

Official Journal

of the European Communities

ISSN 0378-6978

L 142

Volume 36

12 June 1993

English edition

Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1439/93**of 11 June 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 10 June

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 12 June 1993.

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

Done at Brussels, 11 June 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 11 June 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	139,81 ^{(2) (3)}
0712 90 19	139,81 ^{(2) (3)}
1001 10 00	179,45 ^{(1) (2)}
1001 90 91	150,71
1001 90 99	150,71 ⁽²⁾
1002 00 00	154,31 ⁽⁶⁾
1003 00 10	140,51
1003 00 20	140,51
1003 00 80	140,51 ⁽²⁾
1004 00 00	116,95
1005 10 90	139,81 ^{(2) (3)}
1005 90 00	139,81 ^{(2) (3)}
1007 00 90	143,41 ⁽⁴⁾
1008 10 00	52,52 ⁽²⁾
1008 20 00	106,03 ⁽⁴⁾
1008 30 00	56,81 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	56,81
1101 00 00	222,77 ⁽²⁾
1102 10 00	228,64
1103 11 30	289,19
1103 11 50	289,19
1103 11 90	238,95

⁽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 1440/93**of 11 June 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 10 June

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 12 June 1993.

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

Done at Brussels, 11 June 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 11 June 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 6	1st period 7	2nd period 8	3rd period 9
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	2,74	2,74	2,67
1001 90 99	0	2,74	2,74	2,67
1002 00 00	0	0	0	0
1003 00 10	0	1,37	1,37	1,37
1003 00 20	0	1,37	1,37	1,37
1003 00 80	0	1,37	1,37	1,37
1004 00 00	0	1,39	1,39	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	3,83	3,83	3,73

B. Malt

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	4,88	4,88	4,75	4,75
1107 10 19	0	3,64	3,64	3,55	3,55
1107 10 91	0	2,44	2,44	2,44	2,44
1107 10 99	0	1,82	1,82	1,82	1,82
1107 20 00	0	2,12	2,12	2,12	2,12

COMMISSION REGULATION (EEC) No 1441/93

of 10 June 1993

concerning the stopping of fishing for common sole by vessels flying the flag of Belgium

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

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

Whereas Council Regulation (EEC) No 3919/92 of 20 December 1992 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1993 and certain conditions under which they may be fished ⁽³⁾, as last amended by Regulation (EEC) No 927/93 ⁽⁴⁾, provides for common sole quotas for 1993;

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

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES divisions VIII a, b by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated for 1993; whereas Belgium has prohibited

fishing for this stock as from 27 May 1993; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES divisions VIII a, b by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1993.

Fishing for common sole in the waters of ICES divisions VIII a, b by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 27 May 1993.

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

Done at Brussels, 10 June 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 397, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 96, 22. 4. 1993, p. 1.

COMMISSION REGULATION (EEC) No 1442/93

of 10 June 1993

laying down detailed rules for the application of the arrangements for importing bananas into the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas⁽¹⁾, and in particular the second and third subparagraphs of Article 19 (1), the second subparagraph of Article 20 thereof,

Whereas Title IV of Regulation (EEC) No 404/93 lays down the arrangements for importing fresh bananas from third countries, whereas the detailed rules for the application of those arrangements should be laid down;

Whereas, for the purposes of applying the tariff quota arrangements provided for in Articles 18 and 19 of the abovementioned Regulation, the types of operators who may submit import licence applications should be determined; whereas the criteria to be applied must take account of the diversity and complexity of the supply and marketing structures existing in the various Member States at the date of entry into force of the arrangements; whereas they must also ensure that the various types of operators whose specialized business activity is directly dependant on access to the quota enjoy such access without any consequent disruption to normal trade between the various actors in the the marketing chain; whereas the economic agents who have assumed on their own account the greatest commercial burdens and risks connected with the purchasing of fresh products from the producers in third countries, with supplies to the Community market and with ripening should thus be considered 'operators'; whereas, in this respect, the wholesale trade, which is less highly specialized, does not take on the same commercial risks and is not dependent for its continuing business activity on direct access to the tariff quota;

Whereas, for the same reasons and with a view to determining importing rights, the quantities marketed by the above 'operators' should be multiplied by a weighting coefficient to take account of the scale of business concerned and of the commercial risks incurred, whereas

such weighting ensures greater equality of treatment for the various types of operators in the Community and corrects the negative effects of counting the same quantities of products at various stages of marketing more than once over;

Whereas the rules governing the registration of operators and the notifications required for administering the tariff quota should be laid down and the supporting documents for operators' importing rights should be specified;

Whereas, except where derogations are explicitly provided for, Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products⁽²⁾, as last amended by Regulation (EEC) No 2101/92⁽³⁾, should apply; whereas, pursuant to Article 9 of that Regulation, rights arising from licences may be transferred by the holder only once per licence or per extract from a licence during the term of validity thereof;

Whereas the conditions for and the effects of transferring licences should be specified in the light of the definition of the categories of operators and of Article 19 of Regulation (EEC) No 404/93; whereas, in order to encourage the continuation and development of trade between the various economic agents in the industry, transfers must be permitted on the one hand between operators in the same category and on the other hand between operators in Categories A and B or to the new operators in Category C; whereas, however, artificial trade, speculation or disturbance of normal trade should not be encouraged by permitting transfers from new operators to those in Categories A and B;

Whereas, as a result of Article 19 (1) and (2) of Regulation (EEC) No 404/93 regarding the use of operators' reference quantities to determine their rights to import the effects of licence are necessarily limited; whereas Category B operators' rights to import depend exclusively on the quantities of traditional ACP or Community bananas which they have marketed;

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽³⁾ OJ No L 210, 25. 7. 1992, p. 18.

Whereas import licences should only be issued on presentation of certificates of origin issued by the countries concerned in order to check the origin of traditional ACP bananas;

Whereas, with a view to management of the banana market and in order to assist in drawing up the annual forecast supply balance provided for in Article 16 of Regulation (EEC) No 404/93, the Member States must provide the Commission with statistical data on the banana market;

Whereas the Management Committee for Bananas, failed to deliver an opinion within the time allowed by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for the application of the arrangements for importing bananas under the tariff quota provided for in Articles 18 and 19 of Regulation (EEC) No 404/93, for importing bananas outside that quota and for importing bananas originating in the ACP States.

TITLE 1

DETAILED RULES FOR THE APPLICATION OF THE TARIFF QUOTA ARRANGEMENTS

Article 2

The following tariff quota is hereby opened for the second half of 1993:

- (a) 665 000 tonnes for the category of operators who prior to 1992 marketed third-country bananas and/or non-traditional ACP bananas within the meaning of Article 15 of the abovementioned Regulation, hereinafter referred to as 'Category A' ;
- (b) 300 000 tonnes for the category of operators who have marketed Community bananas and/or traditional ACP bananas, hereinafter referred to as 'Category B' ;
- (c) 35 000 tonnes for the category of operators who commenced marketing bananas other than Community bananas and/or traditional ACP bananas as from 1992 or thereafter, hereinafter referred to as 'Category C'.

Article 3

1. Economic agents, whether natural or legal persons, individual agents or groups, established in the Community during the period determining their reference quantities and at the time of their registration pursuant to Article 4 shall be deemed 'operators' in Category A and/or Category B for the purposes of Articles 18 and 19 of Regulation (EEC) No 404/93 and may hold import licences where they have engaged in one or more of the following activities on their own account:

- (a) the purchase of green third-country and/or ACP bananas from the producers, or where applicable, the production, consignment and sale of such products in the Community;
- (b) as owners, the supply and release for free circulation of green bananas and sale with a view to their subsequent marketing in the Community; the risks of spoilage or loss of the product shall be equated with the risk taken on by the owner;
- (c) as owners, the ripening of green bananas and their marketing within the Community.

As far as bananas harvested in the Community are concerned, economic agents, whether natural or legal persons, individual agents or groups, who have purchased the products from the producers or, where applicable, have produced and consigned them and who subsequently sell them for marketing shall be treated in the same way as economic agents who engage in the activity described in (a).

Operators who were granted the option, under the previous arrangements applying in Portugal, of importing bananas shall be treated in the same way as the economic agents who engage in the activity described in (a); the quantity concerned may not be taken into account for the purposes of determining the reference quantity of another operator in respect of the activity described in (a).

2. Wholesalers and retailers shall not be considered operators by virtue solely of such activities.

3. The minimum quantity referred to in the second subparagraph of Article 18 (1) of Regulation (EEC) No 404/93 in respect of the economic activities mentioned in paragraph 1 shall be 250 tonnes marketed in any one of the three years of the reference period.

The minimum quantity shall be 20 tonnes where only bananas less than or equal to 10 cm in length are marketed.

4. Operators who are formed as a result of mergers of operators each of whom holds importing rights pursuant to this Article shall enjoy the same rights as the operators from which they are formed.

Article 4

1. The competent authorities of the Member States shall draw up separate lists of operators in Categories A and B and the quantities which each operator has marketed in each of the three years prior to that preceding the year for which the tariff quota is opened, broken down according to economic activity as described in Article 3 (1).

Operators shall register themselves and shall establish the quantities they have marketed by submitting individual written applications on their own initiative in a single Member State of their choice.

The competent authorities in each Member State shall be as listed in Annex I.

2. The operators concerned shall notify the competent authorities at the latest by 1 September 1993 as regards 1994, by 1 April each year thereafter of the overall quantities of bananas marketed in each of the years referred to in paragraph 1, breaking them down clearly:

(a) according to origin, pursuant to the definition laid down in Article 15 of Regulation (EEC) No 404/93, as follows:

- of imports from non-ACP third countries and non-traditional imports from ACP States,
- traditional imports from ACP States within the quantities set out in the Annex to Regulation (EEC) No 404/93, specifying the quantity by State,
- Community bananas, specifying the region of production;

(b) according to economic activity as described in Article 3 (1).

3. The operators concerned shall make the supporting documents specified in Article 7 available to the authorities.

4. By 1 October each year Category C operators established in the Community must submit their applications for the allocation of annual quantities to the competent authority in any one Member State. Before 10 October each year the competent authorities shall inform the Commission on the total quantity covered by applications from the operators registered with them and shall transmit to it a list of those operators. If the total quantity covered by applications exceeds the quantities fixed pursuant to Article 19 (1) (c) of Regulation (EEC) No 404/93, the quantities in applications shall be reduced by a percentage determined by the Commission. Before

1 November each year the competent authorities shall inform Category C operators of the quantities allocated to them.

5. At the latest by 20 September 1993 as regards 1994 and by 1 May each year thereafter, the competent authorities shall forward to the Commission the lists of operators referred to in Article 4 with the quantities marketed by each.

As and when required, the Commission shall forward these lists to the other Member States with a view to detecting or preventing inaccurate declarations by operators.

Article 5

1. At the latest by 1 October 1993 as regards 1994 and by 1 July each year thereafter, the competent authorities shall establish for each Category A and Category B operator registered with them the average quantities marketed during the three years prior to the year preceding that for which the quota is opened, broken down by economic activity in accordance with Article 3 (1). That average shall be termed the operator's 'reference quantity'.

The reference quantities for Category A operators shall be determined on the basis of their trade in third-country and non-traditional ACP bananas, excluding bananas imported under licences issued to operators in Categories B and/or C. The reference quantities of Category B operators shall be determined on the basis of their trade in Community and traditional ACP bananas.

2. The quantities marketed shall be multiplied by the following weighting coefficients depending on the economic activity as referred to in Article 3 (1):

- activity (a): 57 %,
- activity (b): 15 %,
- activity (c): 28 %.

Reference quantities as referred to in the first subparagraph of paragraph shall be established on the basis of an average over a three-year period even where the operator has not marketed bananas for one or two years of that period.

3. The competent authorities shall notify the Commission at the latest by 15 October 1993 as regards 1994 and by 15 July each year thereafter of the total reference quantities weighted pursuant to paragraph 2 and the total quantities of bananas marketed in respect of each activity by operators registered with them.

Article 6

Depending on the annual tariff quota and the total reference quantities of operators as referred to in Article 5, the Commission shall fix, where appropriate, a single reduction coefficient for each category of operators to be applied to operators' reference quantities to determine the quantity to be allocated to each.

The Member States shall determine the quantities for each operator in Categories A and/or B registered with them and shall notify the latter thereof individually at the latest by 1 November 1993 as regards 1994 and by 1 August each year thereafter.

Article 7

At the request of the competent authorities of the Member States, the following documents may be submitted to establish the quantities marketed by each operator in Categories A and B registered with them:

- the copy delivered to the importer of the Single Administrative Document (SAD) or, where applicable, his copy of the document for simplified declarations,
- a copy of the T2 declaration issued pursuant to Article 37 of Regulation (EEC) No 2726/90⁽¹⁾ and Article 18 (2) of Commission Regulation (EEC) No 1214/92⁽²⁾ for transactions effected during the reference period,
- original sales invoices or certified copies thereof,
- any relevant supporting documents such as national import documents issued and used before the entry into force of these arrangements,
- import licences issued pursuant to this Regulation and documents testifying to the marketing of bananas produced in the Community.

Article 8

The competent authorities shall conduct all necessary checks to verify the validity of applications and supporting documents submitted by operators. To that end they may in particular take account of expert opinions and reports drawn up by internal and independent auditors.

Article 9

1. Indicative quantities shall be fixed for each quarter for the purposes of issuing import licences using data and forecasts relating to the Community market, on the basis of the forecast supply balance for production and

consumption in the Community and of imports and exports as referred to in Article 16 of Regulation (EEC) No 404/93.

2. During the first week of the last month of each quarter, operators shall submit their import licence applications in respect of the following quarter for up to the quantity which may be allowed in the quarter in question of the total annual quantity allocated to them, to the competent authorities of the Member State in which they submitted their applications for registration as referred to in Article 4. For the second half of 1993 those quantities shall be determined using the percentages set out in Annex II.

3. Where the quantities covered by import licence applications from one or more of the categories of operators appreciably exceed the indicative quantity fixed, a single percentage shall be set, to be applied to applications before paragraph 5 is applied, to reduce the quantities allocated. That reduction shall not apply to applications relating to 150 tonnes or less.

4. Licence applications submitted:

- by operators in Category A shall bear the words 'Licence application — "Category A" — Regulation (EEC) No 1442/93',
- by operators in Category B shall bear the words 'Licence application — "Category B" — Regulation (EEC) No 1442/93',
- by operators in Category C shall bear the words 'Licence application — "Category C" — Regulation (EEC) No 1442/93'.

5. The competent authorities shall issue import licences to each operator in each separate category on the basis of the annual quantity allocated to him pursuant to Article 6.

Article 10

1. Withing the two working days following the closing date for the submission of applications the competent authorities shall notify the Commission of the individual quantities of bananas covered by import licence applications in respect of each category defined in Article 1, stating separately the total quantity covered by individual applications for 150 tonnes or less.

2. The Member States shall notify the Commission of the quantities covered by unused or partly used import licences, corresponding to the difference between the quantities attributed on the back of licences and the quantities for which the latter were issued.

3. Quantities unused shall be reallocated on application to the same operators the following quarter.

⁽¹⁾ OJ No L 262, 26. 9. 1990, p. 1.

⁽²⁾ OJ No L 132, 16. 5. 1992, p. 1.

Article 11

1. Import licences shall be issued not later than the 21st day of the last month of each quarter in respect of the following quarter. Where that day is not a working day, licences shall be issued not later than the first following working day.

2. The term of validity of import licences shall expire on the seventh day of the fourth month following the month of issue.

Article 12

1. Before the expiry of the term of validity of import licences, the operators concerned shall declare forthwith to the competent national authorities the quantities of third-country bananas and of non-traditional ACP bananas released for free circulation and intended for re-export outside the Community. They shall return the originals of attributed import licences to the authorities.

2. The competent authorities shall notify the Commission at the end of each quarter of the quantities intended for re-export, specifying in each case the category of operators to whom the import licences have been issued.

3. Quantities which become available as a result of re-export shall be reallocated during the marketing year in question to the operators who released for free circulation the quantities to be re-exported.

4. The competent authorities shall ensure that the quantities declared pursuant to paragraph 1 are actually re-exported from the Community.

Article 13

Rights accruing from import licences issued pursuant to this Title may be transferred by the holder during their term of validity to a single transfer per licence and per extract from a licence in accordance with the conditions set out below.

1. Rights may be transferred :

- (a) between operators belonging to the same category ;
- (b) from Category A operators to Category B operators and *vice versa* ;
- (c) from operators in Category A or B to the new operators in Category C.

2. Transfers of rights by Category C operators to operators in Categories A and/or B shall not be permitted.

3. In the event of a transfer of rights from a Category A operator to another operator in Category A or C, the

quantity transferred shall be taken into account when the reference quantities as referred to in Article 5 are calculated for the two operators, in order to reduce the reference quantity of the transferor and to increase that of the transferee.

4. Obligations arising from licences shall not be transferred.

TITLE II

DETAILED RULES APPLICABLE TO IMPORTS OF TRADITIONAL ACP BANANAS

Article 14

1. Quarterly indicative quantities shall be fixed for the purposes of issuing import licences for bananas originating in the ACP States on the basis of the criteria laid down in Article 9 (1).

As regards the second half of 1993, those quantities shall be as set out in Annex II.

2. Import licence applications shall be lodged with the competent authorities of any Member State during the first week of the last month of each quarter.

3. Licence applications for traditional ACP bananas within the meaning of Article 15 of Regulation (EEC) No 404/93 may not cover a quantity higher than that set out in the Annex to that Regulation for any particular country of origin.

4. Import licence applications shall only be admissible where :

- (a) they are accompanied by the original of a certificate drawn up by the competent authorities of the country concerned testifying to the origin of the bananas in accordance with the model in Annex III and bearing the words 'Traditional ACP bananas — Regulation (EEC) No 404/93' under the heading 'Notes' and in Section 5 ;
- (b) they are accompanied by proof, in the form of a copy of the bill of loading, that the bananas were loaded in the country of origin which issued the certificate referred to in (a) and, where that country has the goods loaded for export in a port in a neighbouring country, by a transport document certifying the transfer of the goods from the country of origin to the port of shipment. Where the copy of the bill of loading is not presented, a security of ECU 5/tonne shall be lodged. That security shall be released immediately on presentation of the said document ;

- (c) they do not relate to a quantity in excess of that set out in the documents referred to in (a) and (b).

Article 15

Licence applications and licences shall show:

1. the words 'Traditional ACP bananas — Regulation (EEC) No 404/93' under the heading 'Notes' and in Section 24;
2. the ACP country of origin in Section 8.

Licences shall carry with them an obligation to import from the ACP State specified.

Article 16

1. Within the two working days following the closing date for the submission of applications, the competent national authorities shall notify the Commission of the quantities covered by licence applications with details of the ACP country of origin.

The Commission shall determine forthwith the quantities for which licences may be issued.

2. Where quantities applied for and originating in one and the same ACP State listed in the Annex to Regulation (EEC) No 404/93 exceed the traditional quantities fixed in that Annex and, in the case of the second half of 1993, half of those quantities, or, where applicable, the indicative quantities fixed for the period in question, the Commission shall set a single percentage to be applied to all licence applications mentioning that country of origin, to reduce the quantities allocated.

3. Where import licences are issued for all the traditional quantities from the same country of origin, the Commission shall notify the Member States and operators forthwith that any further imports from that country during the year in question shall be considered non-traditional.

Article 17

1. The competent national authority shall issue the licences not later than the 21st day of the last month of each quarter. Where that day is not a working day, the licences shall be issued on the first following working day at the latest.

2. The term of validity of import licences shall expire on the seventh day of the fourth month following the month of issue.

3. The Member States shall notify the Commission of the quantities covered by unused or partly used import licences.

4. Unused quantities shall be re-allocated on application to the same operators the following quarter.

TITLE III

DETAILED RULES APPLICABLE TO IMPORTS OF BANANAS OUTSIDE THE QUOTA

Article 18

1. Import licences shall be required for imports of third-country bananas and of non-traditional ACP bananas into the Community outside the tariff quota.
2. Import licence applications may be submitted in any Member State. Section 20 of licence applications and of licences shall bear the words 'Imported outside tariff quota — Regulation (EEC) No 404/93'.
3. The licences shall be issued forthwith. Licences shall be valid for three months.
4. The Member States shall notify the Commission on the second and fourth Wednesdays of each month of the quantities covered by licences issued.

TITLE IV

GENERAL PROVISIONS

Article 19

Import licence applications shall be accompanied by proof that a security has been lodged pursuant to Title III of Commission Regulation (EEC) No 2220/85⁽¹⁾. The security shall amount to ECU 15 per tonne.

Where licences are issued for quantities lower than those applied for, the security shall be released forthwith in respect of the quantity not allocated.

Article 20

The provisions of Regulation (EEC) No 3719/88 shall apply with the exception of Article 8 (4) and (5) thereof and save as otherwise provided for in this Regulation.

Article 33 (5) of the abovementioned Regulation shall apply.

Article 21

The Member States shall forward the following statistical and economic data at the intervals indicated:

- each Wednesday, the wholesale prices, broken down by the country of origin, for yellow bananas recorded the preceding week on the representative markets listed in Article 4 of Commission Regulation (EEC) No 2118/74⁽²⁾,

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

⁽²⁾ OJ No L 220, 10. 8. 1974, p. 20.

- each Wednesday, in respect of the preceding week, the quantities released for free circulation, broken down according to the category of licence as set out in Article 9 (4),
- on Wednesdays in the second and fourth weeks of each month, the quantity of Community bananas covered by T 2 documents applied for to the competent authorities,
- on the 20th day of each month in respect of the preceding month, data on the quantity and value of bananas, broken down by country of origin, which

have been released for free circulation in their territory,

- on request, forecasts for production and consumption.

Article 22

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, 10 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

The authorities of the Member States competent for compiling the lists of operators and of quantities marketed are as follows:

- *Belgium*:
Office central des contingents et licences
Rue de Mot 24/26
B-1040 Bruxelles
- *Denmark*:
EF-Direktoratet
Frederiksberggade 18
DK-1360 København K
- *Germany*:
Bundesamt für Ernährung und Forstwirtschaft
Referat 35
until 30 June 1993:
Adickesallee 40
D-6000 Frankfurt am Main
from 1 July 1993:
Postfach 180203
D-60083 Frankfurt am Main
Adickesallee
D-60322 Frankfurt am Main
- *Spain*:
Dirección General de Comercio Exterior
Pº de la Castellana 162 — planta 4º
E-28071 Madrid
- *Greece*:
Ministère de l'agriculture
DG de la production végétale
Direction 'Dentrokiptikis'
2, rue Acharnon
GR-10176 Athènes
- *France*:
Ministère de l'agriculture
Direction de la production et des échanges (DPE)
Sous-direction des productions végétales
Bureau des fruits, des légumes et de l'horticulture
3, rue Barbet de Jouy
F-75007 Paris
- *Ireland*:
Department of Agriculture, Food and Forestry
Horticulture Division
Agriculture House (7W)
Kildare Street
IRL-Dublin 2
- *Italy*:
Ministero del commercio con l'estero
DG Import/Export — Div. IV
Viale Boston
I-00144 Roma
- *Luxembourg*:
Ministère de l'agriculture
Administration des services techniques de l'agriculture
Service de l'horticulture
16, route d'Esch
BP 1904
L-1019 Luxembourg
- *Netherlands*:
Produktschap voor Groenten en Fruit
Bezuidenhoutseweg 153
NL-2594 AG Den Haag
Postbus 90403
NL-2509 LK Den Haag
- *Portugal*:
Ministério do Comércio e Turismo
Direcção-Geral do Comércio
Avenida da República, nº 79
P-1000 Lisboa
- *United Kingdom*:
Intervention Board
External Trade Division
Lancaster House
Hampshire Court
UK-Newcastle NE4 7YE

*ANNEX II***Indicative quantities for 1993**

1. The percentages for 1993 pursuant to Article 9 (2) are :
 - July to September : the special transitional measures provided for in Regulation (EEC) No 1442/93 apply,
 - October to December : 64 %.
 2. The indicative quantities for 1993 pursuant to Article 14 (1), expressed as a percentage of the volumes determined for each origin in the Annex to Regulation (EEC) No 404/93, are :
 - July to September : 23 %,
 - October to December : 27 %.
-

ANNEX III

1. Consignor	CERTIFICATE OF ORIGIN for imports of agricultural products into the European Economic Community No ORIGINAL	
2. Consignee (optional)	3. ISSUING AUTHORITY	
	4. Country of origin	
NOTES A. The certificate must be completed in typescript or by means of a mechanical data-processing system, or similar procedure. B. The original of the certificate must be lodged together with the declaration of release for free circulation with the relevant customs office in the Community.	5. Remarks	
6. Item number — Markings and numbers — Number and kind of packages — Description of goods		7. Gross and net mass (kg)
8. THIS IS TO CERTIFY THAT THE ABOVE PRODUCTS ORIGINATE IN THE COUNTRY INDICATED IN BOX 4 AND THAT THE INDICATIONS IN BOX 5 ARE CORRECT. Place and date of issue Signature Issuing authority's stamp		
9. RESERVED FOR THE CUSTOMS AUTHORITIES IN THE COMMUNITY		

COMMISSION REGULATION (EEC) No 1443/93**of 10 June 1993****on transitional measures for the application of the arrangements for importing bananas into the Community in 1993**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 404/93⁽¹⁾ of 13 February 1993, on the common organization of the market in bananas, and in particular Articles 19, 20 and 30 thereof,

Whereas Commission Regulation (EEC) No 1442/93 laying down detailed rules for the application of the arrangements for importing bananas into the Community⁽²⁾, establishes the detailed provisions for the operation of the Community banana market;

Whereas transitional measures are necessary to ensure that operators can be given a provisional quantity allocated from the tariff quota to be used from 1 July 1993;

Whereas in order to determine operators' provisional quantity allocated a reduction coefficient is to be applied; whereas the reduction coefficients are determined from an estimate of total reference quantities for both Category A and Category B operators, based on the volume of trade in the reference period as recorded by Eurostat statistics, and the likely volume of licence required in the period 1 July to 30 September, based on past trade volumes in the same period;

Whereas transitional measures are necessary to ensure that licences to import traditional ACP bananas can be available on 1 July 1993;

Whereas bananas which were already in transit to the Community before 23 June 1993, but which arrive in the Community on or after 1 July 1993 shall be exempt from licensing requirements;

Whereas the Management Committee for Bananas, failed to deliver an opinion within the time allowed by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. This Regulation establishes transitional measures for the application of the regime for the import of bananas into the Community in 1993.

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ See page 6 of this Official Journal.

2. The provisions of Regulation (EEC) No 1442/93 shall apply unless otherwise specified in this Regulation.

TITLE I**MANAGEMENT OF THE TARIFF QUOTA***Article 2*

1. Category A and Category B operators, as defined in Regulation (EEC) No 1442/93, shall make their applications for registration and the competent authorities of the Member States shall establish lists of operators in the manner described in Article 4, paragraphs 1, 2 and 3 of the said Regulation, by 7 July 1993. Operators shall provide information on the volume of bananas they marketed in the years 1989, 1990 and 1991.

2. Category C operators, as defined in the Regulation (EEC) No 1442/93 shall register with a competent authorities in a Member State of their choice by 24 June 1993. The competent authorities of the Member States shall inform the Commission of the number of Category C operators registered with them by 25 June 1993.

Article 3

1. On the basis of the information received in accordance with Article 2 (1), the competent authorities of the Member States shall calculate a provisional reference quantity for each operator according to Article 5 of Regulation (EEC) No 1442/93. The Competent Authorities shall send to the Commission no later than 16 July 1993 the total of those provisional reference quantities for the operators registered with them.

2. The competent authorities of the Member States shall verify, in accordance with Articles 4 (3), 7 and 8 of Regulation (EEC) No 1442/93, the volumes of bananas marketed which have been notified by operators in response to Article 2 (1) by 17 August 1993. On the basis of those verified quantities the competent authorities shall recalculate reference quantities for each operator. The competent authorities shall send to the Commission no later than 20 August 1993 the total of those reference quantities for the operators registered with them and the total volumes of trade in each of the categories described in Article 3 of the said Regulation.

Article 4

1. On the basis of the provisional reference quantity established in Article 3 (1) the competent authorities of the Member States shall determine a provisional quota allocation for each Category A and Category B operator for the period from 1 July to 30 September 1993. Each provisional quota allocation shall be determined by applying the following reduction coefficients to the provisional reference quantity:

- for Category A operators = 0,15647,
- for Category B operators = 0,11299.

2. The competent authorities shall inform each operator of his provisional quantity allocated within five working days of his registration.

3. Within the limits of their provisional quantity allocated, Category A and B operators shall present their applications for import licences to the competent authority in the Member State in which they are registered, in accordance with Article 2 (1), within 12 working days of their registration. The competent authority shall issue the corresponding licences without delay.

Article 5

1. On the basis of the reference quantity referred to in Article 3 (2) the competent authorities of the Member States shall determine the quantity allocated to each operator for the period from 1 July to 31 December 1993, in accordance with Article 6 of Regulation (EEC) No 1442/93. The competent authorities shall inform each operator of his allocation by 31 August 1993.

2. The volume as covered by the licences which an operator can request in September 1993 shall be determined on the basis of the quantity allocated as provided for in paragraph 1, less the volume covered by the licences issued to that operator in the period 1 July to 30 September 1993.

Article 6

1. The competent authorities of the Member States shall inform Category C operators of the quantity allocated to them for 1993 by 29 June 1993.

2. Category C operators shall present requests for licences to the competent authority of the Member State in which they are registered by 7 July 1993 within the limits of the percentages of the quantity allocated set out below:

- 1 July to 30 September: 60 %,
- 1 October to 31 December: 64 %.

3. The competent authorities shall issue the licences without delay.

TITLE II

MANAGEMENT OF THE IMPORT OF TRADITIONAL ACP BANANAS

Article 7

1. Applications for licences to import traditional ACP bananas in the period 1 July to 30 September 1993 shall be presented before 7 July 1993 to the competent authority of any Member State. Subject to the requirements of paragraph 4, these applications need not be accompanied by the documents required by Article 14 (4) of Regulation (EEC) No 1442/93.

2. The competent authorities shall issue licences for half of the quantity without delay.

3. The competent authorities of the Member States shall notify the Commission, before 13 July 1993, of the quantities covered by applications with details of the ACP country of origin.

4. Traders shall provide the competent authority of the Member States from which they requested licences by 31 July 1993 with the documents required by Article 14 (4) of Regulation (EEC) No 1442/93 for the full requested volume of licences. On receipt of these documents, and after the application of any reduction coefficient determined according to Article 16 of the said Regulation, the competent authority shall issue the remaining volume covered by the licences requested, without delay.

5. If the documents described in paragraph 4 above are not presented to the competent authority by 31 July 1993, the remaining licence requested will not be issued to the trader and the guarantee on the issued licence will be forfeit.

TITLE III

GENERAL PROVISIONS

Article 8

Import licences issued in accordance with this Regulation shall be valid until 7 October 1993 inclusive.

Article 9

1. An import licence will not be required for bananas which were dispatched from the country where they were produced before 23 June 1993 but which were landed in the Community on or after 1 July 1993. The importers concerned shall provide proof that the consignment of bananas in question met the above requirements. This proof shall consist of:

- in the case of transport by sea or waterway, the bill of loading showing that loading took place before 23 June 1993,

- in the case of transport by rail, the consignment note accepted by the railways of the expediting country before 23 June 1993,
- in the case of transport by road, the TIR carnet presented to the first customs office before 23 June 1993,
- in the case of transport by air, the air consignment note showing that the airline received the products before 23 June 1993.

2. The bananas referred to in paragraph 1 which come from third countries will be subject to a tariff of ECU 100 per tonne, and those from ACP States will be subject to a zero duty.

Article 10

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, 10 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1444/93

of 11 June 1993

repealing the Annex to Regulation (EEC) No 3805/92 establishing, for 1993, the list of vessels exceeding eight metres length overall and permitted to fish for sole within certain areas of the Community using beam trawls whose aggregate length exceeds nine metres

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

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources⁽¹⁾, as last amended by Regulation (EEC) No 3034/92⁽²⁾,

Having regard to Commission Regulation (EEC) No 3554/90 of 10 December 1990 adopting provisions for the establishment of the list of vessels exceeding eight metres length overall which are permitted to fish for sole within certain areas of the Community using beam trawls on an aggregate length exceeding nine metres⁽³⁾, and in particular Article 1 (1) thereof,

Whereas Article 9 (3) (c) of Regulation (EEC) No 3094/86 provides for a list to be drawn up annually of vessels exceeding eight metres length overall and permitted to fish for sole within the areas mentioned in point (a) of that paragraph using beam trawls of an aggregate length in excess of nine metres;

Whereas the list for 1993 was published in the Annex to Commission Regulation (EEC) No 3805/92⁽⁴⁾;

Whereas the authorities of certain Member States have requested amendments to the Annex to Regulation (EEC)

No 3805/92 concerning vessels meeting the conditions laid down in Article 1 of that Regulation; whereas those amendments relate to the replacement, addition and/or withdrawal of vessels and to the technical characteristics of certain vessels on that list; whereas the requests from those national authorities contain all the information necessary pursuant to Article 2 of Regulation (EEC) No 3554/90; whereas an evaluation of that information shows that it complies with the abovementioned provision and whereas the list should accordingly be replaced,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3805/92 is hereby replaced in accordance with the Annex hereto.

Article 2

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

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

Done at Brussels, 11 June 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 307, 23. 10. 1992, p. 1.

⁽³⁾ OJ No L 346, 11. 12. 1990, p. 11.

⁽⁴⁾ OJ No L 384, 30. 12. 1992, p. 20.

ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO — BIJLAGE — ANEXO

Matrícula y folio	Nombre del barco	Indicativo de llamada de radio	Puerto base	Potencia del motor (kW)
Havnekendings-bogstaver og -nummer	Fartøjets navn	Radio-kaldesignal	Registreringshavn	Maskin-effekt (kW)
Äußere Identifizierungskennbuchstaben und -nummern	Name des Schiffes	Rufzeichen	Registrierhafen	Motorstärke (kW)
Εξωτερικά αναγνωριστικά στοιχεία Γράμματα και αριθμοί	Όνομα του σκάφους	Αριθμός κλήσης ασυρμάτου	Λιμένας νηολόγησης	Ισχύς μηχανών (kW)
External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
Numéro d'immatriculation lettres + chiffres	Nom du bateau	Indicatif d'appel radio	Port d'attache	Puissance motrice (kW)
Identificazione esterna lettere + numeri	Nome del peschereccio	Indicativo di chiamata	Porto di immatricolazione	Potenza motrice (kW)
Op de romp aangebrachte identificatieletters en -cijfers	Naam van het vaartuig	Roepletters	Haven van registratie	Motorvermogen (kW)
Identificação externa letras + números	Nome do navio	Indicativo de chamada	Porto de registo	Potência motriz (kW)
1	2	3	4	5

BÉLGICA / BELGIEN / BELGIEN / BELGIO / BELGIUM / BELGIQUE / BELGIO / BELGIË / BÉLGICA

A	2	Nancy	OPAB	Antwerpen	213
B	601	Van Maerlant	OPYA	Blankenberge	221
BOU	4	Astrid	OPAD	Boekhoute	79
BOU	6	Anja	OPAF	Boekhoute	103
BOU	7	De Enige Zoon	OPAG	Boekhoute	219
BOU	24	Beatrix	OPAX	Boekhoute	202
K	8	Aquarius	OPAH	Kieldrecht	220
K	13	Morgenster	OPAM	Kieldrecht	218
N	22	Zeester	OPAV	Nieuwpoort	183
N	86	Surcouf	OPDH	Nieuwpoort	143
N	555	Valentino	OPVY	Nieuwpoort	110
N	782	Nancy	OQFD	Nieuwpoort	110
O	20	Goewind	OPAT	Oostende	110
O	32	Jessica	OPBF	Oostende	99
O	49	Steve	OPBW	Oostende	143
O	62	Dini	OPCJ	Oostende	221
O	64	Black Jack	OPCL	Oostende	143
O	82	St Antoine	OPDD	Oostende	138
O	100	Emilie	OPDV	Oostende	176
O	101	Benny	OPDW	Oostende	184
O	110	Jeaninne Margaret	OPEF	Oostende	193
O	142	Hermes	OPFL	Oostende	191
O	152	John	OPFV	Oostende	221
O	211	Christoph	OPIC	Oostende	158

1	2	3	4	5
O 225	Normam Kim	OPIQ	Oostende	184
O 455	Zeesymphonie	OPSC	Oostende	184
O 468	Aran	OPSP	Oostende	132
O 481	Bi Si Pi	OPTC	Oostende	165
O 533	Virtus	OPVC	Oostende	147
O 536	Zeevalk	OPVF	Oostende	166
O 552	Marathon	OPVV	Oostende	99
Z 12	Sabrina	OPAL	Zeebrugge	210
Z 56	Orka	OPCD	Oostende	220
Z 88	Nova Cura	OPDJ	Zeebrugge	104
Z 403	Stern	OPQC	Zeebrugge	110
Z 430	Margibel	OPRD	Zeebrugge	184
Z 445	Marina	OPRS	Zeebrugge	221
Z 447	Hurricane	OPRU	Zeebrugge	143
Z 472	Condor	OPST	Zeebrugge	132
Z 474	Argo	OPSV	Zeebrugge	220
Z 554	Lucky Star II	OPVX	Zeebrugge	191
Z 582	Asannat	OPWZ	Zeebrugge	107
Z 586	Mermaid	OPXD	Zeebrugge	177

ALEMANIA / TYSKLAND / DEUTSCHLAND / ГЕРМАНИЯ / GERMANY / ALLEMAGNE / GERMANIA /
DUITSLAND / ALEMANHA

ACC 2	Emma	DCGK	Accumersiel	175
ACC 3	Harmonie	DCRK	Accumersiel	183
ACC 4	Freya	DCGU	Accumersiel	175
ACC 5	Anita	DCPF	Accumersiel	146
ACC 7	Elke	DCGN	Accumersiel	175
ACC 9	Ozean	DCHJ	Accumersiel	219
ACC 10	Komet	DCWK	Accumersiel	218
ACC 11	Helene	DJDR	Accumersiel	183
ACC 12	Poseidon	DCFL	Accumersiel	176
ACC 16	Edelweiss	DCPJ	Accumersiel	144
AG 8	Eltje Looden	DCKC	Greetsiel	146
BEN 2	Möwe	DCET	Bensersiel	188
BÜS 4	Adler	DJIC	Büsum	100
CUX 1	Cuxi	DFNB	Cuxhaven	104
CUX 2	Troll	DG 4396	Cuxhaven	97
CUX 3	Seestern	DFJO	Cuxhaven	130
CUX 6	Heimkehr	DEKY	Cuxhaven	130
CUX 7	Edelweiss	DFBO	Cuxhaven	162
CUX 8	Johanna		Neuhaus-Oste	92
CUX 9	Nordlicht		Cuxhaven	138
CUX 13	Fortuna	DJEN	Cuxhaven	134
DAN 3	Seestern		Dangast	68
DIT 1	Berendine	DCSY	Ditzum	188
DIT 2	Annäus-Bruhns	DCIC	Ditzum	110
DIT 5	Gertje Bruhns	DCPV	Ditzum	147
DIT 6	Heike	DCRE	Ditzum	170
DIT 9	Condor	DCVS	Ditzum	180
DIT 18	Jan Bruhns	DETV	Ditzum	217
DOR 2	Hoffnung	DESX	Dorum	161
DOR 4	Saphir	DFAX	Dorum	216
DOR 5	Stör	DFAT	Dorum	164
DOR 8	Delphin	DEUP	Dorum	137
DOR 12	Sirius	DESC	Dorum	165
DOR 13	Dithmarschen	DIZM	Dorum	125
DOR 15	Else		Dorum	124
DOR 16	Poseidon	DFCS	Dorum	220
FED 1	Orion	DDMP	Fedderwardsiel	184
FED 2	Sirius		Fedderwardsiel	147
FED 3	Venus	DLIL	Fedderwardsiel	217

1		2	3	4	5
FED	4	Christine	DLIG	Fedderwardersiel	180
FED	5	Butjadingen	DDHN	Fedderwardersiel	183
FED	6	Vörut	DDDT	Fedderwardersiel	93
FED	9	Bianka	DLIX	Fedderwardersiel	191
FED	10	Edelweiss	DDJB	Fedderwardersiel	180
FED	11	Nordstern		Fedderwardersiel	93
FED	12	Rubin	DDIT	Fedderwardersiel	183
FRI	1	Saturn	DIRJ	Friedrichskoog	138
FRI	3	Holsatia	DIST	Friedrichskoog	151
FRI	7	Polarstern	DIRH	Friedrichskoog	151
FRI	18	Adler	DIQL	Friedrichskoog	134
FRI	20	Falke	DIQT	Friedrichskoog	130
FRI	23	Godewind	DIRK	Friedrichskoog	151
FRI	35	Lilli	DIRQ	Friedrichskoog	107
FRI	36	Heimatland	DIUP	Friedrichskoog	131
FRI	75	Luise	DIJK	Friedrichskoog	145
FRI	76	Anneliese	DITD	Friedrichskoog	151
FRI	86	Sirius	DB 5381	Friedrichskoog	151
GRE	1	Edde	DCSJ	Greetsiel	146
GRE	2	Erna	DCOH	Greetsiel	110
GRE	3	Horizont	DCMU	Greetsiel	184
GRE	4	Magellan	DMXQ	Greetsiel	184
GRE	5	Oberon	DCIL	Greetsiel	186
GRE	6	Albatros	DCJJ	Greetsiel	145
GRE	7	Emsstrom	DCCH	Greetsiel	221
GRE	8	Nordsee II	DCVF	Greetsiel	146
GRE	9	Odin	DCBG	Greetsiel	184
GRE	10	Jan Ysker	DDAY	Greetsiel	165
GRE	11	Korsar	DCEJ	Greetsiel	184
GRE	12	Condor	DCVO	Greetsiel	188
GRE	13	Jan Looden	DCRA	Greetsiel	145
GRE	14	Wangerland	DCEQ	Greetsiel	180
GRE	15	Zwei Gebrüder	DCEP	Greetsiel	186
GRE	16	Angelika	DCEY	Greetsiel	184
GRE	17	Odysseus	DCFP	Greetsiel	206
GRE	19	Flamingo	DCFW	Greetsiel	184
GRE	20	Sechs Gebrüder	DCGO	Greetsiel	190
GRE	21	Sturmvogel	DCGR	Greetsiel	140
GRE	22	Frieda Luise	DCPU	Greetsiel	199
GRE	23	Julia	DJHL	Greetsiel	184
GRE	24	Friedrich Conradi	DCVW	Greetsiel	221
GRE	25	Delphin	DCME	Greetsiel	190
GRE	28	Vorwärts	DCDN	Greetsiel	110
GRE	29	Paloma	DCEL	Greetsiel	219
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COMMISSION REGULATION (EEC) No 1445/93

of 11 June 1993

determining the operative events applicable to products in the fruit and vegetables sector, to processed fruit and vegetable products and partly to live plants and floricultural products

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 6 (2) thereof,

Whereas Regulation (EEC) No 3813/92 introduces new agri-monetary arrangements as from 1 January 1993; whereas, within the framework of that Regulation, Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽²⁾ determines the operative events for the agricultural conversion rates to apply after the transitional measures provided for in Article 1 of Commission Regulation (EEC) No 3820/92⁽³⁾, without prejudice to further details to be specified or to derogations to be provided for, where appropriate, by regulations covering the product groups concerned on the basis of the criteria set out in Article 6 of Regulation (EEC) No 3813/92; whereas the operative events for the agricultural conversion rates to apply after the transitional measures provided for in Article 1 of Regulation (EEC) No 3820/92 to products in the fruit and vegetables sector, processed fruit and vegetable products and to certain aid for live plants and floricultural products should accordingly be determined and grouped within a single regulation;

Whereas Article 9 of Regulation (EEC) No 1068/93 should apply in connection with the countervailing charge and export refund provided for in Title IV of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽⁴⁾, as last amended by Regulation (EEC) No 746/93⁽⁵⁾, in connection with the minimum import price, the countervailing charge and the refund provided for in Title II of Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽⁶⁾,

as last amended by Regulation (EEC) No 1569/92⁽⁷⁾, in connection with the minimum import prices for certain soft fruits originating in Hungary, Poland, the Czech Republic and Slovakia provided for in Article 1 of Council Regulation (EEC) No 1333/92⁽⁸⁾, and in connection with the additional amount fixed in ecus in Article 2 (1) of Council Regulation (EEC) No 1796/81 of 30 June 1981 on measures applicable to imports of preserved cultivated mushrooms⁽⁹⁾, as last amended by Regulation (EEC) No 1122/92⁽¹⁰⁾;

Whereas the fourth indent of Article 10 (1) of Regulation (EEC) No 1068/93 provides that, in the case of withdrawals of products in the fruit and vegetables sector, the operative event for the agricultural conversion rate is to occur on the first day of the month in which the withdrawal takes place; whereas that rule should apply not only to withdrawals pursuant to Articles 15, 15a and 15b of Regulation (EEC) No 1035/72 but also, because related or similar operations are involved, to the maximum sorting and packing costs defrayed in accordance with Commission Regulation (EEC) No 2103/90⁽¹¹⁾ for apples and citrus fruit distributed free, and to buying-in pursuant to Articles 19 and 19a of Regulation (EEC) No 1035/72; whereas Article 10 (2) of Regulation (EEC) No 1068/93 may be applied to aid towards the cost of transport of fruit and vegetables distributed free provided for, pursuant to Article 21 of Regulation (EEC) No 1035/72, in Commission Regulation (EEC) No 2276/92⁽¹²⁾;

Whereas there is provision for a system of aid for processing citrus fruit in Council Regulation (EEC) No 2601/69 of 18 December 1969 laying down special measures to encourage the processing of mandarins, satsumas, clementines and oranges⁽¹³⁾, as last amended by Regulation (EEC) No 3848/89⁽¹⁴⁾, and in Council Regulation (EEC) No 1035/77 of 17 May 1977 laying down special measures to encourage the marketing of products processed from lemons⁽¹⁵⁾, as last amended by Regulation

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 22.

⁽⁴⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁵⁾ OJ No L 77, 31. 3. 1993, p. 14.

⁽⁶⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽⁷⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽⁸⁾ OJ No L 145, 27. 5. 1992, p. 3.

⁽⁹⁾ OJ No L 183, 4. 7. 1981, p. 1.

⁽¹⁰⁾ OJ No L 117, 1. 5. 1992, p. 98.

⁽¹¹⁾ OJ No L 191, 24. 7. 1990, p. 19.

⁽¹²⁾ OJ No L 220, 5. 8. 1992, p. 22.

⁽¹³⁾ OJ No L 324, 27. 12. 1969, p. 21.

⁽¹⁴⁾ OJ No L 374, 22. 12. 1989, p. 6.

⁽¹⁵⁾ OJ No L 125, 19. 5. 1977, p. 3.

(EEC) No 1199/90⁽¹⁾; whereas that system provides for the granting of aid to the processor subject to payment of a minimum price to the producer; whereas, under those conditions and owing to the very large number of operators, processors and producers involved, pursuant to Article 6 (2) of Regulation (EEC) No 3813/92 and notwithstanding Article 10 (2) of Regulation (EEC) No 1068/93, the operative event for the agricultural conversion rate should be the first day of the month of take-over of the products by the processor; whereas the same should apply to the production of processed fruit and vegetable products qualifying under the system of production aid provided for in Article 2 of Regulation (EEC) No 426/86;

Whereas Council Regulation (EEC) No 525/77 of 14 March 1977 establishing a system of production aid for tinned pineapple⁽²⁾, as last amended by Regulation (EEC) No 1699/85⁽³⁾, introduces an aid scheme for processors subject to payment of a minimum price to pineapple producers; whereas, since there are two harvests in each marketing year, the operative event applicable to each harvest should be fixed at the beginning of the harvest in question;

Whereas, pursuant to Article 19 of Commission Regulation (EEC) No 2159/89 of 18 July 1989 laying down detailed rules for applying the specific measures for nuts and locust beans as provided for in Title IIa of Council Regulation (EEC) No 1035/72⁽⁴⁾, as last amended by Regulation (EEC) No 1461/92⁽⁵⁾, the aid to improve the quality and marketing of nuts and locust beans provided for in Article 14d (2) of Regulation (EEC) No 1035/72 is to be paid at the end of each annual reference period; whereas, pursuant to Article 11 (2) of Regulation (EEC) No 1068/93, the operative event for the agricultural conversion rate applicable to the maximum aid in question, fixed in Article 2 of Regulation (EEC) No 790/89⁽⁶⁾, as last amended by Regulation (EEC) No 832/92⁽⁷⁾, should accordingly be 1 January of each annual reference period;

Whereas Article 10 (1) of Regulation (EEC) No 1068/93 should apply to storage of sultanas, currants and dried figs as referred to in Article 8 of Regulation (EEC) No 426/86 and in particular to the minimum price referred to in Article 8 (2) and to the storage aid referred to in Article 8 (4);

Whereas the amount in ecus in Article 7 (2) of Commission Regulation (EEC) No 627/85 of 12 March 1985 on storage aid and financial compensation for unprocessed dried grapes and figs⁽⁸⁾, as amended by Regulation (EEC) No 3602/90⁽⁹⁾, represents the residual value of the stocks of dried figs and dried grapes at the date of the stock-taking referred to in Article 7 (1) of Regulation (EEC) No 627/85; whereas the operative event for the agricultural conversion rate applicable to that amount must be that date;

Whereas Article 10 (1) of Regulation (EEC) No 1068/93 may be applied to sales at prices fixed in advance or by invitation to tender of unprocessed dried grapes and figs held by storage agencies in accordance with Commission Regulation (EEC) No 626/85⁽¹⁰⁾, as last amended by Regulation (EEC) No 3601/90⁽¹¹⁾;

Whereas the second indent of Article 12 (4) of Regulation (EEC) No 1068/93 should apply to the securities referred to in Articles 6 (1), 7 (1) and 13 (2) of Regulation (EEC) No 626/85;

Whereas Article 11 (1) of Regulation (EEC) No 1068/93 should apply to aid for growing sultanas, dried muscatel grapes and currants intended for processing as provided for in Article 6 of Regulation (EEC) No 426/86;

Whereas Article 2 (2) of Council Regulation (EEC) No 1991/92 of 13 July 1992 establishing a special scheme for raspberries intended for processing⁽¹²⁾ provides for a one-off flat-rate grant to producers' organizations; whereas, pursuant to paragraph 3 of that Article, the grant is to be calculated on the basis of the production of the producer organization during the first marketing year following special recognition; whereas the operative event for the agricultural conversion rate applicable to the grant should therefore be the first day of that marketing year;

Whereas Article 6 (3) of Regulation (EEC) No 1991/92 provides for the granting of aid to producer organizations for carrying out programmes to improve the competitiveness of the sector producing raspberries for processing and fixes the maximum amount thereof per hectare per year; whereas the operative event for the agricultural conversion rate applicable each year to the amount fixed in Article 6 (3) of Regulation (EEC) No 1991/92 should therefore be the beginning of the marketing year in question;

⁽¹⁾ OJ No L 119, 11. 5. 1990, p. 61.

⁽²⁾ OJ No L 73, 21. 3. 1977, p. 46.

⁽³⁾ OJ No L 163, 22. 6. 1985, p. 12.

⁽⁴⁾ OJ No L 207, 19. 7. 1989, p. 19.

⁽⁵⁾ OJ No L 153, 5. 6. 1992, p. 9.

⁽⁶⁾ OJ No L 85, 30. 3. 1989, p. 6.

⁽⁷⁾ OJ No L 88, 3. 4. 1992, p. 15.

⁽⁸⁾ OJ No L 72, 13. 3. 1985, p. 17.

⁽⁹⁾ OJ No L 350, 14. 12. 1990, p. 56.

⁽¹⁰⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽¹¹⁾ OJ No L 350, 14. 12. 1990, p. 54.

⁽¹²⁾ OJ No L 199, 18. 7. 1992, p. 1.

Whereas Article 30 of Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products⁽¹⁾, as amended by Regulation (EEC) No 3714/92⁽²⁾, provides for the granting of aid for the production of pineapples and fixes the amount thereof in ecus; whereas the detailed rules for the application of those provisions were laid down by Commission Regulation (EEC) No 3518/92⁽³⁾, Article 1 of which provides that the aid in question is to be applied for in respect of two defined harvest periods; whereas the operative event for the agricultural conversion rate applicable to that aid should therefore be the beginning of the harvest period in question;

the agricultural conversion rate applicable to that aid and to the security relating thereto should therefore be that date; whereas that date is the date of charging of the aid certificate as referred to in Article 4 (7) of Commission Regulation (EEC) No 1696/92 of 30 June 1992 laying down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Azores and Madeira⁽⁴⁾, as amended by Regulation (EEC) No 2132/92 whereas Article 5 (1) (b) of Regulation (EEC) No 2999/92 fixes the amount of the security required for the granting of that aid; whereas provision should be made for the operative event in that case to be the day of submission of the aid certificate application;

Whereas Article 2 of Commission Regulation (EEC) No 2175/92 of 30 July 1992 laying down detailed rules for the application of the specific measures for the supply of processed fruit and vegetable products to the Canary Islands⁽⁵⁾ fixes the aid provided for in Article 3 (2) of Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures for the Canary Islands with regard to certain agricultural products⁽⁶⁾, as amended by Regulation (EEC) No 3714/92; whereas the economic objective in granting that aid is achieved by the arrival of the products in question in the Canary Islands; whereas the operative event for the agricultural conversion rate applicable to that aid and the security relating thereto should be that date; whereas that date is the date of charging of the aid certificate as referred to in Article 4 (7) of Commission Regulation (EEC) No 1695/92 of 30 June 1992 laying down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands⁽⁶⁾, as amended by Regulation (EEC) No 2132/92⁽⁷⁾; whereas Article 5 (1) (b) of Regulation (EEC) No 2175/92 fixes the amount of the security required for the granting of that aid; whereas provision should be made for the operative event in that case to be the day of submission of the aid certificate application;

Whereas Article 13 of 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⁽¹⁰⁾, as amended by Regulation (EEC) No 3714/92, introduces aid for the implementation of initiative programmes and fixes the maximum amount thereof in ecus; whereas similar aids were introduced by Article 11 of Regulation (EEC) No 1600/92 as regards the Azores and Madeira and by Article 15 of Regulation (EEC) No 1601/92 as regards the Canary Islands; whereas those aids are paid annually; whereas the detailed rules for the application of those aids are laid down in Commission Regulation (EEC) No 667/92⁽¹¹⁾, as amended by Regulation (EEC) No 1831/92⁽¹²⁾, as regards the French overseas departments, in Commission Regulation (EEC) No 2311/92⁽¹³⁾ as regards the Azores and Madeira and in Commission Regulation (EEC) No 2173/92⁽¹⁴⁾ as regards the Canary Islands; whereas those detailed rules provide in particular for aid applications to be submitted each year before a date determined by the competent departments of the Member States concerned; whereas the operative event for the agricultural conversion rate applicable to those aids should therefore occur each year on 1 January of the year of implementation of the initiative programme;

Whereas Article 2 of Commission Regulation (EEC) No 2999/92 of 15 October 1992 laying down detailed rules for the application of the specific measures for the supply of processed fruit and vegetable products to Madeira⁽⁸⁾ fixes the aid provided for in Article 3 (2) of Regulation (EEC) No 1600/92; whereas the economic objective in granting that aid is achieved by the arrival of the products in question in Madeira; whereas the operative event for

Whereas aid for marketing was introduced by Article 15 (1) of Regulation (EEC) No 3763/91 as regards the French overseas departments, by Article 12 (1) of Regulation (EEC) No 1600/92 as regards the Azores and Madeira and by Article 16 (1) of Regulation (EEC) No 1601/92 as regards the Canary Islands; whereas that aid amounts to 10 % of the value of production marketed free at destination; whereas that destination may be located in the Community or in third countries and whereas the value

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 355, 5. 12. 1992, p. 21.

⁽⁴⁾ OJ No L 217, 31. 7. 1992, p. 67.

⁽⁵⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽⁶⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁷⁾ OJ No L 213, 29. 7. 1992, p. 25.

⁽⁸⁾ OJ No L 301, 17. 10. 1992, p. 7.

⁽⁹⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽¹⁰⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽¹¹⁾ OJ No L 71, 18. 3. 1992, p. 13.

⁽¹²⁾ OJ No L 185, 4. 7. 1992, p. 25.

⁽¹³⁾ OJ No L 222, 7. 8. 1992, p. 24.

⁽¹⁴⁾ OJ No L 217, 31. 7. 1992, p. 56.

of the products may be expressed in the national currency of a third country; whereas the economic objective of the operation concerned by that aid is achieved when the products are taken over by the purchaser; whereas the operative event for the agricultural conversion rate applicable to that aid should therefore be the first day of such take-over; whereas it should be specified that where Article 4 of Regulation (EEC) No 1068/93 applies, account should be taken of the conversion rate applicable that day;

Whereas Article 12 (1) of Regulation (EEC) No 1068/93 should apply for the purposes of determining the operative event for the agricultural conversion rate applicable to the Community contribution towards an economic analysis and forward study of the fruit and vegetable processing industry provided for in Article 14 (1) of Regulation (EEC) No 3763/91 as regards the French overseas departments, in Article 13 (1) of Regulation (EEC) No 1600/92 as regards the Azores and Madeira and in Article 17 (1) of Regulation (EEC) No 1601/92 as regards the Canary Islands;

Whereas all the existing provisions relating to the determination of the conversion rates applicable to products in the fruit and vegetables sector and to processed fruit and vegetable products, and in particular Commission Regulation (EEC) No 3322/89 of 3 November 1989 determining the operative events applicable in the fruit and vegetable sector⁽¹⁾, as last amended by Regulation (EEC) No 3029/90⁽²⁾, Article 11 of Commission Regulation (EEC) No 1558/91 of 7 June 1991 laying down detailed rules for the application of the system of production aid for products processed from fruit and vegetables⁽³⁾, as last amended by Regulation (EEC) No 250/93⁽⁴⁾, Article 35 (2) of Commission Regulation (EEC) No 2911/90 of 9 October 1990 laying down detailed rules of application for aid for the production of certain varieties of grapes for drying⁽⁵⁾, as amended by Regulation (EEC) No 1577/91⁽⁶⁾, and Article 13 of Commission Regulation (EEC) No 2252/92 of 30 July 1992 laying down detailed rules for applying the special scheme for raspberries intended for processing⁽⁷⁾, as last amended by Regulation (EEC) No 1248/93⁽⁸⁾, should be repealed with effect on the date of application of this Regulation;

Whereas Regulation (EEC) No 3820/92 provides for transitional measures of varying durations depending on the products concerned, to apply prior to the definitive implementation of Regulation (EEC) No 3813/92;

whereas such measures are pointless in this particular case; whereas the provisions of Regulation (EEC) No 3820/92 should accordingly be waived and Regulation (EEC) No 3813/92 should be made applicable immediately;

Whereas the measures provided for in this Regulation are in accordance with the joint opinion of the Management Committees for Fruit and Vegetables, Products Processed from Fruit and Vegetables, and Live Plants,

HAS ADOPTED THIS REGULATION:

TITLE I

FRESH FRUIT AND VEGETABLES

Article 1

Article 9 of Regulation (EEC) No 1068/93 shall apply to the countervailing charge provided for in Article 25 (1) of Regulation (EEC) No 1035/72 and to the export refund provided for in Article 30 (1) of that Regulation.

Article 2

1. The operative event for the agricultural conversion rate for withdrawals pursuant to Articles 15, 15a and 15b of Regulation (EEC) No 1035/72, including the financial compensation provided for in Articles 18 and 18a of that Regulation, shall be the first day of the month in which the withdrawal takes place.

2. The operative event for the agricultural conversion rate for buying-in as provided for in Articles 19 and 19a of Regulation (EEC) No 1035/72 shall occur on the first day of the month in which the products are taken over by the bodies referred to in Articles 19 (2) and 19a (2) of that Regulation.

3. The agricultural conversion rate applicable to the maximum amounts referred to in Article 4 (2) of Regulation (EEC) No 2103/90 shall be the agricultural conversion rate determined pursuant to paragraph 1 of this Article.

4. The agricultural conversion rate applicable to the standard amounts laid down in Article 1 of Regulation (EEC) No 2276/92 shall be the agricultural conversion rate applicable on the day on which the products concerned are taken over at the premises of the producer organization which withdrew them, by the body undertaking one of the four types of free distribution referred to in the first, fifth and sixth indents of Article 21 (1) (a) of Regulation (EEC) No 1035/72.

⁽¹⁾ OJ No L 321, 4. 11. 1989, p. 32.

⁽²⁾ OJ No L 151, 15. 6. 1991, p. 70.

⁽³⁾ OJ No L 144, 8. 6. 1991, p. 31.

⁽⁴⁾ OJ No L 28, 5. 2. 1993, p. 46.

⁽⁵⁾ OJ No L 278, 10. 10. 1990, p. 35.

⁽⁶⁾ OJ No L 147, 12. 6. 1991, p. 6.

⁽⁷⁾ OJ No L 219, 4. 8. 1992, p. 19.

⁽⁸⁾ OJ No L 127, 25. 5. 1993, p. 8.

Article 3

The operative event for the agricultural conversion rate for:

- the financial compensation referred to in Article 3 (1) of Regulation (EEC) No 2601/69 and Article 2 (1) of Regulation (EEC) No 1035/77, and
- the minimum prices referred to in Article 2 (2) of Regulation (EEC) No 2601/69 and Article 1 (3) of Regulation (EEC) No 1035/77,

shall be the first day of the month in which the products are taken over by the processor in accordance with Regulations (EEC) No 2601/69 and (EEC) No 1035/77.

Article 4

The operative event for the agricultural conversion rate applicable for the conversion, each year, into national currency of the maximum aid per hectare to improve the quality and marketing of nuts and locust beans fixed in Article 2 of Regulation (EEC) No 790/89 shall be 1 January of the annual reference period within the meaning of Article 19 of Regulation (EEC) No 2159/89.

TITLE II

PROCESSED FRUIT AND VEGETABLE PRODUCTS

Article 5

Article 9 of Regulation (EEC) No 1068/93 shall apply to the minimum import price provided for in Article 9 (1) of Regulation (EEC) No 426/86, the countervailing charge provided for in Article 9 (2), the import levy provided for in Article 10 (1) and the refund provided for in Articles 11 (1) and 12 (1) of that Regulation, to the additional amount fixed in Article 2 (1) of Regulation (EEC) No 1796/81 and to the minimum prices provided for in Article 1 of Regulation (EEC) No 1333/92.

Article 6

1. The operative event for the agricultural conversion rate applicable to the production aid referred to in Article 2 (1) of Regulation (EEC) No 426/86 and the minimum price referred to in Article 3 (1) of that Regulation shall be the first day of the month of take-over of the products by the processor within the meaning of that Regulation.

2. The operative event for the agricultural conversion rate applicable to production aid for tinned pineapple referred to in Article 1 of Regulation (EEC) No 525/77 as well as for the minimum price referred to in Article 3 of

that Regulation, shall be on 1 September and 1 May for the first and second harvests in the marketing year respectively.

Article 7

1. The operative event for the agricultural conversion rate applicable to the minimum price referred to in Article 8 (2) of Regulation (EEC) No 426/86 shall occur on the day of take-over of the products by the storage agency in accordance with Article 8 (1) of that Regulation.

2. The operative event for the agricultural conversion rate applicable to the storage aid referred to in Article 8 (4) of Regulation (EEC) No 426/86 shall be the day in respect of which the aid is granted.

3. The conversion rate applicable to the amount in ecus referred to in Article 7 (2) of Regulation (EEC) No 627/85 shall be the agricultural conversion rate in force on the date of stocktaking as referred to in Article 7 (1) of that Regulation.

4. The operative event for the agricultural conversion rate applicable to the selling prices fixed in advance in ecus referred to in Article 6 (1) and (2) of Regulation (EEC) No 626/85 and to the prices quoted in the tenders and the minimum selling prices referred to in Article 15 of that Regulation shall be the day of take-over of the products by the purchaser, or of payment if it takes place prior thereto.

5. The operative event for the agricultural conversion rate applicable to the amount in ecus of the securities referred to in Articles 6 (1), 7 (1) and 13 (2) of Regulation (EEC) No 626/85 shall be the day of submission of the tender or purchase application.

6. Article 11 (1) of Regulation (EEC) No 1068/93 shall apply to the aid per hectare referred to in Article 6 of Regulation (EEC) No 426/86.

Article 8

1. The operative event for the agricultural conversion rate applicable to the amount in ecus, provided for in Article 2 (3) of Regulation (EEC) No 1991/92, of the one-off flat-rate grant to producers' organizations referred to in Article 2 (2) of that Regulation shall occur on the first day of the marketing year following the date of special recognition of the organization in question.

2. The rate to be applied for the conversion each year into national currency of the maximum amount per hectare provided for in the second subparagraph of Article 6 (3) of Regulation (EEC) No 1991/92 shall be the agricultural conversion rate in force on the first day of the marketing year in question.

TITLE III

**MOST REMOTE REGIONS: FRENCH OVERSEAS
DEPARTMENTS, AZORES, MADEIRA, CANARY
ISLANDS***Article 9*

1. The operative event for the conversion rate applicable to the aid for the production of pineapples provided for in Article 30 of Regulation (EEC) No 1600/92 shall be the first day of the harvest period in question, within the meaning of Article 1 of Regulation (EEC) No 3518/92.

2. The operative event for the conversion rate applicable to the aid for the supply to the Canary Islands of processed fruit and vegetable products as provided for in Article 2 of Regulation (EEC) No 2175/92 shall be the day of charging of the aid certificate in accordance with Article 4 (7) of Regulation (EEC) No 1695/92.

3. The operative event for the conversion rate applicable to the security provided for in Article 5 (1) (b) of Regulation (EEC) No 2175/92 shall be the day of submission of the aid certificate application.

4. The operative event for the conversion rate applicable to the aid for the supply to Madeira of processed fruit and vegetable products as provided for in Article 2 of Regulation (EEC) No 2999/92 shall be the day of charging of the aid certificate in accordance with Article 4 (7) of Regulation (EEC) No 1696/92.

5. The operative event for the conversion rate applicable to the security provided for in Article 5 (1) (b) of Regulation (EEC) No 2999/92 shall be the day of submission of the aid certificate application.

Article 10

The operative event for the agricultural conversion rate applicable to the aid provided for in Article 13 of Regulation (EEC) No 3763/91 as regards the French overseas departments, to the aid provided for in Article 11 of Regulation (EEC) No 1600/92 as regards the Azores and Madeira and to the aid provided for in Article 15 of Regulation (EEC) No 1601/92 as regards the Canary Islands shall be 1 January of the year of execution in progress of the programme of initiatives.

Article 11

For the purpose of determining and paying the aid for marketing provided for in Article 15 (1) of Regulation (EEC) No 3763/91 as regards the French overseas departments, in Article 12 (1) of Regulation (EEC) No 1600/92

as regards the Azores and Madeira and in Article 16 (1) of Regulation (EEC) No 1601/92 as regards the Canary Islands, the operative event for the agricultural conversion rate shall be the first day of take-over of the products by the purchaser; where Article 4 of Regulation (EEC) No 1068/93 applies, the conversion rate to be used shall be that applicable on the said day.

Article 12

The operative event for the conversion rate applicable to the amounts in ecus in Article 14 (1) of Regulation (EEC) No 3763/91 as regards the French overseas departments, in Article 13 (1) of Regulation (EEC) No 1600/92 as regards the Azores and Madeira and in Article 17 (1) of Regulation (EEC) No 1601/92 as regards the Canary Islands shall be the closing date for the submission of tenders.

TITLE IV

GENERAL AND FINAL PROVISIONS*Article 13*

For the purposes of this Regulation, take-over of a lot shall mean the commencement of its physical delivery.

Article 14

The following are hereby repealed:

Regulation (EEC) No 3322/89, the second paragraph of Article 1 of Regulation (EEC) No 2276/92, Article 11 of Regulation (EEC) No 1558/91, the second sentence of Article 2 (3) and Articles 10 and 18 of Regulation (EEC) No 626/85, Articles 1 (3) and 7 (3) of Regulation (EEC) No 627/85, Article 5 (2) of Regulation (EEC) No 2911/90, Article 13 of Regulation (EEC) No 2252/92, Article 3 of Regulation (EEC) No 3518/92, the second paragraph of Article 7 of Regulation (EEC) No 2175/92, the second paragraph of Article 7 of Regulation (EEC) No 2999/92, Article 10 of Regulation (EEC) No 667/92, Article 10 of Regulation (EEC) No 2311/92 and Article 10 of Regulation (EEC) No 2173/92.

Article 15

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

It shall apply from 1 May 1993 to cauliflowers and, notwithstanding Article 1 of Regulation (EEC) No 3820/92, from the date of entry into force of this Regulation to other product groups.

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

Done at Brussels, 11 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1446/93

of 11 June 1993

fixing the minimum purchase price for lemons delivered to the processing industry and the financial compensation payable after processing thereof for the 1993/94 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/77 of 17 May 1977 laying down special measures to encourage the marketing of products processed from lemons⁽¹⁾, as last amended by Regulation (EEC) No 1199/90⁽²⁾, and in particular Article 3 thereof,

Whereas, pursuant to Article 1 (3) of Regulation (EEC) No 1035/77, the minimum price which processors must pay to producers is fixed, as from the 1991/92 marketing year at 105 % of the average withdrawal price calculated in accordance with the first indent of Article 18 (1) (a) of Council Regulation (EEC) No 1035/72⁽³⁾, as last amended by Regulation (EEC) No 638/93⁽⁴⁾; whereas the minimum price must be fixed on the basis of the basic and buying-in prices fixed by Council Regulation (EEC) No 1289/93⁽⁵⁾ and reduced by Commission Regulation (EEC) No 1333/93⁽⁶⁾;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1035/77, financial compensation cannot exceed the difference between the minimum purchase price referred to in Article 1 of that Regulation and the prices obtained for the raw material in producer third countries;

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

For the 1993/94 marketing year the minimum price referred to in Article 1 (3) of Regulation (EEC) No 1035/77 shall be as follows: minimum price: ECU 14,08/100 kg net.

The minimum price shall refer to products ex-producers' packaging stations.

Article 2

For the 1993/94 marketing year the financial compensation referred to in Article 2 of Regulation (EEC) No 1035/77 shall be as follows: financial compensation: ECU 9,77/100 kg net.

Article 3

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

It shall apply from 1 June 1993.

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

Done at Brussels, 11 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 125, 19. 5. 1977, p. 3.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 61.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽⁵⁾ OJ No L 132, 29. 5. 1993, p. 3.

⁽⁶⁾ OJ No L 132, 29. 5. 1993, p. 117.

COMMISSION REGULATION (EEC) No 1447/93

of 11 June 1993

re-establishing the levying of customs duties on products of CN code 3102 40, originating in the territory of the former Czech and Slovak Federal Republic, to which the tariff ceilings of Council Regulation (EEC) No 3918/92 apply

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

Having regard to Council Regulation (EEC) No 3918/92 of 28 December 1992 opening and providing for the administration of Community tariff quotas and ceilings for certain agricultural and industrial products and establishing a reduced variable component for certain processed agricultural products originating in Hungary, Poland and the territory of the former Czech and Slovak Federal Republic (CSFR) (1),

Whereas, pursuant to Article 1 of Regulation (EEC) No 3918/92, Hungary, Poland and the territory of the former Czech and Slovak Federal Republic (CSFR) shall benefit from preferential tariff arrangements, in particular the preferential tariff ceilings laid down in column 5 of Annex I to that Regulation; whereas, pursuant to Article 6 of the Regulation, as soon as the ceilings have been reached, the Commission may adopt a regulation re-establishing the customs duties applicable to the third countries in question until the end of the calendar year;

Whereas that ceiling was reached by charges of imports of the products listed in the Annex, originating in Poland, to which the tariff preferences apply;

Whereas, it is appropriate to re-establish the levying of customs duties for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 15 June 1993 the levying of customs duties, suspended for 1993 pursuant to Regulation (EEC) No 3918/92, shall be re-established on imports into the Community of the products listed in the Annex, originating in the territory of the former Czech and Slovak Federal Republic.

Article 2

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

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

Done at Brussels, 11 June 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

(1) OJ No L 396, 31. 12. 1992, p. 12.

ANNEX

Order No	CN code	Description
21.0101	3102 40	— Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilizing substances :
	3102 40 10	— — With a nitrogen content not exceeding 28 % by weight
	3102 40 90	— — With a nitrogen content exceeding 28 % by weight

COMMISSION REGULATION (EEC) No 1448/93

of 11 June 1993

opening a standing invitation to tender for the export of 50 000 tonnes of bread-making common wheat held by the German intervention agency

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,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals⁽³⁾, as last amended by Regulation (EEC) No 2203/90⁽⁴⁾, provides that cereals held by the intervention agencies shall be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82⁽⁵⁾, as last amended by Regulation (EEC) No 966/93⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas for emergency supply reasons 50 000 tonnes of common wheat of bread-making quality held by the German intervention agency should be put up for sale again with a view to its export to the Ukraine; whereas, in view of the special circumstances, a minimum re-sale price reflecting current market conditions should be indicated;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The German intervention agency may, on the conditions laid down in Regulation (EEC) No 1836/82, open a standing invitation to tender for the export of 50 000 tonnes of bread-making common wheat held by it.

2. The minimum price to be respected shall be ECU 88/tonne.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 98, 24. 4. 1993, p. 25.

Article 2

1. The invitation to tender shall cover a quantity of 50 000 tonnes of bread-making common wheat to be exported to the Ukraine.

2. Each tender shall cover the total quantity.

3. The regions in which the 50 000 tonnes of bread-making common wheat are stored are stated in Annex I to this Regulation.

Article 3

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 1836/82, until the 30 June 1993.

Tenders submitted in response to this invitation to tender may not be accompanied by applications for export certificates pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁷⁾.

Article 4

1. Notwithstanding Article 7 (1) of Regulation (EEC) No 1836/82 the time limit for submission of tenders under the first partial invitation to tender shall expire on 16 June 1993 at 1 p.m. (Brussels time).

2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Wednesday at 1 p.m. (Brussels time).

3. The last partial invitation to tender shall expire on 23 June 1993.

4. The tenders shall be lodged with the German intervention agency.

Article 5

The German intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be made as specified in the table in Annex II to this Regulation, to the telephone, telex or telefax numbers in Annex III.

Article 6

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

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

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

Done at Brussels, 11 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg	37 063
Niedersachsen-Bremen	12 937

ANNEX II

Standing invitation to tender for the export of 50 000 tonnes of bread-making common wheat held by the German intervention agency

(Regulation (EEC) No 1448/93)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) (1)	Price increases (+) or reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

(1) This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX III

The only numbers to use to call Brussels are [DG VI-C-1 (Attention : Messrs Thibault and Brus)]:

- telex : 22037 AGREC B
22070 AGREC B (Greek characters)
- telefax : — 295 25 15
— 296 10 97
— 296 20 05.

COMMISSION REGULATION (EEC) No 1449/93
of 11 June 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 833/87 of 23 March 1987 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 falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 764/93 ⁽⁵⁾, as last amended by Regulation (EEC) No 1375/93 ⁽⁶⁾,

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 12 June 1993.

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

Done at Brussels, 11 June 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 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 79, 1. 4. 1993, p. 6.

⁽⁶⁾ OJ No L 136, 5. 6. 1993, p. 7.

ANNEX

to the Commission Regulation of 11 June 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) (⁽³⁾)
1006 10 21	—	157,16	321,52
1006 10 23	—	175,69	358,59
1006 10 25	—	175,69	358,59
1006 10 27	268,94	175,69	358,59
1006 10 92	—	157,16	321,52
1006 10 94	—	175,69	358,59
1006 10 96	—	175,69	358,59
1006 10 98	268,94	175,69	358,59
1006 20 11	—	197,35	401,90
1006 20 13	—	220,52	448,24
1006 20 15	—	220,52	448,24
1006 20 17	336,18	220,52	448,24
1006 20 92	—	197,35	401,90
1006 20 94	—	220,52	448,24
1006 20 96	—	220,52	448,24
1006 20 98	336,18	220,52	448,24
1006 30 21	—	244,30	512,46
1006 30 23	—	319,51	662,79
1006 30 25	—	319,51	662,79
1006 30 27	497,09	319,51	662,79
1006 30 42	—	244,30	512,46
1006 30 44	—	319,51	662,79
1006 30 46	—	319,51	662,79
1006 30 48	497,09	319,51	662,79
1006 30 61	—	260,53	545,77
1006 30 63	—	342,91	710,52
1006 30 65	—	342,91	710,52
1006 30 67	532,89	342,91	710,52
1006 30 92	—	260,53	545,77
1006 30 94	—	342,91	710,52
1006 30 96	—	342,91	710,52
1006 30 98	532,89	342,91	710,52
1006 40 00	—	81,91	169,83

(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/EEC, as amended by Decision 93/211/EEC, concerning semi-milled rice falling within CN codes 1006 30 21 to 1006 30 48 originating in the Netherlands Antilles.

COMMISSION REGULATION (EEC) No 1450/93**of 11 June 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 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 1376/93 ⁽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 12 June 1993.

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

Done at Brussels, 11 June 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 136, 5. 6. 1993, p. 9.

ANNEX

to the Commission Regulation of 11 June 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 6	1st period 7	2nd period 8	3rd period 9
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 1451/93

of 11 June 1993

fixing the import levies on white sugar and raw sugar

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

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 789/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 1434/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 789/93 to the information known to the Commission that the levies

at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 10 June 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 12 June 1993.

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

Done at Brussels, 11 June 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 79, 1. 4. 1993, p. 66.

⁽⁵⁾ OJ No L 140, 11. 6. 1993, p. 32.

ANNEX

to the Commission Regulation of 11 June 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	34,69 ⁽¹⁾
1701 11 90	34,69 ⁽¹⁾
1701 12 10	34,69 ⁽¹⁾
1701 12 90	34,69 ⁽¹⁾
1701 91 00	44,06
1701 99 10	44,06
1701 99 90	44,06 ⁽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 1452/93
of 11 June 1993
fixing the import levies on milk and milk products

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 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 1327/93 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 759/93 to the prices

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 referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 June 1993.

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

Done at Brussels, 11 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 104.

ANNEX

to the Commission Regulation of 11 June 1993 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note (1)	Import levy	CN code	Note (1)	Import levy
0401 10 10		15,03	0403 10 16	(1)	2,0308 / kg + 29,04
0401 10 90		13,82	0403 10 22		23,64
0401 20 11		21,23	0403 10 24		29,39
0401 20 19		20,02	0403 10 26		73,14
0401 20 91		26,98	0403 10 32	(1)	0,1760 / kg + 27,83
0401 20 99		25,77	0403 10 34	(1)	0,2335 / kg + 27,83
0401 30 11		70,73	0403 10 36	(1)	0,6710 / kg + 27,83
0401 30 19		69,52	0403 90 11		98,44
0401 30 31		137,58	0403 90 13		173,40
0401 30 39		136,37	0403 90 19		210,33
0401 30 91		232,48	0403 90 31	(1)	0,9119 / kg + 29,04
0401 30 99		231,27	0403 90 33	(1)	1,6615 / kg + 29,04
0402 10 11	(*)	98,44	0403 90 39	(1)	2,0308 / kg + 29,04
0402 10 19	(*) (*)	91,19	0403 90 51		23,64
0402 10 91	(1) (*)	0,9119 / kg + 29,04	0403 90 53		29,39
0402 10 99	(1) (*)	0,9119 / kg + 21,79	0403 90 59		73,14
0402 21 11	(*)	173,40	0403 90 61	(1)	0,1760 / kg + 27,83
0402 21 17	(*)	166,15	0403 90 63	(1)	0,2335 / kg + 27,83
0402 21 19	(*) (*)	166,15	0403 90 69	(1)	0,6710 / kg + 27,83
0402 21 91	(*) (*)	210,33	0404 10 02		27,34
0402 21 99	(*) (*)	203,08	0404 10 04		173,40
0402 29 11	(1) (*) (*)	1,6615 / kg + 29,04	0404 10 06		210,33
0402 29 15	(1) (*)	1,6615 / kg + 29,04	0404 10 12		98,44
0402 29 19	(1) (*)	1,6615 / kg + 21,79	0404 10 14		173,40
0402 29 91	(1) (*)	2,0308 / kg + 29,04	0404 10 16		210,33
0402 29 99	(1) (*)	2,0308 / kg + 21,79	0404 10 26	(1)	0,2734 / kg + 21,79
0402 91 11	(*)	41,67	0404 10 28	(1)	1,6615 / kg + 29,04
0402 91 19	(*)	41,67	0404 10 32	(1)	2,0308 / kg + 29,04
0402 91 31	(*)	52,09	0404 10 34	(1)	0,9119 / kg + 29,04
0402 91 39	(*)	52,09	0404 10 36	(1)	1,6615 / kg + 29,04
0402 91 51	(*)	137,58	0404 10 38	(1)	2,0308 / kg + 29,04
0402 91 59	(*)	136,37	0404 10 48	(2)	0,2734 / kg
0402 91 91	(*)	232,48	0404 10 52	(2)	1,6615 / kg + 6,04
0402 91 99	(*)	231,27	0404 10 54	(2)	2,0308 / kg + 6,04
0402 99 11	(*)	49,79	0404 10 56	(2)	0,9119 / kg + 6,04
0402 99 19	(*)	49,79	0404 10 58	(2)	1,6615 / kg + 6,04
0402 99 31	(1) (*)	1,3395 / kg + 25,42	0404 10 62	(2)	2,0308 / kg + 6,04
0402 99 39	(1) (*)	1,3395 / kg + 24,21	0404 10 72	(2)	0,2734 / kg + 21,79
0402 99 91	(1) (*)	2,2885 / kg + 25,42	0404 10 74	(2)	1,6615 / kg + 27,83
0402 99 99	(1) (*)	2,2885 / kg + 24,21	0404 10 76	(2)	2,0308 / kg + 27,83
0403 10 02		98,44	0404 10 78	(2)	0,9119 / kg + 27,83
0403 10 04		173,40	0404 10 82	(2)	1,6615 / kg + 27,83
0403 10 06		210,33	0404 10 84	(2)	2,0308 / kg + 27,83
0403 10 12	(1)	0,9119 / kg + 29,04	0404 90 11		98,44
0403 10 14	(1)	1,6615 / kg + 29,04	0404 90 13		173,40

CN code	Note (*)	Import levy	CN code	Note (*)	Import levy
0404 90 19		210,33	0406 90 31	(3) (*)	168,43
0404 90 31		98,44	0406 90 33	(3) (*)	168,43
0404 90 33		173,40	0406 90 35	(3) (*)	168,43
0404 90 39		210,33	0406 90 37	(3) (*)	168,43
0404 90 51	(1)	0,9119/kg + 29,04	0406 90 39	(3) (*)	168,43
0404 90 53	(1) (*)	1,6615/kg + 29,04	0406 90 50	(3) (*)	168,43
0404 90 59	(1)	2,0308/kg + 29,04	0406 90 61	(3) (*)	400,17
0404 90 91	(1)	0,9119/kg + 29,04	0406 90 63	(3) (*)	400,17
0404 90 93	(1) (*)	1,6615/kg + 29,04	0406 90 69	(3) (*)	400,17
0404 90 99	(1)	2,0308/kg + 29,04	0406 90 73	(3) (*)	168,43
0405 00 11	(2)	239,53	0406 90 75	(3) (*)	168,43
0405 00 19	(2)	239,53	0406 90 77	(3) (*)	168,43
0405 00 90		292,23	0406 90 79	(3) (*)	168,43
0406 10 20	(3) (*)	211,55	0406 90 81	(3) (*)	168,43
0406 10 80	(3) (*)	265,15	0406 90 85	(3) (*)	168,43
0406 20 10	(3) (*)	400,17	0406 90 89	(3) (*)	168,43
0406 20 90	(3) (*)	400,17	0406 90 93	(3) (*)	211,55
0406 30 10	(3) (*)	170,64	0406 90 99	(3) (*)	265,15
0406 30 31	(3) (*)	158,81	1702 10 10		30,63
0406 30 39	(3) (*)	170,64	1702 10 90		30,63
0406 30 90	(3) (*)	267,36	2106 90 51		30,63
0406 40 00	(3) (*)	154,28	2309 10 15		70,81
0406 90 11	(3) (*)	224,44	2309 10 19		91,79
0406 90 13	(3) (*)	165,40	2309 10 39		86,72
0406 90 15	(3) (*)	165,40	2309 10 59		73,21
0406 90 17	(3) (*)	165,40	2309 10 70		91,79
0406 90 19	(3) (*)	400,17	2309 90 35		70,81
0406 90 21	(3) (*)	224,44	2309 90 39		91,79
0406 90 23	(3) (*)	168,43	2309 90 49		86,72
0406 90 25	(3) (*)	168,43	2309 90 59		73,21
0406 90 27	(3) (*)	168,43	2309 90 70		91,79
0406 90 29	(3) (*)	168,43			

(1) The levy on 100 kg of product falling within this code is equal to the sum of the following:

- (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product; and
- (b) the other amount indicated.

(2) The levy on 100 kg of product falling within this code is equal to:

- (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
- (b) the other amount indicated.

(3) Products falling within this code and imported from a third country

- for which an IMA 1 certificate, issued in accordance with Regulation (EEC) No 1767/82, is presented,
 - for which an EUR 1 certificate, issued in accordance with Regulation (EEC) No 1316/93 for Sweden and Regulation (EEC) No 584/92 for Poland, the Czech and Slovak Republics and Hungary, is presented,
- shall be subject to the levies defined in the said Regulations, respectively.

(4) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.

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

COMMISSION REGULATION (EEC) No 1453/93

of 11 June 1993

introducing a countervailing charge on fresh lemons originating in Argentina

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 the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EEC) No 1319/93 of 28 May 1993 fixing for the 1993/94 marketing year the reference prices for fresh lemons ⁽³⁾ fixed the reference price for products of class I for the month of June 1993 at ECU 54,59 per 100 kilograms net;

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

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁶⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 4,71 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Argentina.

Article 2

This Regulation shall enter into force on 15 June 1993.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 90.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 28, 5. 2. 1993, p. 45.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

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

Done at Brussels, 11 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1454/93

of 11 June 1993

fixing the maximum buying-in price and the quantities of beef bought in for the 93rd partial invitation to tender within the general intervention measures under Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 125/93⁽²⁾, and in particular Article 6 (8) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of general and special intervention measures in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 685/93⁽⁴⁾, an invitation to tender was opened by Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽⁵⁾, as last amended by Regulation (EEC) No 1377/93⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted, without, however, exceeding the average national or regional market price plus the amount mentioned in paragraph 1; whereas, however, pursuant to Article 5 of that Regulation, where the intervention agencies in Member States are offered meat in quantities greater than they are able to take over forthwith, such intervention agencies may limit buying in to the quantities they can take over;

Whereas, after the tenders submitted for the 93rd partial invitation to tender have been examined and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate depending on the differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 11 (3) of Regulation (EEC) No 859/89;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 93rd partial invitation to tender opened by Article 1 (1) of Regulation (EEC) No 1627/89:

(a) for category A:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 242,49 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 6 038 tonnes; the quantities offered are hereby reduced by 30 %, and by 40 % in Denmark, pursuant to Article 11 (3) of Regulation (EEC) No 859/89;

(b) for category C:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 236,95 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity accepted of carcasses or half-carcasses is hereby fixed at 0 tonnes.

Article 2

This Regulation shall enter into force on 14 June 1993.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 73, 26. 3. 1993, p. 9.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 136, 5. 6. 1993, p. 11.

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

Done at Brussels, 11 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1455/93

of 11 June 1993

fixing the maximum buying-in price and the quantities of beef bought in for the seventh partial invitation to tender within the special intervention measures under Regulation (EEC) No 1627/89

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 6a (4) thereof,

Having regard to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of general and special intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 685/93 ⁽⁴⁾, and in particular Article 11 thereof,

Whereas, pursuant to Regulation (EEC) No 859/89 an invitation to tender was opened by Article 1 (3) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EEC) No 1377/93 ⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for each partial invitation to tender in the light of the tenders received;

Whereas, after the tenders submitted for the seventh partial invitation to tender have been examined and

taking account of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the seventh partial invitation to tender opened by Article 1 (1) of Regulation (EEC) No 1627/89:

- the maximum buying-in price is hereby fixed at ECU 249,15 per 100 kilograms of carcasses or half-carcasses,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 70 tonnes.

Article 2

This Regulation shall enter into force on 14 June 1993.

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

Done at Brussels, 11 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 73, 26. 3. 1993, p. 9.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 136, 5. 6. 1993, p. 11.

COMMISSION REGULATION (EEC) No 1456/93
of 11 June 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 1313/93 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1313/93 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

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be:

— ECU 70,941 per 100 kilograms for the 1992/93 marketing year,

— ECU 65,009 per 100 kilograms for the 1993/94 marketing year.

2. However, the amount of the aid for 1993/94 shall be confirmed or replaced with effect from 12 June 1993 to take account of the guide price for cotton for that marketing year and the consequences of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 12 June 1993.

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

Done at Brussels, 11 June 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 132, 29. 5. 1993, p. 68.

COMMISSION REGULATION (EEC) No 1457/93

of 11 June 1993

fixing the export refunds on beef and amending Regulation (EEC) No 3846/87
establishing the nomenclature of agricultural products for export refunds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 18 thereof,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68 ⁽³⁾, as last amended by Regulation (EEC) No 427/77 ⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;Whereas Regulation (EEC) No 32/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 3169/87 ⁽⁶⁾, Regulation (EEC) No 1964/82 ⁽⁷⁾, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84 ⁽⁸⁾, as last amended by Regulation (EEC) No 3661/92 ⁽⁹⁾, lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be

granted, on the one hand, on bovine animals intended for slaughter of a live weight greater than 220 kilograms and less than 300 kilograms, on the other, on adult bovine animals of a live weight of at least 300 kilograms; whereas experience gained in recent years has shown that live pure-bred breeding animals weighing at least 250 kilograms in the case of females and 300 kilograms in that of males should be treated in the same way as other bovine animals, subject to certain special administrative formalities;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.⁽⁵⁾ OJ No L 4, 8. 1. 1982, p. 11.⁽⁶⁾ OJ No L 301, 24. 10. 1987, p. 21.⁽⁷⁾ OJ No L 212, 21. 7. 1982, p. 48.⁽⁸⁾ OJ No L 221, 18. 8. 1984, p. 28.⁽⁹⁾ OJ No L 370, 19. 12. 1992, p. 16.

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 Commission Regulation (EEC) No 3846/87⁽³⁾, as last amended by Regulation (EEC) No 425/93⁽⁴⁾, establishes the agricultural product nomenclature for the purposes of export refunds;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals;

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat covered by CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁵⁾, as amended by Regulation (EEC) No 2026/83⁽⁶⁾;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas Council Regulation (EEC) No 1432/92⁽⁷⁾, as last amended by Regulation (EEC) No 3534/92⁽⁸⁾, prohibits trade between the Community and the Republics of Serbia and Montenegro; whereas that prohibition does not apply to certain cases given in the limitative enumeration in Articles 2 and 3 of that Regulation; whereas account should be taken of this when the refunds are fixed;

Whereas, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The list of products on which export refunds as referred to in Article 18 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in Annex I hereto.
2. The wording of CN code 0102 in part 6 of the Annex to Regulation (EEC) No 3846/87 is replaced by Annex II to this Regulation.

Article 2

This Regulation shall enter into force on 12 June 1993.

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

Done at Brussels, 11 June 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 366, 24. 12. 1987, p. 1.
⁽⁴⁾ OJ No L 48, 26. 2. 1993, p. 26.
⁽⁵⁾ OJ No L 62, 7. 3. 1980, p. 5.
⁽⁶⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁷⁾ OJ No L 151, 3. 6. 1992, p. 4.
⁽⁸⁾ OJ No L 358, 8. 12. 1992, p. 16.

ANNEX I

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination (?)	Refund (?) ⁽¹⁰⁾	Product code	Destination (?)	Refund (?) ⁽¹⁰⁾
		— Live weight —			— Net weight —
0102 10 10 120	01	96,00	0201 20 20 120	02	126,50
0102 10 10 130	02	85,50		03	88,00
	03	55,50		04	44,00
	04	25,50	0201 20 30 110 ⁽¹⁾	02	124,50
0102 10 30 120	01	96,00		03	85,00
0102 10 30 130	02	85,50		04	42,50
	03	55,50	0201 20 30 120	02	92,00
	04	25,50		03	65,00
0102 10 90 120	01	96,00		04	32,50
0102 90 41 100	02	101,50	0201 20 50 110 ⁽¹⁾	02	218,50
0102 90 51 000	02	74,50		03	146,00
	03	52,00		04	73,00
	04	26,00	0201 20 50 120	02	161,00
0102 90 59 000	02	74,50		03	110,50
	03	52,00		04	56,00
	04	26,00	0201 20 50 130 ⁽¹⁾	02	124,50
0102 90 61 000	02	74,50		03	85,00
	03	52,00		04	42,50
	04	26,00	0201 20 50 140	02	92,00
0102 90 69 000	02	74,50		03	65,00
	03	52,00		04	32,50
	04	26,00	0201 20 90 700	02	92,00
0102 90 71 000	02	101,50		03	65,00
	03	68,00		04	32,50
	04	34,00	0201 30 00 050 ⁽²⁾	05	112,00
0102 90 79 000	02	101,50	0201 30 00 100 ⁽²⁾	02	312,00
	03	68,00		03	208,50
	04	34,00		04	104,50
		— Net weight —		06	266,50
0201 10 00 110 ⁽¹⁾	02	124,50	0201 30 00 150 ⁽²⁾	10	165,00
	03	85,00		11	140,00
	04	42,50		03	125,00
0201 10 00 120	02	92,00		04	62,50
	03	65,00	0201 30 00 190 ⁽²⁾	06	144,50
	04	32,50		07	90,00
0201 10 00 130 ⁽¹⁾	02	171,50		02	128,00
	03	115,00		03	84,00
	04	57,50		04	42,00
0201 10 00 140	02	126,50		06	102,50
	03	88,00		07	90,00
	04	44,00			
0201 20 20 110 ⁽¹⁾	02	171,50			
	03	115,00			
	04	57,50			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination (?)	Refund (?) ⁽¹⁾	Product code	Destination (?)	Refund (?) ⁽¹⁾
		— Net weight —			— Net weight —
0202 10 00 100	02	92,00	1602 50 10 120	02	134,50 (?)
	03	65,00		03	108,00 (?)
	04	32,50		04	108,00 (?)
0202 10 00 900	02	126,50	1602 50 10 140	02	119,50 (?)
	03	88,00		03	96,00 (?)
	04	44,00		04	96,00 (?)
0202 20 10 000	02	126,50	1602 50 10 160	02	96,00 (?)
	03	88,00		03	77,00 (?)
	04	44,00		04	77,00 (?)
0202 20 30 000	02	92,00	1602 50 10 170	02	63,50 (?)
	03	65,00		03	51,00 (?)
	04	32,50		04	51,00 (?)
0202 20 50 100	02	161,00	1602 50 10 190	02	63,50
	03	110,50		03	51,00
	04	56,00		04	51,00
0202 20 50 900	02	92,00	1602 50 10 240	02	36,00
	03	65,00		03	36,00
	04	32,50		04	36,00
0202 20 90 100	02	92,00	1602 50 10 260	02	26,00
	03	65,00		03	26,00
	04	32,50		04	26,00
0202 30 90 100 (*)	05	112,00	1602 50 10 280	02	16,00
0202 30 90 400 (*)	10	165,00		03	16,00
	11	140,00		04	16,00
	03	125,00	1602 50 31 125	01	116,00 (?)
	04	62,50	1602 50 31 135	01	73,00 (?)
	06	144,50	1602 50 31 195	01	36,00
	07	90,00	1602 50 31 325	01	103,00 (?)
0202 30 90 500 (*)	02	128,00	1602 50 31 335	01	65,00 (?)
	03	84,00	1602 50 31 395	01	36,00
	04	42,00	1602 50 39 125	01	116,00 (?)
	06	102,50	1602 50 39 135	01	73,00 (?)
	07	90,00	1602 50 39 195	01	36,00
0202 30 90 900	07	90,00	1602 50 39 325	01	103,00 (?)
0206 10 95 000	02	128,00	1602 50 39 335	01	65,00 (?)
	03	84,00	1602 50 39 395	01	36,00
	04	42,00	1602 50 39 425	01	77,00 (?)
	06	102,50	1602 50 39 435	01	48,50 (?)
0206 29 91 000	02	128,00	1602 50 39 495	01	36,00
	03	84,00	1602 50 39 505	01	36,00
	04	42,00	1602 50 39 525	01	77,00 (?)
	06	102,50	1602 50 39 535	01	48,50 (?)
0210 20 90 100	08	102,50	1602 50 39 595	01	36,00
	09	60,50			
0210 20 90 300	02	128,00			
0210 20 90 500 (*)	02	128,00			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination (7)	Refund (8) (9)	Product code	Destination (7)	Refund (8) (9)
		— Net weight —			— Net weight —
1602 50 39 615	01	36,00	1602 50 80 495	01	36,00
1602 50 39 625	01	16,00	1602 50 80 505	01	36,00
1602 50 39 705	01	36,00	1602 50 80 515	01	16,00
1602 50 39 805	01	26,00	1602 50 80 535	01	48,50 (9)
1602 50 39 905	01	16,00	1602 50 80 595	01	36,00
1602 50 80 135	01	73,00 (9)	1602 50 80 615	01	36,00
1602 50 80 195	01	36,00	1602 50 80 625	01	16,00
1602 50 80 335	01	65,00 (9)	1602 50 80 705	01	36,00
1602 50 80 395	01	36,00	1602 50 80 805	01	26,00
1602 50 80 435	01	48,50 (9)	1602 50 80 905	01	16,00

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) OJ No L 336, 29. 12. 1979, p. 44.

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86.

(7) The destinations are as follows:

01 Third countries.

02 North African, Near and Middle East third countries, West, Central, East and South African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

03 European third countries, Ceuta, Melilla, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Vietnam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, except Austria, Sweden and Switzerland.

04 Austria, Sweden and Switzerland.

05 The United States of America, carried out in accordance with Commission Regulation (EEC) No 2973/79.

06 French Polynesia and New Caledonia.

07 Canada.

08 North, West, Central, East and Southern African third countries, except Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

09 Switzerland.

10 North African, Near and Middle East third countries, Central, East and South African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

11 West African third countries.

(8) Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(9) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of Council Regulation (EEC) No 565/80.

(10) Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

NB: The countries are as defined in Commission amended Regulation (EEC) No 3518/91.

The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

ANNEX II

CN code	Description of goods	Product code
0102	Live bovine animals:	
0102 10	– Pure-bred breeding animals:	
0102 10 10	– – Heifers (female bovines that have never calved):	
	– With a live weight less than 250 kg	0102 10 10 110
	– Other:	
	– Up to the age of 36 months	0102 10 10 120
	– Other	0102 10 10 130
0102 10 30	– – Cows:	
	– With a live weight less than 250 kg	0102 10 30 110
	– Other:	
	– Up to the age of 60 months	0102 10 30 120
	– Other	0102 10 30 130
0102 10 90	– – Other:	
	– With a live weight less than 300 kg	0102 10 90 110
	– Other	0102 10 90 120
ex 0102 90	– Other:	
	– – Domestic species:	
	– – – Of a weight exceeding 160 kg but not exceeding 300 kg:	
0102 90 41	– For slaughter:	
	– Of a weight exceeding 220 kg	0102 90 41 100
	– Other:	0102 90 41 900
	– – – Of a weight exceeding 300 kg:	
	– – – – Heifers (female bovines that have never calved):	
0102 90 51	– – – – – For slaughter:	0102 90 51 000
0102 90 59	– – – – – Other	0102 90 59 000
	– – – – – Cows:	
0102 90 61	– – – – – For slaughter	0102 90 61 000
0102 90 69	– – – – – Other	0102 90 69 000
	– – – – – Other:	
0102 90 71	– – – – – For slaughter	0102 90 71 000
0102 90 79	– – – – – Other	0102 90 79 000

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 March 1993

on the extension to non-members of certain rules adopted by the producers' organization Apropesca in the fishery and aquaculture products sector

(Only the Portuguese text is authentic)

(93/348/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, and in particular Article 5 (2) thereof,

Whereas the Portuguese authorities notified to the Commission on 19 January 1993 their intention to extend to non-members the rules adopted by the producers' organization Apropesca;

Whereas the rules notified are in accordance with Community law and in particular with the relevant provisions of Council Regulation (EEC) No 3759/92 and of Commission Regulation (EEC) No 3190/82 of 29 November establishing the procedures for implementing the extension to non-members of certain rules adopted by producers' organizations in the fishery

products sector⁽²⁾; whereas these rules may therefore be made obligatory,

HAS ADOPTED THIS DECISION:

Article 1

The rules adopted by the producers' organization Apropesca in the fishery and aquaculture products sector may be made obligatory for non-members of that organization. These rules are listed in the Annex to this Decision.

Article 2

This Decision is addressed to the Republic of Portugal.

Done at Brussels, 17 March 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 338, 30. 11. 1982, p. 11.

*ANNEX***1. Title**

Extension to non-members of certain rules adopted by the producers' organization Apropesca in the fishery and aquaculture products sector.

2. Producers' organization responsible

Apropesca — small-scale fishermen's organization,
Rue da Assunção 88,
4490 Póvoa do Varzim,
Portugal.

3. Zone affected by the measure

Ports of Matosinhos and Douro.

4. Period of application of the measure

1 January 1993 to 31 December 1993.

5. Production and marketing rules

Species : clam ;

Production : — a maximum number of catches per boat per trip is fixed in accordance with the existing rules and decisions, where appropriate, of Apropesca,
— a maximum working period from Monday to Friday is applicable for clam fishing (weekends and public holidays to be excluded). Landing schedule to be fixed where appropriate ;

Marketing : — established sizes :
— size 1 : > 4,5 cm,
— size 2 : from 2,5 cm to 4,5 cm,
— freshness category : extra A only,
— withdrawal price fixed at : size 1 : ESC 140/kg
— withdrawal price fixed at : size 2 : ESC 100/kg.
