⁽¹³⁾ OJ No L 275, 29. 9. 1987, p. 36.

1902/11/00 and 1902/19 according to their destination ;

Whereas, for the application of Article 4 (2) (b) of Regulation (EEC) No 3035/80, it is necessary to differentiate the refunds ;

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as last amended by Regulation (EEC) No 3534/92 ⁽²⁾, 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 in particular the export refund for unprocessed starches falling within CN code 1108 is granted only if the dry matter content is at least 77 % in the case of potato starch and at least 84 % in the case of cereal starches ;

Whereas with regard to potatoes, only potato starches are subject to common organization of the market, consequently steps should be taken to specify the terms that these potato starches should meet in order to qualify for refunds ;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

1. The refund for starches and potato starch falling within CN code 1108 or products falling within Annex A to Regulation (EEC) No 2727/75 resulting from the processing of these starches and potato starch is granted only on production of a declaration from the suppliers of those products attesting that they have been directly produced from cereals, potatoes or rice excluding all use of subproducts obtained in the production of other agricultural products or goods.

The above declaration can be considered valid, until revocation, for all supplies from the same producer ; it shall be verified in accordance with the provisions of Article 8 (1) and the first indent of paragraph 2 of Regulation (EEC) No 3035/80.

2. Where the dry-extract content of potato starch assimilated to maize starch pursuant to Article 1 (2) (a) of Regulation (EEC) No 3035/80 is 80 % or higher, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 80 % the rate of the refund shall be the amount laid down in the Annex multiplied by 1/80th of the actual dry-extract percentage.

For all other starches with a dry-extract content of 87 % or more, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 87 % the amount of the refund shall be the rate laid down in the Annex multiplied by 1/87th of the actual dry-extract percentage.

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 358, 8. 12. 1992, p. 16.

3. For the purposes of paragraph 1 above, the dryextract content of starches shall be determined using the method applied to flour in Annex II to Commission Regulation (EEC) No 1908/84⁽¹⁾, as last amended by Regulation (EEC) No 2507/87⁽²⁾.

4. At the time of application for the export refund for the goods the applicant must declare the dry-extract

content of the starches concerned, unless this information has been recorded by the competent authorities referred to in Article 3 (2) of Regulation (EEC) No 3035/80, in accordance with the provisions of that paragraph.

Article 3

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 178, 5. 7. 1984, p. 22.

⁽²⁾ OJ No L 235, 20. 8. 1987, p. 10.

ANNEX

to the Commission Regulation of 31 March 1993 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1001 10 00	Durum wheat : — used unprocessed : — — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101 and groats and meal of CN code 1103)	 7,266 13,212 4,407 6,610 2,571 — 7,344
1001 90 99	Common wheat and meslin : — used unprocessed : — — on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101, and groats and meal of CN code 1103)	 4,039 7,344 4,407 6,610 2,571 — 7,344
1002 00 00	Rye : — used unprocessed — used in the form of : — — pellets of CN code 1103, or pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germ of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other (except flours of CN code 1102)	 9,456 5,674 8,511 3,072 8,777 — 9,456
1003 00 80	Barley : — used unprocessed — used in the form of : — — flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 — — pellets of CN code 1103 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	 8,327 5,829 4,996 3,072 8,777 — 8,327

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1004 00 00	Oats : — used unprocessed — used in the form of : — — pellets of CN code 1103, and pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	10,626 6,375 9,563 3,072 8,777 — 10,626
1005 90 00	Maize (Corn): — used unprocessed — used in the form of : — — flours of CN codes 1102 20 10 and 1102 20 90 — — groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 — — pellets of CN code 1103 — — hulled or perled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 12 00 — — gluten of CN code 2303 10 11 — — other	8,777 6,144 7,022 5,266 7,899 3,072 8,777 3,511 8,777 ⁽³⁾
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	21,394 23,873 23,873
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	27,808 37,000 37,000
1006 40 00	Broken rice : — used unprocessed — used in the form of : — — flour of CN code 1102 30, groats and meal or pellets of CN code 1103 — — flaked grains of CN 1104 19 91 — — starch of CN code 1108 19 10 — — other	9,085 9,085 5,451 9,085 —
1007 00 90	Sorghum	5,900
1101 00 00	Wheat or meslin flour : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 4,751 8,639
1102 10 00	Rye flour	19,028
1103 11 30	Durum wheat groats :	
1103 11 50	Durum wheat meal : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 11,263 20,478
1103 11 90	Common wheat groats and spelt : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 4,751 8,639

⁽¹⁾ The quantities of semi-processed products used must be multiplied, as the case may be, by the coefficients shown in Annex I to Regulation (EEC) No 2744/75.

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

⁽³⁾ For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EEC) No 778/93

of 31 March 1993

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

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 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁷⁾, as last amended by Regulation (EEC) No 3774/92⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 1432/92⁽⁹⁾, as last amended by Regulation (EEC) No 3554/92⁽¹⁰⁾, 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;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 383, 29. 12. 1992, p. 48.

⁽⁹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽¹⁰⁾ OJ No L 358, 8. 12. 1992, p. 16.

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

Article 2

Where Article 8(2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in Article 4(1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

Article 3

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 31 March 1993 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) Rate of refund (*)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 60,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods	51,69 112,00
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6): a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	23,00 174,00 168,00

(*) 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 779/93

of 31 March 1993

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry ⁽⁵⁾, as last amended by Regulation (EEC) 464/91 ⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁷⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁸⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁹⁾, as last amended by Regulation (EEC) No 1525/92 ⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 160, 13. 6. 1992, p. 7.

Whereas Council Regulation (EEC) No 1432/92 ⁽¹⁾, as last amended by Regulation (EEC) No 3534/92 ⁽²⁾, 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. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the

basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽²⁾ OJ No L 358, 8. 12. 1992, p. 16.

ANNEX

to the Commission Regulation of 31 March 1993 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg ^(*) —
White sugar :	35,42
Raw sugar :	29,59
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$35,42^{(*)} \times \frac{S^{(1)}}{100}$ or
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses :	—
Isoglucose ⁽²⁾ :	35,42 ⁽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.

(1) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

(*) The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

COMMISSION REGULATION (EEC) No 780/93**of 31 March 1993****fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2046/92 ⁽²⁾,

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods ⁽³⁾, as last amended by Regulation (EEC) No 2903/89 ⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the preserving industry;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for oils falling within subheading 1509 90 00 of the

combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas Council Regulation (EEC) No 741/93 ⁽⁵⁾, on the application of the common intervention price for olive oil in Portugal, lays down that the common intervention price shall apply in Portugal from 1 April 1993;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the month of April 1993, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 88,46 per 100 kilograms for olive oil produced in the Community,
- ECU 43,00 per 100 kilograms for olive oil other than that referred to in the preceding indent.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.

⁽⁵⁾ OJ No L 77, 31. 3. 1993, p. 7.

COMMISSION REGULATION (EEC) No 781/93

of 31 March 1993

fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin⁽¹⁾, as amended by Regulation (EEC) No 4001/87⁽²⁾, and in particular Article 2 (2) and the second subparagraph of Article 5 (5) thereof,Whereas the sluice-gate prices and import duties of the products specified in Article 1 of Regulation (EEC) No 2783/75 must be fixed quarterly in advance in accordance with the methods of calculation laid down in Commission Regulation (EEC) No 1679/90 of 28 June 1990 fixing sluice-gate prices and import duties for ovalbumin and lactalbumin⁽³⁾;Whereas, since sluice-gate prices and import duties for ovalbumin and lactalbumin were, by Commission Regulation (EEC) No 3793/92⁽⁴⁾ last fixed for the period 1 January to 31 March 1993, they must be fixed anew for the period 1 April to 30 June 1993; whereas such prices and duties should be calculated by reference to the sluice-gate price and levy applicable to eggs in shell during the same period;Whereas these have been fixed by Commission Regulation (EEC) No 783/93 of 31 March 1993 fixing the sluice-gate prices and levies for eggs⁽⁵⁾;

Whereas the sluice-gate price and levy applicable to eggs in shell have been altered by the said Regulation; whereas

it is therefore necessary likewise to alter the sluice-gate prices and import duties for ovalbumin and lactalbumin fixed by Regulation (EEC) No 3793/92;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁶⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

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

HAS ADOPTED THIS REGULATION:

Article 1

The import duties provided for in Article 2 of Regulation (EEC) No 2783/75, in respect of the products specified in Article 1 thereof and the sluice-gate prices provided for in Article 5 thereof, in respect of the like products, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 44.

⁽³⁾ OJ No L 157, 22. 6. 1990, p. 16.

⁽⁴⁾ OJ No L 383, 29. 12. 1992, p. 106.

⁽⁵⁾ See page 52 of this Official Journal.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

ANNEX

to the Commission Regulation of 31 March 1993 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin ⁽¹⁾

CN code	Sluice-gate price	Import duty
	ECU/100 kg	ECU/100 kg
3502 10 91	387,34	139,91
3502 10 99	51,92	18,95
3502 90 51	387,34	139,91
3502 90 59	51,92	18,95

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

COMMISSION REGULATION (EEC) No 782/93
of 31 March 1993
fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat⁽¹⁾, as last amended by Regulation (EEC) No 3714/92⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas the sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75 must be fixed quarterly in advance in accordance with methods of calculation laid down in Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat⁽³⁾, as last amended by Regulation (EEC) No 3714/92⁽⁴⁾;

Whereas, since the sluice-gate prices and levies for poultrymeat were, by Commission Regulation (EEC) No 3809/92⁽⁵⁾ last fixed for the period 1 January to 31 March 1993, they must be fixed anew for the period 1 April to 30 June 1993; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 October 1992 to 28 February 1993;

Whereas, when the sluice-gate prices applicable from 1 October, 1 January and 1 April are being fixed, trends in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2778/75, this minimum was set at 3 %;

Whereas the price of the quantity of feed grain required for the production of poultrymeat varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 April to 30 June 1993;

Whereas, when the levies applicable from 1 October, 1 January and 1 April are being fixed, changes in world

market prices for feed grain should be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price is to be fixed for certain products; changes in world market prices for feed grain must be taken into account in fixing the levies;

Whereas, by Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽⁶⁾, as last amended by Regulation (EEC) No 3917/92⁽⁷⁾, and (EEC) No 715/90⁽⁸⁾ on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States), as amended by Regulation (EEC) No 297/91⁽⁹⁾, special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular for certain poultrymeat products;

Whereas Council Regulation (EEC) No 3833/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain agricultural products originating in developing countries⁽¹⁰⁾, as last amended by Regulation (EEC) No 3917/92, partially or totally suspends Common Tariff duties, in particular on certain poultrymeat products;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹¹⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulations (EEC) No 518/92⁽¹²⁾, (EEC) No 519/92⁽¹³⁾ and (EEC) No 520/92⁽¹⁴⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 84.

⁽⁴⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽⁵⁾ OJ No L 384, 30. 12. 1992, p. 37.

⁽⁶⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽⁷⁾ OJ No L 396, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁹⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽¹⁰⁾ OJ No L 370, 31. 12. 1990, p. 86.

⁽¹¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽¹²⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽¹³⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽¹⁴⁾ OJ No L 56, 29. 2. 1992, p. 9.

Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 579/92⁽¹⁾, last amended by Regulation (EEC) No 3730/92⁽²⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards poultrymeat;

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

in Article 3 thereof and the sluice-gate prices provided for in Article 7 thereof shall be as shown in the Annex hereto.

2. However, in the case of products falling within CN codes 0207 31, 0207 39 90, 0207 50, 0210 90 71, 0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

HAS ADOPTED THIS REGULATION:

Article 1

1. In respect of the products specified in Article 1 (1) of Regulation (EEC) No 2777/75, the levies provided for

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 62, 7. 3. 1992, p. 15.

⁽²⁾ OJ No L 380, 24. 12. 1992, p. 12.

ANNEX

to the Commission Regulation of 31 March 1993 fixing the sluice-gate prices and levies for poultrymeat ⁽¹⁾ ⁽²⁾

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 units	ECU/100 units	%
0105 11 11	22,33	6,11	—
0105 11 19	22,33	6,11	—
0105 11 91	22,33	6,11	—
0105 11 99	22,33	6,11	—
0105 19 10	99,02	20,21	—
0105 19 90	22,33	6,11	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	76,98	25,49 ^(*)	—
0105 99 10	87,32	38,30	—
0105 99 20	113,12	38,43 ^(*)	—
0105 99 30	102,72	28,94 ^(*)	—
0105 99 50	118,90	40,12	—
0207 10 11	96,71	32,02 ^(*)	—
0207 10 15	109,97	36,41 ^(*)	—
0207 10 19	119,82	39,67 ^(*)	—
0207 10 31	146,74	41,34 ^(*)	—
0207 10 39	160,85	45,31 ^(*)	—
0207 10 51	102,72	45,05 ^(*)	—
0207 10 55	124,74	54,71 ^(*)	—
0207 10 59	138,60	60,79 ⁽²⁾ ^(*)	—
0207 10 71	161,60	54,90 ^(*)	—
0207 10 79	152,50	58,33 ⁽²⁾ ^(*)	—
0207 10 90	169,86	57,31	—
0207 21 10	109,97	36,41 ^(*)	—
0207 21 90	119,82	39,67 ^(*)	—
0207 22 10	146,74	41,34 ^(*)	—
0207 22 90	160,85	45,31 ^(*)	—
0207 23 11	124,74	54,71 ^(*)	—
0207 23 19	138,60	60,79 ⁽²⁾ ^(*)	—
0207 23 51	161,60	54,90 ^(*)	—
0207 23 59	152,50	58,33 ⁽²⁾ ^(*)	—
0207 23 90	169,86	57,31	—
0207 31 10	1 616,00	549,00	3 ⁽²⁾
0207 31 90	1 616,00	549,00	3 ⁽²⁾
0207 39 11	283,21	103,91 ^(*)	—
0207 39 13	131,80	43,64 ^(*)	—
0207 39 15	91,49	32,25 ^(*)	—
0207 39 17	63,34	22,33 ^(*)	—
0207 39 21	181,45	60,08 ^(*)	—
0207 39 23	170,45	56,44 ^(*)	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 25	281,52	99,24	—
0207 39 27	63,34	22,33 (*)	—
0207 39 31	308,15	86,81 (*)	—
0207 39 33	176,94	49,84 (*)	—
0207 39 35	91,49	32,25 (*)	—
0207 39 37	63,34	22,33 (*)	—
0207 39 41	234,78	66,14 (*)	—
0207 39 43	110,06	31,01 (*)	—
0207 39 45	198,10	55,81 (*)	—
0207 39 47	281,52	99,24 (*)	—
0207 39 51	63,34	22,33 (*)	—
0207 39 53	320,25	122,49 (?) (*)	—
0207 39 55	283,21	103,91 (?) (*)	—
0207 39 57	152,46	66,87	—
0207 39 61	167,75	64,16 (?) (*)	—
0207 39 63	186,85	63,04	—
0207 39 65	91,49	32,25 (?) (*)	—
0207 39 67	63,34	22,33 (?) (*)	—
0207 39 71	228,75	87,50 (?) (*)	—
0207 39 73	181,45	60,08 (?) (*)	—
0207 39 75	221,13	84,58 (?) (*)	—
0207 39 77	170,45	56,44 (?) (*)	—
0207 39 81	194,07	79,13 (?) (*)	—
0207 39 83	281,52	99,24	—
0207 39 85	63,34	22,33 (*)	—
0207 39 90	161,87	57,06	10
0207 41 10	283,21	103,91 (*)	—
0207 41 11	131,80	43,64 (*)	—
0207 41 21	91,49	32,25 (*)	—
0207 41 31	63,34	22,33 (*)	—
0207 41 41	181,45	60,08 (*)	—
0207 41 51	170,45	56,44 (*)	—
0207 41 71	281,52	99,24 (*)	—
0207 41 90	63,34	22,33 (*)	—
0207 42 10	308,15	86,81 (*)	—
0207 42 11	176,94	49,84 (*)	—
0207 42 21	91,49	32,25 (*)	—
0207 42 31	63,34	22,33 (*)	—
0207 42 41	234,78	66,14 (*)	—
0207 42 51	110,06	31,01 (*)	—
0207 42 59	198,10	55,81 (*)	—
0207 42 71	281,52	99,24 (*)	—
0207 42 90	63,34	22,33	—
0207 43 11	320,25	122,49 (?) (*)	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 15	283,21	103,91 ⁽¹⁾ ⁽⁴⁾	—
0207 43 21	152,46	66,87	—
0207 43 23	167,75	64,16 ⁽²⁾ ⁽⁴⁾	—
0207 43 25	186,85	63,04	—
0207 43 31	91,49	32,25 ⁽²⁾ ⁽⁴⁾	—
0207 43 41	63,34	22,33 ⁽²⁾ ⁽⁴⁾	—
0207 43 51	228,75	87,50 ⁽²⁾ ⁽⁴⁾	—
0207 43 53	181,45	60,08 ⁽²⁾ ⁽⁴⁾	—
0207 43 61	221,13	84,58 ⁽²⁾ ⁽⁴⁾	—
0207 43 63	170,45	56,44 ⁽²⁾ ⁽⁴⁾	—
0207 43 71	194,07	79,13 ⁽²⁾ ⁽⁴⁾	—
0207 43 81	281,52	99,24	—
0207 43 90	63,34	22,33 ⁽⁴⁾	—
0207 50 10	1 616,00	549,00	3 ⁽³⁾
0207 50 90	161,87	57,06	10
0209 00 90	140,76	49,62	—
0210 90 71	1 616,00	549,00	3
0210 90 79	161,87	57,06	10
1501 00 90	168,91	59,54	18
1602 31 11	293,48	82,68	17
1602 31 19	309,67	109,16	17
1602 31 30	168,91	59,54	17
1602 31 90	98,53	34,73	17
1602 39 11	278,54	103,38	—
1602 39 19	309,67	109,16	17
1602 39 30	168,91	59,54	17
1602 39 90	98,53	34,73	17

⁽¹⁾ The levy on products covered by CN codes 0207, 1602 31 and 1602 39 originating in the ACP countries and listed in Article 6 of Regulation (EEC) No 715/90 is reduced by 50 % within the limits of the quotas referred to in that Regulation.

⁽²⁾ The levy on such products originating in the developing countries and listed in the Annex to Regulation (EEC) No 3834/90 is reduced by 50 % within the limits of the fixed amounts referred to in that Annex.

⁽³⁾ The Common Customs Tariff duties on these products originating in the developing countries and listed in Regulation (EEC) No 3833/90 are suspended and no levy is to be collected.

⁽⁴⁾ 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 579/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽⁵⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 783/93
of 31 March 1993
fixing the sluice-gate prices and levies for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular Articles 3 and 7 (1) thereof,

Whereas sluice-gate prices and levies for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed quarterly in advance in accordance with the methods of calculation laid down in Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs⁽³⁾, as last amended by Regulation (EEC) No 4155/87⁽⁴⁾;

Whereas, since sluice-gate prices and levies for eggs were, by Commission Regulation (EEC) No 3792/92⁽⁵⁾, last fixed for the period 1 January to 31 March 1993, they must be fixed anew for the period 1 April to 30 June 1993; whereas such prices and levies should in principle be calculated by reference to feed-grain prices for the period 1 October 1992 to 28 February 1993;

Whereas, when the sluice-gate prices applicable from 1 October, 1 January and 1 April are being fixed, changes in world market prices for feed grain are to be taken into account only if the price of the quantity of feed grain required varies by at least a specified minimum in relation to that used to calculate the sluice-gate price for the preceding quarter; whereas, by Regulation (EEC) No 2773/75, the minimum was set at 3 %;

Whereas the price of the quantity of feed grain required varies by more than 3 % from that used for the preceding quarter; whereas this variation must accordingly be taken into account in fixing sluice-gate prices for the period 1 April to 30 June 1993;

Whereas, when the levies applicable from 1 October, 1 January and 1 April are being fixed, world market prices for feed grain are to be taken into account only if at the same time a new sluice-gate price is fixed;

Whereas, since a new sluice-gate price has been fixed, changes in world market prices for feed grain must be taken into account in fixing the levies;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁶⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulations (EEC) No 518/92⁽⁷⁾, (EEC) No 519/92⁽⁸⁾ and (EEC) No 520/92⁽⁹⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 579/92⁽¹⁰⁾, amended by Regulation (EEC) No 3730/92⁽¹¹⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards eggs;

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

HAS ADOPTED THIS REGULATION:

Article 1

The levies provided for in Article 3 of Regulation (EEC) No 2771/75, in respect of the products specified in Article 1 (1) thereof and the sluice-gate prices provided for in Article 7 thereof shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1993.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 64.

⁽⁴⁾ OJ No L 392, 31. 12. 1987, p. 29.

⁽⁵⁾ OJ No L 383, 29. 12. 1992, p. 105.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁷⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁸⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁹⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽¹⁰⁾ OJ No L 62, 7. 3. 1992, p. 15.

⁽¹¹⁾ OJ No L 380, 24. 12. 1992, p. 12.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 31 March 1993 fixing the sluice-gate prices and levies for eggs ⁽¹⁾

CN code	Sluice-gate price	Levy
	ECU/100 units	ECU/100 units
0407 00 11	51,45	13,09 ⁽¹⁾
0407 00 19	10,90	4,01 ⁽¹⁾
	ECU/100 kg	ECU/100 kg
0407 00 30	82,80	34,46 ⁽¹⁾
0408 11 10	402,92	161,27 ⁽¹⁾
0408 19 11	182,26	70,30 ⁽¹⁾
0408 19 19	194,20	75,12 ⁽¹⁾
0408 91 10	338,17	155,76 ⁽¹⁾
0408 99 10	89,62	39,97 ⁽¹⁾

⁽¹⁾ 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 579/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

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

COMMISSION REGULATION (EEC) No 784/93

of 31 March 1993

amending Regulation (EEC) No 3824/92 amending the prices and amounts fixed in ecus as a result of the monetary realignment of September and November 1992

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

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 ⁽¹⁾, and in particular Articles 12 and 13 (1) thereof,

Whereas Article 1 of Commission Regulation (EEC) No 3820/92 of 28 December 1992 on transitional measures for the application of the agrimonetary arrangements laid down in Regulation (EEC) No 3813/92 ⁽²⁾ establishes a connection between the agrimonetary arrangements applicable from 1 January 1993 and those applicable beforehand;

Whereas Commission Regulation (EEC) No 3824/92 ⁽³⁾ establishes the list of prices and amounts to be adjusted in ecus as a consequence of the monetary realignments of 1992; whereas it should be adapted to take account of the realignment of 30 January 1993 and of the coefficient reducing agricultural prices fixed as a consequence in Commission Regulation (EEC) No 537/93 ⁽⁴⁾;

Whereas subsequent scrutiny of Regulation (EEC) No 3824/92 has revealed an omission in the tobacco sector;

Whereas the relevant management committees have not delivered opinions within the time limits set by their chairmen,

Article 1

Regulation (EEC) No 3824/92 is hereby amended as follows:

1. the title is replaced by the following:
'laying down the prices and amounts fixed in ecus to be amended as a result of the monetary realignments';
2. in Article 1, 'Article 2 of Regulation (EEC) No 3387/92' is replaced by 'Article 1 of Regulation (EEC) No 537/93';
3. the following paragraph is added to Article 3:
'For sheep, goat and fishery products, tomatoes, cucumbers, courgettes and aubergines, it shall apply from the beginning of the 1994/95 marketing year.';
4. under heading '7. Other plant products' of the Annex, the following point 7.6a is added for the tobacco sector:
'7.6a. Premium and supplementary amounts referred to in Article 3 of Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco (OJ No L 215, 30. 7. 1992, p. 70).'

Article 2

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, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.
⁽²⁾ OJ No L 387, 31. 12. 1992, p. 22.
⁽³⁾ OJ No L 387, 31. 12. 1992, p. 29.
⁽⁴⁾ OJ No L 57, 10. 3. 1993, p. 18.

COMMISSION REGULATION (EEC) No 785/93

of 31 March 1993

amending Regulation (EEC) No 2251/92 on quality inspection of fresh fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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 638/93 ⁽²⁾, and in particular Articles 10 (1) and 12 (3) thereof,

Whereas Commission Regulation (EEC) No 2251/92 ⁽³⁾, as amended by Regulation (EEC) No 3720/92 ⁽⁴⁾, should be amended to specify that the conformity check shall be carried out before the produce is admitted into the customs territory of the Community;

Whereas, this measure should be taken subject to the continued recognition of UN/ECE (United Nations/Economic Commission for Europe) and OECD quality control certificates; whereas some errors made in the drafting of the EEC certificates should be corrected;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2251/92 is hereby amended as follows:

1. Article 8 (1) is replaced by the following:

'1. Before being admitted into the customs territory of the Community, fruit and vegetables from third countries intended to be consumed fresh and for which there are common quality standards shall be subject to a conformity check to determine whether the goods meet the common quality standards or at least equivalent standards in the case of third countries other than European third countries and other than non-European third countries in the Mediterranean region.'

2. Article 9 (4) is replaced by the following:

'4. Goods coming from third countries in which the official authority has been approved as laid down in

paragraph 3 shall be accompanied by an inspection certificate issued by that authority attesting that the said produce conforms to the quality standard for the quality class within which it falls. The certificate shall be deemed to show that the produce complied with the standard at the time of export.

The competent agencies of the Member States shall regularly verify the conformity of products from third countries.

The period of validity of the inspection certificate shall be fixed by the official authority so as to ensure conformity while taking account of the type of produce.

If the inspection certificate is no longer valid, paragraph 5 shall apply.

The inspection certificate shall be drawn up using one of the following three forms:

- the form shown in Annex I,
- the UN/ECE (United Nations/Economic Commission for Europe) form, annexed to the Geneva Protocol on standardization of fresh fruit and vegetables and dry and dried fruit, or
- the OECD (Organization for Economic Cooperation and Development) form, annexed to the OECD-Council's decision for the OECD-scheme for the application of international standards for fruit and vegetables.'

3. The first subparagraph of Article 9 (5) is replaced by the following:

'5. In the case of goods coming from third countries whose official inspection authorities have not been approved, or in the case of goods coming from third countries whose official authorities have been approved but which, on importation, are not accompanied by an inspection certificate as provided for in paragraph 4, the customs authorities shall authorize their release for free circulation in the customs territory of the Community only if the goods have been inspected in accordance with Article 3.'

4. Annexes I and II are replaced by Annexes I and II to this Regulation.

Article 2

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

However, the quality control services may, until 1 January 1994, continue to use existing certificates.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 219, 4. 8. 1992, p. 9.

⁽⁴⁾ OJ No L 378, 23. 12. 1992, p. 32.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

1. Trader/importer ⁽¹⁾		Inspection certificate EEC No This certificate is exclusively for the use of inspection agencies.	
2. Packer identified on packaging (if other than trader/importer)		3. Inspection authority	
		4. Place of inspection/ Country of origin ⁽²⁾	5. Region or country of destination
6. Identification of means of transport		7. Destination check (if applicable)	
		7.a. ☐ internal ☐ import ☐ export	
8. Packages (Number and type)	9. Type of product (variety if the standard specifies)	10. Quality class	11. Total weight in kg gross/net ⁽¹⁾
12. The abovementioned inspection authority certifies, following inspection by sampling, that the abovementioned goods corresponded at the time of inspection to the quality standards in force Customs office : entry/exit ⁽¹⁾ Period of validity : days Inspector : (Name in block letters) Place and date of issue Signature Inspection stamp			
13. Comments :			

⁽¹⁾ Delete as necessary.

⁽²⁾ Where the produce is re-exported, indicate its origin in box 9.

ANNEX II

1. Trader/importer (*)		Inspection certificate — Processing EEC No	
2. Identification of means of transport		3. Inspection authority issuing the certificate	
4. Intended processing of produce Name and address of processor		5. Inspection agency in the region where processing is to take place	
6. Number of packages or the words 'in bulk'	7. Nature of produce/country of origin	8. Total weight in kg gross/net (*)	
..... Customs office : entry/exit (*) Inspector : (Name in block letters) Place and date of issue Signature Inspection stamp			
10. Comments :			
11. The processor certifies that the product indicated above has been processed.			
Place and date Signature Stamp			

(*) Delete as necessary.

COMMISSION REGULATION (EEC) No 786/93

of 31 March 1993

amending Regulations (EEC) No 2027/92, (EEC) No 1961/92 and (EEC) No 1962/92 concerning aid for the supply of certain cereal products of Community origin respectively to the French overseas departments, the Azores and Madeira, and the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments⁽¹⁾, as amended by Commission Regulation (EEC) No 3714/92⁽²⁾, and in particular Article 2 (6) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽³⁾, as amended by Regulation (EEC) No 3714/92, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽⁴⁾, as amended by Regulation (EEC) No 3714/92, and in particular Article 3 (4) thereof,

Whereas, pursuant to Article 2 (3) of Regulation (EEC) No 3763/91, Commission Regulation (EEC) No 2027/92⁽⁵⁾ fixes the amount of aid for the supply to the French overseas departments (FOD) of groats and meal of durum wheat of Community origin; whereas such aid is fixed at an amount equal to the export refund for the products in question plus a fixed component to take account of small deliveries;

Whereas, pursuant to Article 3 of Regulation (EEC) No 1600/92, Commission Regulation (EEC) No 1961/92⁽⁶⁾ fixes the amount of aid for the supply to the Azores and Madeira of malt of Community origin; whereas such aid is fixed at an amount equal to the export refund for the products in question plus a fixed component to take account of small deliveries;

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, Commission Regulation (EEC) No 1962/92⁽⁷⁾ fixes the amount of aid for the supply to

the Canary Islands of malt, and groats and meal of durum wheat of Community origin; whereas such aid is fixed at an amount equal to the export refund for the product in question plus a fixed component to take account of small deliveries;

Whereas export refunds for malt, and groats and meal of durum wheat are fixed, during certain periods of each marketing year, by reference to the prices for cereals and cereal products on the Community market and on the world market; whereas, during other periods, the refunds remain fixed at a non-operational level; whereas, owing to this seasonal aspect, during the latter periods, the amount of supply aid calculated in this way means that Community products are not competitive in relation to products originating in third countries; whereas this method of calculating aid should therefore be altered;

Whereas Commission Regulation No 162/67/EEC of 23 June 1967 on the method of fixing the export refund on flour, groats and meal of wheat and of rye and malt⁽⁸⁾, as last amended by Regulation (EEC) No 468/92⁽⁹⁾, fixes the quantities of the various basic products necessary for the manufacture of 1 000 kg of the corresponding processed products;

Whereas Commission Regulations (EEC) No 391/92⁽¹⁰⁾, (EEC) No 1832/92⁽¹¹⁾ and (EEC) No 1833/92⁽¹²⁾, as last amended by Regulations (EEC) No 445/93⁽¹³⁾, (EEC) No 447/93⁽¹⁴⁾ and (EEC) No 446/93⁽¹⁵⁾, respectively, fix the amount of aid for the supply of basic cereal products of Community origin to the FOD, the Canary Islands and the Azores and Madeira respectively;

Whereas, in order to prevent the seasonal variation of export refunds for processed products, the calculation of the amount of aid should be based, on the one hand, on the amount of the aid in force for the basic product and, on the other, on the quantities necessary for the manufacture of the processed products, as specified in Regulation No 162/67/EEC; whereas Regulations (EEC) No 2027/92, (EEC) No 1961/92 and (EEC) No 1962/92 fixing the

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽⁴⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽⁵⁾ OJ No L 207, 23. 7. 1992, p. 21.

⁽⁶⁾ OJ No L 197, 16. 7. 1992, p. 44.

⁽⁷⁾ OJ No L 197, 16. 7. 1992, p. 45.

⁽⁸⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁹⁾ OJ No L 53, 28. 2. 1992, p. 15.

⁽¹⁰⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽¹¹⁾ OJ No L 185, 4. 7. 1992, p. 26.

⁽¹²⁾ OJ No L 185, 4. 7. 1992, p. 28.

⁽¹³⁾ OJ No L 49, 27. 2. 1993, p. 29.

⁽¹⁴⁾ OJ No L 49, 27. 2. 1993, p. 33.

⁽¹⁵⁾ OJ No L 49, 27. 2. 1993, p. 32.

amount of aid for the supply respectively to the FOD, the Azores and Madeira, and the Canary Islands of certain cereal products of Community origin should therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 2027/92 is hereby replaced by the following:

'Article 2

1. Aid for the supply to the FOD of groats and meal of durum wheat falling within CN code 1103 11 50 manufactured from cereals processed elsewhere in the Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the FOD concerned of durum wheat of Community origin by the coefficient 1,5.

2. Aid for the supply to the FOD of malt of barley falling within CN code 1107 10 99 manufactured from cereals processed elsewhere in the Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the FOD concerned of barley of Community origin plus ECU 10 per tonne, by the coefficient 1,3.'

Article 2

Article 1 of Regulation (EEC) No 1961/92 is hereby replaced by the following:

'Article 1

Aid for the supply to the Azores and Madeira of malt of barley falling within CN code 1107 10 99 manufactured from cereals processed elsewhere in the

Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the Azores and Madeira of barley of Community origin plus ECU 10 per tonne, by the coefficient 1,3.'

Article 3

Article 2 of Regulation (EEC) No 1962/92 is hereby replaced by the following:

'Article 2

1. Aid for the supply to the Canary Islands of groats and meal of durum wheat falling within CN code 1103 11 50 manufactured from cereals processed elsewhere in the Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the Canary Islands of durum wheat of Community origin by the coefficient 1,5.

2. Aid for the supply to the Canary Islands of malt of barley falling within CN code 1107 10 99 manufactured from cereals processed elsewhere in the Community shall be equal to the amount resulting from the multiplication of the aid amount in force for the supply to the Canary Islands of barley of Community origin plus ECU 10 per tonne, by the coefficient 1,3.

3. Aid for the supply to the Canary Islands of products falling within CN code 1702, but not including products falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, manufactured elsewhere in the Community shall be equal to the export refund in force for those products plus ECU 3 per tonne.'

Article 4

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 787/93**of 31 March 1993****amending Regulation (EEC) No 353/93 and increasing to 650 000 tonnes the amount of durum wheat held by the Italian intervention agency for which a standing invitation to tender for resale on the internal market has been opened**

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 7 (6) thereof,

Having regard to Council Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 3043/91 ⁽⁴⁾,

Whereas Commission Regulation (EEC) No 353/93 ⁽⁵⁾, as last amended by Regulation (EEC) No 618/93 ⁽⁶⁾, opened a standing invitation to tender for the resale on the internal market of 450 000 tonnes of durum wheat held by the Italian intervention agency;

Whereas in the present situation on the market the quantity of durum wheat held by the Italian intervention

agency put up for sale on the internal market of the Community should be increased to 650 000 tonnes;

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

In Article 1 of Regulation (EEC) No 353/93 'of 450 000 tonnes' is replaced by 'of 650 000 tonnes'.

Article 2

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, 31 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 202, 9. 7. 1982, p. 23.

⁽⁴⁾ OJ No L 288, 18. 10. 1991, p. 21.

⁽⁵⁾ OJ No L 41, 18. 2. 1993, p. 28.

⁽⁶⁾ OJ No L 66, 18. 3. 1993, p. 23.

COMMISSION REGULATION (EEC) No 788/93

of 31 March 1993

on the free distribution in the former Yugoslavia of oranges withdrawn from the market

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3196/92 of 27 October 1992 on the free distribution outside the Community of fruit and vegetables withdrawn from the market⁽¹⁾, and in particular the second paragraph of Article 2 thereof,

Whereas the Community orange harvest in the 1992/93 marketing year is particularly abundant; whereas major quantities have therefore been withdrawn from the market pursuant to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽²⁾, as last amended by Regulation (EEC) No 1754/92⁽³⁾;

Whereas, on account of the serious difficulties of supply to which the former Yugoslavia is currently subject, oranges withdrawn from the market should be made available with a view to their free distribution to the local population pursuant to Article 2 of Regulation (EEC) No 3196/92;

Whereas, in the case of the free distribution of oranges withdrawn from the market, the costs of sorting, packing and transport may be taken over pursuant to Commission Regulation (EEC) No 2103/90 of 23 July 1990 laying down the conditions for taking over sorting and packing costs relating to the free distribution of apples and citrus fruit⁽⁴⁾, Commission Regulation (EEC) No 3587/86 of 20 November 1986 fixing the conversion factors to be applied to the buying-in prices for fruit and vegetables⁽⁵⁾, as last amended by Regulation (EEC) No 3463/92⁽⁶⁾, and Commission Regulation (EEC) No 2276/92 of 4 August 1992 laying down detailed rules for the application of Article 21 of Council Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables⁽⁷⁾;

Whereas outside the territory of the Member States the costs of transport of the products concerned are defrayed by the charitable organizations undertaking the operations in question;

Whereas the Commission should be kept informed of these orange distribution operations;

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Regulation (EEC) No 3196/92, oranges of Community origin withdrawn from the market in accordance with Regulation (EEC) No 1035/72 may, during the 1992/93 marketing year, be made available to charitable organizations approved by the Member States pursuant to Article 1 of Regulation (EEC) No 2103/90 with a view to their free distribution to the population of the former Yugoslavia.

Article 2

The provisions of Regulation (EEC) No 2103/90, of Article 2 of Regulation (EEC) No 3587/86 and of Regulation (EEC) No 2276/92 shall apply, within the territory of the Member States, to the free distribution operations referred to in Article 1.

Article 3

The Member States shall obtain assurances from the approved charitable organizations that the products are transferred free of charge to agencies or bodies with a view to their distribution to the intended recipients.

The Member States shall ensure that export refunds are not paid for the products concerned.

Article 4

The Member States shall inform the Commission, by 30 June 1993 at the latest, of the quantities distributed pursuant to this Regulation.

Article 5

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

(¹) OJ No L 317, 31. 10. 1992, p. 90.

(²) OJ No L 118, 20. 5. 1972, p. 1.

(³) OJ No L 180, 1. 7. 1992, p. 23.

(⁴) OJ No L 191, 24. 7. 1990, p. 19.

(⁵) OJ No L 334, 27. 11. 1986, p. 1.

(⁶) OJ No L 350, 1. 12. 1992, p. 66.

(⁷) OJ No L 220, 5. 8. 1992, p. 22.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 789/93
of 31 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 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 Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the import levy on white sugar and raw sugar must be equal to the threshold price less the cif price; whereas the threshold price for each of these products was fixed by Council Regulation (EEC) No 1748/92 ⁽⁴⁾ fixing, for the 1992/93 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽⁵⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas the cif price for raw sugar and white sugar is calculated by the Commission for a Community frontier crossing point which was fixed at Rotterdam by Regulation (EEC) No 431/68 of the Council of 9 April 1968

determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar ⁽⁶⁾;

Whereas this price must be based on the most favourable purchasing opportunities on the world market established for each product on the basis of quotations or prices on that market adjusted for any deviation from the standard quality for which the threshold price is fixed; whereas the standard quality for raw sugar was defined by Regulation (EEC) No 431/68 and that for white sugar by Regulation (EEC) No 793/72 ⁽⁷⁾;

Whereas, when the most favourable purchasing opportunities on the world market are being established, the Commission must take account of all available information on offers on the world market, on quotations on the exchanges which are important for world trade, on prices recorded on important third-country markets, and on sales concluded in international trade of which it has knowledge either directly or through the agency of the Member States;

Whereas, however, pursuant to Regulation (EEC) No 784/68 of the Commission of 26 June 1968 laying down detailed rules for calculating cif prices for white sugar and raw sugar ⁽⁸⁾, the Commission must disregard information if the goods concerned are not of sound and fair marketable quality or if the price quoted in an offer relates to small quantities and is not representative of the market; whereas offer prices which can be assumed not to be representative of the actual market trends must also be disregarded;

Whereas any offer or prices taken into consideration which are not for goods delivered in bulk cif Rotterdam must be adjusted; whereas when this adjustment is being made account must be taken of the difference in the cost of transporting the goods between the port of loading and the port of destination and between the port of loading and Rotterdam; whereas, if the price or the offer relates to goods in bags, it must be reduced by ECU 0,73 per 100 kilograms under the terms of Article 4 of Regulation (EEC) No 784/68;

⁽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 180, 1. 7. 1992, p. 13.

⁽⁵⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁶⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁷⁾ OJ No L 94, 21. 4. 1972, p. 1.

⁽⁸⁾ OJ No L 145, 27. 6. 1968, p. 10.

Whereas, if information on sugar of the standard quality is to be comparable, the price increases or reductions fixed pursuant to Article 15 of Regulation (EEC) No 1785/81 must be added to or deducted from the offers taken into consideration in the case of white sugar; whereas, in the case of raw sugar, the corrective factors provided for in Article 5 of Regulation (EEC) No 784/68 must be applied;

Whereas, pursuant to Article 7 of Regulation (EEC) No 784/68, a special cif price may be established for sugar which has been specially treated or specially packed if the offer price for such sugar is lower than the cif price established pursuant to the provisions referred to above;

Whereas a cif price may, by way of exception, be left unchanged for a limited period if the offer price which served as a basis for the previous calculation of the cif price is not available to the Commission and if the offer prices which are available and which appear not to be sufficiently representative of actual market trends would entail sudden and considerable changes in the cif price;

Whereas the levy is altered only if the variation in the elements used to calculate it would entail an increase or a reduction of not less than ECU 0,24 per 100 kilograms in relation to the levy previously fixed;

Whereas, in accordance with Article 21 (1) of Regulation (EEC) No 1785/81, the nomenclature provided for in this Regulation is incorporated in the Common Customs Tariff;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 30 March 1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying these provisions that the levies for white sugar and raw sugar should be as set out in the Annex hereto,

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 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 31 March 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	33,69 ⁽¹⁾
1701 11 90	33,69 ⁽¹⁾
1701 12 10	33,69 ⁽¹⁾
1701 12 90	33,69 ⁽¹⁾
1701 91 00	42,90
1701 99 10	42,90
1701 99 90	42,90 ⁽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.

COMMISSION REGULATION (EEC) No 790/93
of 31 March 1993
fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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⁽¹⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EEC) No 760/93⁽²⁾;

Whereas Article 4 (1) of Regulation (EEC) No 3813/92 provides that the agricultural conversion rate for a floating currency shall be adjusted where the monetary gap with the representative market rate for the last reference period of a month exceeds two points; whereas, in that case, the new agricultural conversion rate is fixed so as to reduce that monetary gap by half;

Whereas the representative market rates are determined on the basis of reference periods determined in accordance with Commission Regulation (EEC) No 3819/92 of 28 December 1992 on detailed rules for determining and applying the agricultural conversion rates⁽³⁾;

Whereas, as a consequence of the exchange rates recorded on 31 March for the Italian lira and during the reference period 21 to 31 March 1993, it is necessary to fix a new agricultural conversion rate for the Italian lira, the Greek drachma and the Portuguese escudo;

Whereas Article 11 (2) of Regulation (EEC) No 3819/92 provides that an agricultural conversion rate fixed in advance shall be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the currency concerned

exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 11 (2) of Regulation (EEC) No 3819/92, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- or
- Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EEC) No 760/93 is hereby repealed.

Article 4

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 March 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 77, 31. 3. 1993, p. 53.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX I

Agricultural conversion rates

ECU 1 =	48,5563	Belgian and Luxembourg francs
	8,97989	Danish kroner
	2,35418	German marks
	314,412	Greek drachmas
	166,075	Spanish pesetas
	7,89563	French francs
	0,957268	Irish punt
	2 287,88	Italian lire
	2,65256	Dutch guilders
	214,525	Portuguese escudos
	0,980715	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	46,6888	Belgian and Luxembourg francs	ECU 1 =	50,5795	Belgian and Luxembourg francs
	8,63451	Danish kroner		9,35405	Danish kroner
	2,26363	German marks		2,45227	German marks
	302,319	Greek drachmas		327,513	Greek drachmas
	159,688	Spanish pesetas		172,995	Spanish pesetas
	7,59195	French francs		8,22461	French francs
	0,920450	Irish punt		0,997154	Irish punt
	2 199,88	Italian lire		2 383,21	Italian lire
	2,55054	Dutch guilders		2,76308	Dutch guilders
	206,274	Portuguese escudos		223,464	Portuguese escudos
	0,942995	Pound sterling		1,02157	Pound sterling

COMMISSION REGULATION (EEC) No 791/93

of 31 March 1993

altering the import levies on products processed from cereals and rice

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 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 674/92 ⁽⁴⁾, and in particular Article 12 (4) 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 ⁽⁵⁾, and in particular Article 5 thereof,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 756/93 ⁽⁶⁾;

Whereas Council Regulation (EEC) No 1906/87 ⁽⁷⁾, amended Council Regulation (EEC) No 2744/75 ⁽⁸⁾, as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 30 March 1993, as regards floating currencies, should be used to calculate the levies;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽⁹⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹⁰⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 756/93 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 April 1993.

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

Done at Brussels, 31 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 77, 31. 3. 1993, p. 39.

⁽⁷⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 202, 26. 7. 1978, p. 8.

ANNEX

to the Commission Regulation of 31 March 1993 altering the import levies on products processed from cereals and rice

(ECU / tonne)

CN code	Import levies (°)	
	ACP	Third countries (other than ACP)
0714 10 10 (1)	133,44	140,09
0714 10 91	137,07 (°) (7)	137,07
0714 10 99	135,26	140,09
0714 90 11	137,07 (°) (7)	137,07
0714 90 19	135,26 (°)	140,09
1102 20 10	251,28	257,32
1102 20 90	142,39	145,41
1102 30 00	157,93	160,95
1102 90 10	246,73	252,77
1102 90 90	151,55	154,57
1103 13 10	251,28	257,32
1103 13 90	142,39	145,41
1103 14 00	157,93	160,95
1103 19 30	246,73	252,77
1103 19 90	151,55	154,57
1103 21 00	260,69	266,73
1103 29 20	246,73	252,77
1103 29 40	251,28	257,32
1103 29 50	157,93	160,95
1103 29 90	151,55	154,57
1104 11 10	139,81	142,83
1104 11 90	274,14	280,18
1104 19 10	260,69	266,73
1104 19 50	251,28	257,32
1104 19 91	268,18	274,22
1104 19 99	267,44	273,48
1104 21 10	219,31	222,33
1104 21 30	219,31	222,33
1104 21 50	342,68	348,72
1104 21 90	139,81	142,83
1104 23 10	223,36	226,38
1104 23 30	223,36	226,38
1104 23 90	142,39	145,41
1104 29 11	192,62	195,64
1104 29 19	237,73	240,75
1104 29 31	231,73	234,75
1104 29 39	237,73	240,75
1104 29 91	147,73	150,75
1104 29 99	151,55	154,57
1104 30 10	108,62	114,66
1104 30 90	104,70	110,74
1106 20 10	133,44 (°)	140,09
1106 20 90	221,13 (°)	245,31
1107 10 11	257,80	268,68
1107 10 19	192,62	203,50
1107 10 91	243,98	254,86 (°)
1107 10 99	182,30	193,18 (10)
1107 20 00	212,46	223,34 (°)
1108 11 00	318,63	339,18
1108 12 00	224,76	245,31

(ECU/tonne)

CN code	Import levies ⁽¹⁾	
	ACP	Third countries (other than ACP)
1108 13 00	224,76	245,31 ⁽²⁾
1108 14 00	112,38	245,31
1108 19 10	226,46	257,29
1108 19 90	112,38 ⁽³⁾	245,31
1109 00 00	579,32	760,66
1702 30 51	293,16	389,88
1702 30 59	224,76	291,25
1702 30 91	293,16	389,88
1702 30 99	224,76	291,25
1702 40 90	224,76	291,25
1702 90 50	224,76	291,25
1702 90 75	307,12	403,84
1702 90 79	213,59	280,08
2106 90 55	224,76	291,25
2302 10 10	58,59	64,59
2302 10 90	125,55	131,55
2302 20 10	58,59	64,59
2302 20 90	125,55	131,55
2302 30 10	58,59 ⁽⁴⁾	64,59
2302 30 90	125,55 ⁽⁴⁾	131,55
2302 40 10	58,59	64,59
2302 40 90	125,55	131,55
2303 10 11	279,20	460,54

⁽¹⁾ 6 % *ad valorem*, subject to certain conditions.

⁽²⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

⁽³⁾ In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

⁽⁴⁾ Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.

⁽⁵⁾ 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.

⁽⁶⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽⁷⁾ Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.

⁽⁸⁾ Products falling within this code, imported from Poland, the Czech and Slovak Federal Republic 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.

COUNCIL REGULATION (EEC) No 792/93

of 30 March 1993

establishing a cohesion financial instrument

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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⁾,

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

Whereas Article 130a of the Treaty provides for the Community to develop and pursue its actions leading to the strengthening of its economic and social cohesion and in particular for it to aim at reducing disparities between the various regions and the backwardness of the least-favoured regions;

Whereas promoting economic and social cohesion calls for Community action to supplement the activities of the Structural Funds, the European Investment Bank and other financial instruments in the fields of the environment and of transport infrastructure of common interest;

Whereas the European Parliament adopted a resolution ⁽⁴⁾ on 10 June 1992 regarding the Commission's communication of 11 February 1992 ⁽⁵⁾;

Whereas the European Council, pursuant to its meeting in Lisbon on 26 and 27 June 1992, invited, at its meeting in Edinburgh on 11 and 12 December 1992, the Commission to propose and the Council to adopt, before 1 April 1993, a regulation for an interim financial instrument pending the establishment of the Cohesion Fund and determined, for this interim financial instrument, the recipient States, the criteria and indicative allocation brackets in such a way as to ensure the provision of financial aid to Ireland, Greece, Portugal and Spain;

Whereas, given the conclusions of the European Council and given the impossibility of implementing, on the basis of Article 235 of the EEC Treaty, the set of conditions which are linked to Article 104c of the Treaty on European Union, signed in Maastricht on 7 February 1992, the financial instrument should be of a temporary nature; whereas it should be replaced as soon as possible by the Cohesion Fund as envisaged in Article 130d of the said Treaty;

Whereas the financial resources of the financial instrument should be those provided for the Cohesion Fund in the

financial perspectives for the general budget of the European Communities for the years for which the financial instrument applies; whereas in 1994 the commitments must be proportionate to the duration of the financial instrument for that year and must comply with the requirement of continuity from the financial instrument to the Cohesion Fund;

Whereas the promotion of economic and social cohesion calls for a concentration of the funds available to the cohesion financial instrument on projects concerning the environment and transport infrastructure of common interest in Member States with a per capita GNP of less than 90 % of the Community average;

Whereas each beneficiary Member State should have a convergence programme examined by the Council, designed to avoid excessive government deficits;

Whereas Title IV of Part Two of the Treaty provides that the Council shall lay down any appropriate provisions to implement a common transport policy; whereas the Community should make a contribution, through the cohesion financial instrument, to trans-European networks in the area of transport infrastructure; whereas projects financed by the financial instrument should form part, as far as possible, of trans-European network guidelines which have been adopted by the Council or proposed by the Commission;

Whereas Article 130r of the Treaty defines the objectives of the Community in the field of the environment; whereas the Community should contribute, through the cohesion financial instrument, to actions targeted to achieve these objectives including actions taken pursuant to Article 130s of the Treaty;

Whereas an appropriate balance must be ensured between financing for transport infrastructure projects and for environmental projects;

Whereas in the light of an undertaking by the Member States concerned not to decrease their investment efforts in the field of environmental protection and transport infrastructure, additionality within the meaning of Article 9 of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and other existing financial instruments ⁽⁶⁾ will not apply to the cohesion financial instrument;

Whereas it is necessary to coordinate action taken in the fields of the environment and trans-European transport networks through the cohesion financial instrument, the Structural Funds, the European Investment Bank and the

⁽¹⁾ OJ No C 38, 12. 2. 1993, p. 18 and amended proposal transmitted on 22 March 1993.

⁽²⁾ Opinion delivered on 11 March 1993 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 25 February 1993 (not yet published in the Official Journal).

⁽⁴⁾ OJ No C 176, 13. 7. 1992, p. 74.

⁽⁵⁾ COM(92) 2000.

⁽⁶⁾ OJ No L 374, 31. 12. 1988, p. 1.

other financial instruments in order to enhance the effectiveness of Community operations ;

Whereas, with a view to helping Member States in the preparation of projects, the Commission should be in a position to ensure that they have the necessary technical support ;

Whereas in the interests of the proper management of the cohesion financial instrument, it is necessary to ensure effective methods of monitoring, assessing and carrying out checks in respect of Community operations ;

Whereas, to ensure value for money, thorough appraisal should precede the commitment of Community resources in order to ensure that they yield economic benefits in keeping with the resources deployed ;

Whereas the operations of the cohesion financial instrument must be consistent with Community policies, including those regarding environmental protection, transport, competition and the award of public contracts ;

Whereas an indicative allocation of commitment appropriations between the Member States should be provided for in order to facilitate the programming of projects ;

Whereas it is necessary, given the requirements of economic and social cohesion, to provide a high rate of assistance ;

Whereas provision should be made to give adequate publicity to Community assistance provided by the cohesion financial instrument ;

Whereas adequate information should be given in particular through an annual report provided for in Article 10 of this Regulation and in Annex II thereto ;

Whereas the Treaty does not provide, for the adoption of this Regulation, for powers other than those contained in Article 235,

HAS ADOPTED THIS REGULATION :

Article 1

Definition and scope

A cohesion financial instrument (hereinafter referred to as 'the financial instrument') is hereby established, whereby the Community shall provide financial contributions to projects in the fields of the environment and trans-European transport infrastructure networks in those Member States which have a per capita GNP of less than 90 % of the Community average measured according to purchasing power parities, *viz.* Greece, Spain, Ireland and Portugal, each of which shall have a convergence

programme examined by the Council and designed to avoid an excessive government deficit.

Article 2

Eligible projects

The financial instrument may provide assistance for :

- environmental projects contributing to the achievement of the objectives of Article 130r of the Treaty, including projects resulting from action taken pursuant to Article 130s of the Treaty,
- transport infrastructure projects of common interest financed by Member States which promote the interconnection and interoperability of national networks and access to such networks, taking account in particular of the need to link insular, landlocked or peripheral regions with the central regions of the Community, in particular the projects which are provided for in trans-European network schemes which have been adopted by the Council or proposed by the Commission in accordance with Title IV of Part Two of the Treaty,
- preparatory studies, in particular prior appraisals and analyses of costs and benefits, and technical support measures related to eligible projects.

Article 3

Financial resources

The amounts available for commitment appropriations for the financial instrument shall be ECU 1 500 million in 1993 and ECU 1 750 million for the whole of 1994 expressed in 1992 prices.

In compliance with Article 203 of the Treaty the budgetary authority shall decide in accordance with the first paragraph of this Article, as part of the budget procedure, which appropriations are to be made available for each financial year.

Commitments pursuant to this instrument in 1994 shall be proportionate to the duration of the instrument in 1994 in accordance with Article 11.

Article 4

Indicative allocation

The indicative allocation of the total resources of the financial instrument shall be based on precise and objective criteria, principally on population, GNP per capita and surface area ; it shall also take account of other socio-economic factors, such as deficiencies in transport infrastructure.

The application of these criteria leads to the indicative allocation laid down in Annex I.

*Article 5***Rate of assistance**

1. The rate of assistance granted by the financial instrument shall be between 80 and 85 % of public or similar expenditure as defined for the purposes of the Structural Funds. The effective rate of assistance shall be established in accordance with the nature of the operations to be undertaken.

2. Preliminary studies, in particular prior appraisals and analyses of costs and benefits, and technical support measures necessary for the appraisal, assessment and possible adjustment of eligible projects may be financed at 100 % of total cost in exceptional cases.

The total expenses on the basis of this paragraph shall not exceed 0,5 % of the total allocation of the financial instrument.

*Article 6***Coordination and compatibility with Community policies**

1. Projects financed by the financial instrument shall be in conformity with the provisions of the Treaty, with the instruments adopted pursuant thereto and with Community policies, including those concerning environmental protection, transport, competition and the award of public contracts.

2. The Commission shall ensure coordination and coherence between projects undertaken in pursuance of this Regulation and measures undertaken with contributions from the Community budget, the European Investment Bank and the other financial instruments of the Community.

*Article 7***Combination and overlapping**

1. No item of expenditure may benefit both from the financial instrument and from the European Agricultural Guidance and Guarantee Fund, the European Social Fund or the European Regional Development Fund.

2. Combined support from the financial instrument and other Community grants shall not exceed 90 % of total expenditure.

*Article 8***Approval of projects**

1. The projects to be financed under the financial instrument shall be decided upon by the Commission in agreement with the beneficiary Member State.

2. An appropriate balance shall be ensured between projects in the fields of environment and of transport infrastructure.

3. Applications for assistance in accordance with Article 2 shall be submitted by the beneficiary Member State. Projects, including groups of related projects, shall be of a sufficient scale to have a significant impact in the fields of environmental protection or in the improvement of trans-European transport infrastructure networks.

4. Applications shall contain the following information: the body responsible for implementation, the nature of the investment, its location and costs, the timetable for implementation, the financing plan and the total financing the Member State is seeking from the financial instrument and any other Community source. They shall also contain any information necessary to show that the projects are in accordance with this Regulation.

5. The following criteria shall be employed to ensure the high quality of the projects:

- their medium-term economic and social benefits, which shall be commensurate with the resources deployed; an assessment shall be made in the light of an analysis of costs and benefits,
- the priorities established by the beneficiary Member States,
- the contribution which projects can make to the implementation of Community policies on the environment and trans-European networks,
- the compatibility of projects with Community policies and their consistency with other Community structural measures,
- the achievement of an appropriate balance between the fields of the environment and of transport infrastructure.

6. Subject to the availability of commitment appropriations, the Commission shall decide on assistance from the financial instrument generally within three months of receipt of the applications. Commission decisions approving projects or groups of related projects shall determine the amount of financial assistance, a financing plan and all the provisions and conditions necessary for the realization of the projects.

7. The decisions of the Commission shall be published in the *Official Journal of the European Communities*.

Article 9

Financial provisions, monitoring and assessment

1. The Commission may, in agreement with the beneficiary Member State concerned, identify technically and financially discrete stages of a project for the purpose of granting assistance from the financial instrument.

2. Expenditure shall not be considered eligible for assistance from the financial instrument if incurred before the date on which the corresponding application reaches the Commission. However, for applications presented to the Commission before 1 September 1993, expenditure incurred after 1 January 1993 may be regarded as eligible.

3. For the implementation of this Regulation, the following provisions of Titles VI and VII of Regulation (EEC) No 4253/88 shall apply *mutatis mutandis*: Articles 19 (1), 20 (1), 21 (1) except the last sentence, 21 (5) and (7), 22, 23, 24, 25 except the last sentence of (4) and (7).

4. The total amount of assistance from the financial instrument for each operation (project, stage of a project, study or technical support measure) shall be committed when the Commission adopts the decision approving the operation.

5. Payments of financial assistance for a project or a stage of a project shall be made in accordance with the following provisions:

- (a) the advance made following the decision may be up to 50 % of the amount of assistance related to the expenditure planned for the first year as indicated in the financial plan approved by the Commission. However, for 1993 exceptionally, the advance may be up to two-thirds of this amount, for the projects submitted before 1 September 1993;
- (b) interim payments may be made provided that the project is progressing satisfactorily towards completion and that two-thirds of the expenditure relating to the preceding payment and all the expenditure relating to previous payments has been incurred. Interim payments may be up to 50 % of the assistance related to the expenditure planned for the year concerned as indicated in the financial plan approved by the Commission, adjusted, where necessary, to take account of progress in implementing the project;
- (c) the balance of assistance for an operation shall be paid provided
 - the project or stage has been completed in accordance with the objectives laid down,
 - the beneficiary Member State or the designated authority submits a request for payment to the

Commission within the six months following physical completion of the project, and

- the final report referred to in Article 25 (4) of Regulation (EEC) No 4253/88 has been submitted to the Commission.

The balance may not be less than 20 % of the total assistance granted.

6. Payments shall be made to the authority or body designated by the Member States and shall, as a general rule, be made not more than two months after receipt of a valid request for payment.

7. The beneficiary Member States concerned shall provide the Commission with a description of the management and audit systems established to ensure that projects are effectively implemented.

The Commission shall examine applications with a view in particular to checking that the administrative and financial mechanisms are adequate to ensure effective implementation.

Beneficiary Member States shall regularly inform the Commission of all cases of irregularity that have been discovered by an administrative authority or have been the subject of judicial proceedings. Beneficiary Member States and the Commission must take all the security measures necessary to ensure that information exchanged between them remains confidential.

8. In order to ensure the effectiveness of Community assistance, the Commission and the beneficiary Member States concerned shall, in cooperation with the European Investment Bank where appropriate, carry out a systematic assessment of projects.

On receipt of a request for assistance and before approving a project, the Commission shall carry out a thorough prior appraisal in order to assess the project's consistency with the criteria laid down in Article 8 (5) and to establish its expected impact, quantified on the basis of appropriate indicators, by reference to the objectives of the financial instrument. The beneficiary Member State concerned shall provide the necessary information, including the results of feasibility studies and prior assessments, to enable this appraisal to be carried out as effectively as possible.

During the implementation of projects, and after their completion, the Commission and the beneficiary Member States concerned shall assess the manner in which they have been carried out and the potential and actual impact of their implementation in order to judge whether the original objectives can be or have been achieved.

9. The detailed rules for monitoring and assessment shall be laid down in the decisions approving projects.

*Article 10***Information and publicity**

1. The Commission shall submit a report on the operation of the financial instrument for consideration by the European Parliament, the Council and the Economic and Social Committee five months, at the latest, after the date of expiry of the instrument.

The information mentioned in this report is listed in Annex II.

2. Member States shall ensure that adequate publicity is given to the operation of the financial instrument with a view to making the general public aware of the role played by the Community in relation to projects. They

shall consult the Commission on, and inform it about, the initiatives taken for this purpose.

*Article 11***Entry into force**

This Regulation shall enter into force on 1 April 1993.

It shall remain in force until the entry into force of a regulation establishing a Cohesion Fund and until 1 April 1994 at the latest.

Should a regulation establishing a Cohesion Fund not be in force by 1 April 1994, the Council, acting by a qualified majority on a proposal from the Commission, shall take a decision regarding the extension of the financial instrument, for a limited period, in order to ensure continuity between the financial instrument and the Cohesion Fund.

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

Done at Brussels, 30 March 1993.

For the Council

The President

S. AUKEN

*ANNEX I***Indicative allocation of the total resources of the financial instrument among beneficiary Member States**

- Spain : 52 to 58 % of the total.
 - Greece : 16 to 20 % of the total.
 - Portugal : 16 to 20 % of the total.
 - Ireland : 7 to 10 % of the total.
-

*ANNEX II***Information referred to in Article 10 (1)**

The Annual Report will provide information on the following :

1. Financial assistance committed and paid from the financial instrument, with an annual breakdown by Member States and by category of projects (environment and transport).
 2. The economic and social impact of the financial instrument in Member States.
 3. Summary information on the convergence programmes in Greece, Spain, Ireland and Portugal.
 4. The contribution which the financial instrument has made to the efforts of beneficiary Member States to implement Community environment policy and to strengthen trans-European transport infrastructure networks ; the balance between projects in the fields of environment and projects relating to transport infrastructure.
 5. Assessment of the compatibility of the operations of the financial instrument with Community policies including those concerning environmental protection, transport, competition and the award of public contracts.
 6. Information on measures to ensure coordination and coherence between projects financed under the financial instrument and measures undertaken with contributions from the Community budget, the European Investment Bank and the other financial instruments of the Community.
 7. Information on the investment efforts of the beneficiary Member States in the fields of environmental protection and transport infrastructure.
 8. Information on preparatory studies and on technical support measures financed, including a specification of the types of such studies and measures.
 9. Information on the results of monitoring and assessment of projects including information on any adjustment of projects to accord with the results of monitoring and assessment.
 10. Information on the contribution of the European Investment Bank to the assessment of projects.
-

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 15 March 1993

laying down certain transitional measures concerning the certification of fishery products from third countries in order to facilitate the switchover to the arrangements laid down in Council Directive 91/493/EEC

(93/185/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products⁽¹⁾, and in particular Article 16 thereof,

Whereas, in accordance with Article 11 (4) (a) of Directive 91/493/EEC, the conditions applying to imports of fishery products must include the obtaining of a health certificate, detailed rules governing which must be adopted in respect of each third country or each group of third countries after an on-the-spot inspection by experts from the Commission and the Member States;

Whereas veterinary checks on imported fishery products must be conducted in accordance with Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽²⁾, as last amended by Decision 92/438/EEC⁽³⁾;

Whereas, pending the adoption of the detailed rules on import conditions and in order not to interrupt the trade flows existing between third countries and the Member States, a single model should be laid down for the health

certificate to accompany fishery products imported into the Community from third countries;

Whereas, because of their special status, the abovementioned health certificate should not be required for the fishery products referred to in the second paragraph of Article 10 of Directive 91/493/EEC;

Whereas provision should be made for a period of adjustment to the new arrangements; whereas the transitional measures provided for in this Decision are necessary from the viewpoint of both their scope and their duration if that adjustment is to be made smoother;

Whereas, in accordance with Article 10 of Directive 91/493/EEC, provision should be made for provisional health certificates to certify that the conditions in which fishery products intended for export to the Community are produced, stored and transported are at least equivalent to those laid down in that Directive;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Consignments of fishery products imported into the territories defined in Annex I to Directive 90/675/EEC must be accompanied by health certificates complying with the model set out in the Annex hereto.

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽³⁾ OJ No L 243, 25. 8. 1992, p. 27.

2. However, that requirement shall not apply to:

- fishery products coming from third countries in respect of which specific import conditions have been laid down in accordance with Article 11 (1) of Directive 91/493/EEC,
- the fishery products referred to in the second paragraph of Article 10 of Directive 91/493/EEC.

Article 2

The health certificate referred to in Article 1 (1) must comprise a single sheet and must be drawn up at least in one of the official languages of the country of introduction into the Community and, where appropriate, in one of the languages of the country of destination.

Article 3

This Decision shall apply from 1 July 1993 until 31 December 1994.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 15 March 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

SPECIMEN HEALTH CERTIFICATE

covering fishery products for import into the European Economic Community

Country of despatch :

Competent authority ⁽¹⁾ :Inspection body ⁽¹⁾ :

Reference number of health certificate :

I. Details identifying the fishery products

Description :

— Species (scientific name) :

— State ⁽²⁾ or type of processing :

Type of packaging :

Number of packages :

Net weight :

Temperature required during storage and transport :

II. Provenance of the fishery products

Address(es) and number(s) of preparation or processing establishment(s) authorized for exports by the competent authority :

.....
.....
.....
.....
.....

III. Destination of the fishery products

The fishery products are to be despatched

from :

(Place of despatch)

to

(Country and place of destination)

by the following means of transport :

Name and address of consignor :

.....
.....

Name of consignee and address at place of destination :

.....
.....⁽¹⁾ Name and address.⁽²⁾ Live intended for direct human consumption, prepared, processed, etc.

IV. Health attestation

The undersigned official inspector hereby certifies that :

1. the fishery products described above have been handled, prepared or processed, identified, stored and transported under conditions at least equivalent to those laid down in Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ;
2. in addition, in the case of frozen or processed bivalve molluscs, the latter have been gathered in production areas subject to conditions at least equivalent to those laid down in Council Directive 91/492/EEC of 15 July 1991 laying down the health conditions for the production and the placing on the market of live bivalve molluscs.

Done at on
(Place) (Date)

.....
Signature of official Inspector

.....
(Name in capitals, capacity and qualifications)
