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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 984/93**of 27 April 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 import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 762/93 ⁽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 26 April

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

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 762/93 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 28 April 1993.

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

Done at Brussels, 27 April 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 79, 1. 4. 1993, p. 11.

ANNEX

to the Commission Regulation of 27 April 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	138,34 ⁽²⁾ ⁽³⁾
0712 90 19	138,34 ⁽²⁾ ⁽³⁾
1001 10 00	182,58 ⁽¹⁾ ⁽²⁾
1001 90 91	146,03
1001 90 99	146,03 ⁽²⁾
1002 00 00	154,87 ⁽⁶⁾
1003 00 10	140,21
1003 00 20	140,21
1003 00 80	140,21 ⁽²⁾
1004 00 00	115,16
1005 10 90	138,34 ⁽²⁾ ⁽³⁾
1005 90 00	138,34 ⁽²⁾ ⁽³⁾
1007 00 90	148,07 ⁽⁴⁾
1008 10 00	57,00 ⁽²⁾
1008 20 00	101,54 ⁽⁴⁾
1008 30 00	61,54 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	61,54
1101 00 00	217,08 ⁽²⁾
1102 10 00	229,46
1103 11 30	295,13
1103 11 50	295,13
1103 11 90	232,97

⁽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 985/93**of 27 April 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 26 April

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 28 April 1993.

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

Done at Brussels, 27 April 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 27 April 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	3,90
1001 90 99	0	0	0	3,90
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	5,46

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	6,94	6,94
1107 10 19	0	0	0	5,19	5,19
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 986/93**of 27 April 1993****amending Regulation (EEC) No 123/93 and increasing to 150 000 tonnes the amount of barley held by the Spanish 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 Commission 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 123/93 ⁽⁵⁾ opened a standing invitation to tender for the resale on the internal market of 100 000 tonnes of barley held by the Spanish intervention agency;

Whereas in the present situation on the market the quantity of barley held by the Spanish intervention agency put up for sale on the internal market of the Community should be increased to 150 000 tonnes and the last partial invitation to tender should be postponed;

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

Regulation (EEC) No 123/93 is hereby amended as follows:

1. In Article 1 'of 100 000 tonnes' is replaced by 'of 150 000 tonnes'.
2. Article 2 (2) is replaced by the following:
'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 13 May 1993.'

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, 27 April 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 17, 26. 1. 1993, p. 5.

COMMISSION REGULATION (EEC) No 987/93

of 27 April 1993

fixing 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 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,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and rice⁽⁵⁾, as last amended by Regulation (EEC) No 1906/87⁽⁶⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁷⁾, as last amended by Regulation (EEC) No

1740/78⁽⁸⁾, provides that the levy thus determined, increased by the fixed component, is valid in general for one month but is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States⁽⁹⁾, extended by Regulation (EEC) No 444/92⁽¹⁰⁾;

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91⁽¹¹⁾, as amended by Regulation (EEC) No 3714/92⁽¹²⁾, allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

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⁽¹³⁾ no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹⁴⁾, as last amended by Regulation (EEC) No 3917/92⁽¹⁵⁾, reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

(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 281, 1. 11. 1975, p. 65.

(⁶) OJ No L 182, 3. 7. 1987, p. 49.

(⁷) OJ No L 168, 25. 6. 1974, p. 7.

(⁸) OJ No L 202, 26. 7. 1978, p. 8.

(⁹) OJ No L 84, 30. 3. 1990, p. 85.

(¹⁰) OJ No L 52, 27. 2. 1992, p. 7.

(¹¹) OJ No L 356, 24. 12. 1991, p. 1.

(¹²) OJ No L 378, 23. 12. 1992, p. 23.

(¹³) OJ No L 263, 19. 9. 1991, p. 1.

(¹⁴) OJ No L 370, 31. 12. 1990, p. 121.

(¹⁵) OJ No L 396, 31. 12. 1992, p. 1.

Whereas Council Regulations (EEC) No 518/92 ⁽¹⁾, (EEC) No 519/92 ⁽²⁾ and (EEC) No 520/92 ⁽³⁾ 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 ⁽⁴⁾, as amended by Regulation (EEC) No 955/92 ⁽⁵⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards cereals;

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries ⁽⁶⁾, as last amended by Regulation (EEC) No 3909/92 ⁽⁷⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose ⁽⁸⁾, as amended by Regulation (EEC) No 222/88 ⁽⁹⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 2727/75 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy

thereon should be explicitly mentioned in the list of levies;

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, 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,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 27 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽²⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁴⁾ OJ No L 62, 7. 3. 1992, p. 40.

⁽⁵⁾ OJ No L 102, 16. 4. 1992, p. 26.

⁽⁶⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽⁷⁾ OJ No L 394, 31. 12. 1992, p. 23.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁹⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽¹⁰⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹¹⁾ OJ No L 387, 31. 12. 1992, p. 13.

ANNEX

to the Commission Regulation of 27 April 1993 fixing the import levies on products
processed from cereals and rice

(ECU/tonne)			(ECU/tonne)		
CN code	Import levies (%)		CN code	Import levies (%)	
	ACP	Third countries (other than ACP)		ACP	Third countries (other than ACP)
0714 10 10 ⁽¹⁾	135,63	142,28	1104 23 90	143,85	146,87
0714 10 91	139,26 ⁽²⁾ ⁽⁷⁾	139,26	1104 29 11	195,28	198,30
0714 10 99	137,45	142,28	1104 29 15	205,76	208,78
0714 90 11	139,26 ⁽²⁾ ⁽⁷⁾	139,26	1104 29 19	239,65	242,67
0714 90 19	137,45 ⁽²⁾	142,28	1104 29 31	234,93	237,95
1102 20 10	253,85	259,89	1104 29 35	247,54	250,56
1102 20 90	143,85	146,87	1104 29 39	239,65	242,67
1102 30 00	160,89	163,91	1104 29 91	149,77	152,79
1102 90 10	250,67	256,71	1104 29 95	157,80	160,82
1102 90 30	210,10	216,14	1104 29 99	152,78	155,80
1102 90 90	152,78	155,80	1104 30 10	110,12	116,16
1103 12 00	210,10	216,14	1104 30 90	105,77	111,81
1103 13 10	253,85	259,89	1106 20 10	135,63 ⁽²⁾	142,28
1103 13 90	143,85	146,87	1106 20 90	223,43 ⁽²⁾	247,61
1103 14 00	160,89	163,91	1107 10 11	261,36	272,24
1103 19 10	278,48	284,52	1107 10 19	195,28	206,16
1103 19 30	250,67	256,71	1107 10 91	247,88	258,76 ⁽²⁾
1103 19 90	152,78	155,80	1107 10 99	185,22	196,10 ⁽¹⁰⁾
1103 21 00	264,29	270,33	1107 20 00	215,85	226,73 ⁽²⁾
1103 29 10	278,48	284,52	1108 11 00	323,03	343,58
1103 29 20	250,67	256,71	1108 12 00	227,06	247,61
1103 29 30	210,10	216,14	1108 13 00	227,06	247,61 ⁽⁶⁾
1103 29 40	253,85	259,89	1108 14 00	113,53	247,61
1103 29 50	160,89	163,91	1108 19 10	230,71	261,54
1103 29 90	152,78	155,80	1108 19 90	113,53 ⁽²⁾	247,61
1104 11 10	142,05	145,07	1109 00 00	587,32	768,66
1104 11 90	278,52	284,56	1702 30 51	296,16	392,88
1104 12 10	119,05	122,07	1702 30 59	227,06	293,55
1104 12 90	233,44	239,48	1702 30 91	296,16	392,88
1104 19 10	264,29	270,33	1702 30 99	227,06	293,55
1104 19 30	278,48	284,52	1702 40 90	227,06	293,55
1104 19 50	253,85	259,89	1702 90 50	227,06	293,55
1104 19 91	273,20	279,24	1702 90 75	310,27	406,99
1104 19 99	269,60	275,64	1702 90 79	215,78	282,27
1104 21 10	222,82	225,84	2106 90 55	227,06	293,55
1104 21 30	222,82	225,84	2302 10 10	59,80	65,80
1104 21 50	348,15	354,19	2302 10 90	128,14	134,14
1104 21 90	142,05	145,07	2302 20 10	59,80	65,80
1104 22 10 10 ⁽⁴⁾	119,05	122,07	2302 20 90	128,14	134,14
1104 22 10 90 ⁽⁵⁾	210,10	213,12	2302 30 10	59,80 ⁽²⁾	65,80
1104 22 30	210,10	213,12	2302 30 90	128,14 ⁽²⁾	134,14 ⁽²⁾
1104 22 50	186,75	189,77	2302 40 10	59,80	65,80
1104 22 90	119,05	122,07	2302 40 90	128,14	134,14
1104 23 10	225,65	228,67	2303 10 11	282,06	463,40
1104 23 30	225,65	228,67			

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- (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) Taric code : clipped oats.
- (⁵) Taric code : CN code 1104 22 10, other than 'clipped oats'.
- (⁶) 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.
- (⁷) 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.
- (⁸) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.
- (⁹) 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.
- (¹⁰) 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.
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COMMISSION REGULATION (EEC) No 988/93

of 27 April 1993

fixing the import levies on compound feedingstuffs

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 14 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 14 (1) (A) of Regulation (EEC) No 2727/75; whereas Article 4 of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EEC) No 944/87⁽⁴⁾, provides that the incidence on the prime costs of these feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable during the first 25 days of the month preceding that month of importation to the quantities of basic products considered to have been used in the manufacture of such compound feedingstuffs, this average being adjusted on the basis of the threshold price for the basic products in question ruling during the month of importation;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 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 African, Caribbean and Pacific

States or in the overseas countries and territories⁽⁵⁾, extended by Regulation (EEC) No 444/92⁽⁶⁾;

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;

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, 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,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 1 May 1993.

⁽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. 60.

⁽⁴⁾ OJ No L 90, 2. 4. 1987, p. 2.

⁽⁵⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁶⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ 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, 27 April 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 27 April 1993 fixing the import levies on compound feedingstuffs

CN code	(ECU/tonne)	
	Levies (1)	
	ACP	Third countries (other than ACP)
2309 10 11	22,56	33,44
2309 10 13	497,26	508,14
2309 10 31	70,52	81,40
2309 10 33	545,22	556,10
2309 10 51	141,03	151,91
2309 10 53	615,73	626,61
2309 90 31	22,56	33,44
2309 90 33	497,26	508,14
2309 90 41	70,52	81,40
2309 90 43	545,22	556,10
2309 90 51	141,03	151,91
2309 90 53	615,73	626,61

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

COMMISSION REGULATION (EEC) No 989/93
of 27 April 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 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⁾, as last amended by Regulation (EEC) No 957/93⁽⁷⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾, amended Council Regulation (EEC) No 2744/75⁽⁹⁾, 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 26 April 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⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78⁽¹¹⁾, 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 957/93 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 28 April 1993.

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

Done at Brussels, 27 April 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 97, 23. 4. 1993, p. 29.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹¹⁾ OJ No L 202, 26. 7. 1978, p. 8.

ANNEX

to the Commission Regulation of 27 April 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 (*)	136,46	143,11
0714 10 91	140,09 (*) (7)	140,09
0714 10 99	138,28	143,11
0714 90 11	140,09 (*) (7)	140,09
0714 90 19	138,28 (*)	143,11
1102 90 10	252,16	258,20
1103 19 10	277,96	284,00
1103 19 30	252,16	258,20
1103 29 10	277,96	284,00
1103 29 20	252,16	258,20
1104 11 10	142,89	145,91
1104 11 90	280,18	286,22
1104 19 30	277,96	284,00
1104 21 10	224,14	227,16
1104 21 30	224,14	227,16
1104 21 50	350,23	356,27
1104 21 90	142,89	145,91
1104 29 15	205,38	208,40
1104 29 35	247,07	250,09
1104 29 95	157,51	160,53
1106 20 10	136,46 (*)	143,11
1107 10 91	249,36	260,24 (*)
1107 10 99	186,32	197,20 (*)
1107 20 00	217,14	228,02 (*)

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

(7) 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.

(7) 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.

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

(*) Products falling within this code, imported from Poland, the Czech and Slovak Federal Republic or Hungary under the Interim Agreements concluded between these 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 990/93

of 26 April 1993

concerning trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas the Community and its Member States have decided to recognize the independence of the Republic of Bosnia-Herzegovina as of 7 April 1992;

Whereas this Republic became a Member of the United Nations as from 23 May 1992;

Whereas the prolonged direct and indirect activities of the Federal Republic of Yugoslavia (Serbia and Montenegro) in, and with regard to, the Republic of Bosnia-Herzegovina are the main cause for the dramatic developments in the Republic of Bosnia-Herzegovina;

Whereas a continuation of these activities will lead to further unacceptable loss of human life and material damage and to a further breach of international peace and security in the region;

Whereas the United Nations Security Council has repeatedly expressed its serious concern about the rapid and violent deterioration of the situation in the Republic of Bosnia-Herzegovina;

Whereas the President of the Republic of Bosnia-Herzegovina has requested the international community to assist his country against the intervention of the Federal Republic of Yugoslavia (Serbia and Montenegro) in the internal affairs of the Republic of Bosnia-Herzegovina;

Whereas the Bosnian Serb party has hitherto not accepted, in full, the peace plan of the International Conference on the Former Yugoslavia in spite of appeals thereto by the Security Council;

Whereas the Community and its Member States, meeting within the framework of political cooperation, have decided that measures have to be taken to dissuade the Republics of Serbia and Montenegro from further violating the integrity and security of the Republic of Bosnia-Herzegovina and to induce the Bosnian Serb party to cooperate in the restoration of peace in this Republic;

Whereas further violations of the existing embargo on the Federal Republic of Yugoslavia (Serbia and Montenegro), in particular by the transit through this Republic and by activities carried out between this Republic and the Serb-controlled areas of Bosnia-Herzegovina and the United Nations Protected Areas in the Republic of Croatia have to be prevented;

Whereas the United Nations Security Council, acting pursuant to Chapter VII of the Charter of the United Nations, has adopted Resolution 820 (1993), in order to strengthen the embargo of the Federal Republic of Yugoslavia (Serbia and Montenegro), decided upon in Resolutions 713 (1991), 757 (1992) and 787 (1992);

Whereas, under these conditions, the Community has to strengthen the embargo of the Federal Republic of Yugoslavia (Serbia and Montenegro) as established by Council Regulations (EEC) No 1432/92⁽¹⁾ and (EEC) No 2656/92⁽²⁾;

Whereas the Community and its Member States have agreed to have recourse to a Community instrument, *inter alia*, in order to ensure a uniform implementation throughout the Community of certain of these measures;

Having regard to the Treaty establishing the European Economic Community and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

1. As from 26 April 1993, the following shall be prohibited:

- (a) the introduction into the territory of the Community of all commodities and products originating in, coming from, or having transited through, the Federal Republic of Yugoslavia (Serbia and Montenegro);
- (b) the export to, or the transit through, the Federal Republic of Yugoslavia (Serbia and Montenegro) of all commodities and products originating in, coming from, or having transited through the Community;
- (c) the entry into the territorial sea of the Federal Republic of Yugoslavia (Serbia and Montenegro) by all commercial traffic;
- (d) any activity the object or effect of which is, directly or indirectly, to promote the transactions mentioned under (a), (b) or (c);

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 4. Regulation as last amended by Regulation (EEC) No 3534/92 (OJ No L 358, 8. 12. 1992, p. 16).

⁽²⁾ OJ No L 266, 12. 9. 1992, p. 27. Regulation as last amended by Regulation (EEC) No 40/93 (OJ No L 7, 13. 1. 1993, p. 1).

- (e) the provision of non-financial services to any person or body for purposes of any business carried out in the Republics of Serbia and Montenegro.

2. As regards air transport and transport by sea and inland waterways respectively, the terms of the prohibition are as follows :

- (a) permission shall be denied to any aircraft to take off from, land in, or overfly, the territory of the Community if it is destined to land in, or has taken off from, the territory of the Republics of Serbia and Montenegro ;
- (b) vessels, in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro), shall be considered, for the purpose of this Regulation and related legislation, vessels of this Republic, regardless of the flag under which the vessel sails.

Article 2

The prohibitions of Article 1 shall not apply to :

- (a) the export from, or transit through, the Community to the Federal Republic of Yugoslavia (Serbia and Montenegro) of medical supplies and foodstuffs, notified to the Committee established pursuant to Resolution 724 (1991) of the United Nations Security Council ;
- (b) the export from, or transit through, the Community to the Federal Republic of Yugoslavia (Serbia and Montenegro) of essential humanitarian supplies, which are approved on a case-by-case basis under its 'no objection' procedure by the said Committee ;
- (c) the introduction into the territory of the Community of commodities and products which originate in, or come from, the Federal Republic of Yugoslavia (Serbia and Montenegro) and were exported from this Republic before 31 May 1992 or which have entered legally for transit through this Republic before 26 April 1993 ;
- (d) transits through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) which are authorized by the said Committee, and provided that, in case of transit on the Danube, each vessel involved is subjected to effective monitoring while passing along the Danube between Vidin/Calafat and Mohács ;
- (e) telecommunications, postal services, legal services consistent with this Regulation and services, whose supply may be necessary for humanitarian or other exceptional purposes and which are approved on a case-by-case basis by the said Committee ;
- (f) the entering by commercial maritime traffic of the territorial sea of the Federal Republic of Yugoslavia

(Serbia and Montenegro) which is authorized on a case-by-case basis by the said Committee or which constitutes a case of *force majeure* ;

- (g) any activity whose object or effect is, directly or indirectly, to promote the activities mentioned under this Article.

Article 3

As from 26 April 1993, the following shall be prohibited :

- (a) the introduction into the territory of the Community of all commodities and products originating in, coming from, or having transited through, the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia-Herzegovina under the control of Bosnian Serb forces ;
- (b) the export to, or transit through, the aforementioned areas, of all commodities and products originating in, coming from, or transiting through, the Community ;

unless properly authorized by the Government of the Republic of Bosnia-Herzegovina or the Government of the Republic of Croatia respectively.

Article 4

The prohibition imposed by Article 3 shall not apply to the export to, import from, or transit through, the areas concerned of essential humanitarian supplies, including medical supplies and foodstuffs distributed by international humanitarian agencies.

Article 5

The following activities shall be subject to prior authorization to be issued by the competent authorities of the Member States :

- (a) exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) of medical supplies, foodstuffs and essential humanitarian supplies in accordance with Article 2 (a) and (b) of this Regulation ;
- (b) transits in accordance with Articles 2 (d) and 3 ;
- (c) exports to, and imports from, the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia-Herzegovina under the control of Bosnian Serb forces in accordance with Article 3.

Article 6

Article 1 shall apply notwithstanding any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence granted before 31 May 1992.

Article 7

The provisions of Articles 1, 3, 5 and 6 do not apply to the activities related to Unprofor, the conference on the former Yugoslavia or the European Community Monitor Mission.

Article 8

All vessels, freight vehicles, rolling stock and aircraft in which a majority or controlling interest is held by a person or undertaking in or operating from the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be impounded by the competent authorities of the Member States.

Expenses of impounding vessels, freight vehicles, rolling stock and aircraft may be charged to their owners.

Article 9

All vessels, freight vehicles, rolling stock, aircraft and cargos suspected of having violated, or being in violation of, Regulation (EEC) No 1432/92 or this Regulation shall be detained by the competent authorities of the Member States pending investigations.

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

Done at Luxembourg, 26 April 1993.

Article 10

Each Member State shall determine the sanctions to be imposed where the provisions of this Decision are infringed.

Where it has been ascertained that vessels, freight vehicles, rolling stock, aircraft and cargos have violated this Regulation, they may be forfeited to the Member State whose competent authorities have impounded or detained them.

Article 11

This Regulation shall apply within the territory of the Community, including its air space and in any aircraft or vessel under the jurisdiction of a Member State, and to any person elsewhere who is a national of a Member State and any body elsewhere which is incorporated or constituted under the law of a Member State.

Article 12

Regulations (EEC) No 1432/92, (EEC) No 2656/92 and (EEC) No 2655/92 are hereby repealed.

Article 13

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

For the Council

The President

B. WESTH

II

(Acts whose publication is not obligatory)

COUNCIL

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

of 26 April 1993

**concerning trade between the European Coal and Steel Community and the
Federal Republic of Yugoslavia (Serbia and Montenegro)**

(93/235/ECSC)

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

Whereas the Community and its Member States have
decided to recognize the independence of the Republic of
Bosnia-Herzegovina as of 7 April 1992;

Whereas this Republic has become a Member of the
United Nations as of 23 May 1992;

Whereas the prolonged direct and indirect activities of
the Federal Republic of Yugoslavia (Serbia and
Montenegro) in, and with regard to, the Republic of
Bosnia-Herzegovina are the main cause for the dramatic
developments in the Republic of Bosnia-Herzegovina;

Whereas a continuation of these activities will lead to
further unacceptable loss of human life and material
damage and to a further breach of international peace and
security in the region;

Whereas the United Nations Security Council has
expressed, repeatedly, its serious concern about the rapid
and violent deterioration of the situation in the Republic
of Bosnia-Herzegovina;

Whereas the President of the Republic of
Bosnia-Herzegovina has asked the international
community to assist his country against the intervention
of the Federal Republic of Yugoslavia (Serbia and
Montenegro) in the internal affairs of the Republic of
Bosnia-Herzegovina;

Whereas the Bosnian Serb party has hitherto not
accepted, in full, the peace plan of the International

Conference on the Former Yugoslavia in spite of appeals
by the Security Council;

Whereas the Community and its Member States, meeting
within the framework of political cooperation, have
decided that measures have to be taken to dissuade the
Federal Republic of Yugoslavia (Serbia and Montenegro)
from further violating the integrity and security of the
Republic of Bosnia-Herzegovina and to induce the
Bosnian Serb party to cooperate in the restoration of
peace in the said Republic;

Whereas further violations of the existing embargo on the
Federal Republic of Yugoslavia (Serbia and Montenegro)
in particular by the transit through this Republic and by
activities carried out between this Republic and the
Serb-controlled areas of Bosnia-Herzegovina and the
United Nations Protected Areas in the Republic of
Croatia have to be prevented;

Whereas the United Nations Security Council, acting
pursuant to Chapter VII of the Charter of the United
Nations, has adopted Resolution 820 (1993), in order to
strengthen the embargo of the Federal Republic of
Yugoslavia (Serbia and Montenegro) decided upon in
Resolutions 713 (1991), 752 (1992) and 787 (1992);

Whereas, under these conditions, the Community has to
strengthen the embargo of the Federal Republic of
Yugoslavia (Serbia and Montenegro) as established by
Decisions 92/285/ECSC⁽¹⁾ and 92/470/ECSC⁽²⁾;

⁽¹⁾ OJ No L 151, 3. 6. 1992, p. 20. Decision as last amended by
Decision 92/555/ECSC (OJ No L 358, 8. 12. 1992, p. 18).

⁽²⁾ OJ No L 266, 12. 9. 1992, p. 29. Decision as last amended by
Decision 93/8/ECSC (OJ No L 7, 13. 1. 1993, p. 11).

Whereas the Community and its Member States have agreed to have recourse to a Community instrument, *inter alia* in order to ensure a uniform implementation throughout the Community of certain of these measures;

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

As from 26 April 1993, the following shall be prohibited:

- (a) the introduction, into the territory of the Community, of all commodities and products covered by the ECSC Treaty originating in, coming from or transiting through, the Federal Republic of Yugoslavia (Serbia and Montenegro);
- (b) the export to, or the transit through, the Federal Republic of Yugoslavia (Serbia and Montenegro) of all commodities and products originating in, coming from, or transiting through the Community;
- (c) the entry into the territorial sea of the Federal Republic of Yugoslavia (Serbia and Montenegro) by all commercial traffic;
- (d) any activity the object or effect of which is, directly or indirectly, to promote the transactions mentioned under (a), (b) or (c).

Article 2

The prohibitions of Article 1 shall not apply to:

- (a) the export or transit through the Community to the Federal Republic of Yugoslavia (Serbia and Montenegro) of essential humanitarian supplies, which are approved on a case-by-case basis under its 'no objection' procedure by the Committee established pursuant to Resolution 724 (1991) of the United Nations Security Council;
- (b) the introduction into the territory of the Community of commodities and products which originate in, or come from, the Federal Republic of Yugoslavia (Serbia and Montenegro) and which were exported from this Republic before 31 May 1992 or which were entered legally for transit through this Republic before 26 April 1993;
- (c) transits through the territory of the Federal Republic of Yugoslavia (Serbia and Montenegro) which are authorized by the Committee referred to under (a) and provided that, in case of transit on the Danube, each vessel involved is subjected to effective monitoring

while passing along the Danube between Vidin/Calafat and Mohacs;

- (d) the entering by commercial maritime traffic of the territorial sea of the Federal Republic of Yugoslavia (Serbia and Montenegro) which is authorized on a case-by-case basis by the aforementioned Committee or which constitutes a case of *force majeure*;
- (e) any activity the object or effect of which is, directly or indirectly, to promote the activities mentioned under this Article;

Article 3

As from 26 April 1993, the following shall be prohibited:

- (a) the introduction into the territory of the Community of all commodities and products originating in, coming from, or having transited through, the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia-Herzegovina under the control of Bosnian Serb forces;
- (b) the export to, or transit through, the aforementioned areas, of all commodities and products originating in, coming from, or transiting through, the Community;

unless properly authorized by the Government of the Republic of Bosnia-Herzegovina or the Government of the Republic of Croatia respectively.

Article 4

The prohibition imposed by Article 3 shall not apply to the export to, import from, or transit through, the said areas, of essential humanitarian supplies, including medical supplies and foodstuffs distributed by international humanitarian agencies.

Article 5

The following activities shall be subject to prior authorization to be issued by the competent authorities of the Member States:

- (a) exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) of commodities and products for essential humanitarian supplies in accordance with Article 2 (a);
- (b) transits in accordance with Articles 2 and 3;
- (c) the exports to, and imports from, the United Nations Protected Areas in the Republic of Croatia and those areas of the Republic of Bosnia-Herzegovina under the control of Bosnian Serb forces in accordance with Article 3.

Article 6

Article 1 shall apply notwithstanding any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence granted before 31 May 1992.

Article 7

The provisions of Articles 1, 3, 5 and 6 do not apply to the activities related to Unprofor, the conference on Yugoslavia or the European Community Monitor Mission.

Article 8

All vessels, freight vehicles, rolling stock and aircraft in which a majority of controlling interest is held by a person or undertaking in, or operating from, the Federal Republic of Yugoslavia (Serbia and Montenegro) shall be impounded by the competent authorities of the Member States.

Expenses of impounding vessels, freight vehicles, rolling stock and aircraft may be charged to their owners.

Article 9

All vessels, freight vehicles, rolling stock, aircraft and cargoes suspected of having violated, or being in violation of, Decision 92/285/ECSC or this Decision shall be detained by the competent authorities of the Member States pending investigations.

Article 10

Each Member State shall determine the sanctions to be imposed where the provisions of this Decision are infringed.

Where it has been ascertained that vessels, freight vehicles, rolling stock, aircraft and cargoes have been in violation of this Decision, they may be forfeited to the Member State, the competent authorities of which have impounded or detained them.

Article 11

This Decision shall apply within the territory of the Community, including its air space and in any aircraft or vessel under the jurisdiction of a Member State, and to any person elsewhere who is a national of a Member State and any body elsewhere which is incorporated or constituted under the law of a Member State.

Article 12

Decision 92/285/ECSC and Decision 92/470/ECSC are hereby repealed.

Article 13

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

Done at Luxembourg, 26 April 1993.

The President

B. WESTH
