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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1462/93**of 15 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 14 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 16 June 1993.

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

Done at Brussels, 15 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 15 June 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries (*)
0709 90 60	140,69 ⁽²⁾ ⁽³⁾
0712 90 19	140,69 ⁽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	140,69 ⁽²⁾ ⁽³⁾
1005 90 00	140,69 ⁽²⁾ ⁽³⁾
1007 00 90	143,41 ⁽⁴⁾
1008 10 00	53,89 ⁽²⁾
1008 20 00	106,03 ⁽⁴⁾
1008 30 00	58,24 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	58,24
1101 00 00	223,98 ⁽²⁾
1102 10 00	228,64
1103 11 30	290,66
1103 11 50	290,66
1103 11 90	240,25

(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 1463/93**of 15 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 14 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 16 June 1993.

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

Done at Brussels, 15 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 15 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	2,07	2,07	2,07
1003 00 20	0	2,07	2,07	2,07
1003 00 80	0	2,07	2,07	2,07
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	4,01	4,01	3,91

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	3,68	3,68	3,68	3,68
1107 10 99	0	2,75	2,75	2,75	2,75
1107 20 00	0	3,21	3,21	3,21	3,21

COMMISSION REGULATION (EEC) No 1464/93

of 15 June 1993

amending Regulation (EEC) No 230/93 opening an invitation to tender for the refund for the export of maize

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⁾,Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾, and in particular Article 5 thereof,Whereas Commission Regulation (EEC) No 230/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 1257/93 ⁽⁵⁾, opens an invitation to tender for the refund for the export of maize to countries in zones I, III (b), VIII (a) and to Cuba; whereas, given the present situation Hungary should be included in the destinations for this invitation to tender;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Article 1 (2) of Regulation (EEC) No 230/93 is hereby replaced by the following:

‘2. The invitation to tender shall relate to maize for export to the countries in zones I, III (b), VIII (a), to Cuba and to Hungary.’

2. The heading of the Annex to Regulation (EEC) No 230/93 is hereby replaced by the following:

‘Weekly invitation to tender for the refund for the export of maize to countries in zones I, III (b), VIII (a) to Cuba and to Hungary.’

*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, 15 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 281, 1. 11. 1975, p. 78.⁽⁴⁾ OJ No L 27, 4. 2. 1993, p. 20.⁽⁵⁾ OJ No L 128, 26. 5. 1993, p. 8.

COMMISSION REGULATION (EEC) No 1465/93
of 15 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 1451/93 ⁽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 14 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 16 June 1993.

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

Done at Brussels, 15 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 142, 12. 6. 1993, p. 44.

ANNEX

to the Commission Regulation of 15 June 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	35,08 ⁽¹⁾
1701 11 90	35,08 ⁽¹⁾
1701 12 10	35,08 ⁽¹⁾
1701 12 90	35,08 ⁽¹⁾
1701 91 00	44,33
1701 99 10	44,33
1701 99 90	44,33 ⁽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 1466/93

of 15 June 1993

fixing the amount of aid for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁵⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽¹⁶⁾;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 17.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 179, 1. 7. 1992, p. 120.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 18.

⁽⁸⁾ OJ No L 180, 1. 7. 1992, p. 20.

⁽⁹⁾ OJ No L 250, 29. 8. 1992, p. 15.

⁽¹⁰⁾ OJ No L 279, 23. 9. 1992, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

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

⁽¹⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 June 1993.

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

Done at Brussels, 15 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 169, 29. 6. 1991, p. 29.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 22.

*ANNEX***Gross aid**

Products intended for human consumption :

<i>(ECU per 100 kg)</i>	
	Current 6
Peas used :	11,824
Field beans used :	11,824

Products used in animal feed :

<i>(ECU per 100 kg)</i>	
	Current 6
A. Peas used :	12,703
B. Field beans used :	12,703
C. Sweet lupins used :	14,818

COMMISSION REGULATION (EEC) No 1467/93

of 15 June 1993

amending Regulation (EEC) No 846/93 introducing a countervailing charge on apples originating in Chile

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 Commission Regulation (EEC) No 846/93⁽³⁾, as last amended by Regulation (EEC) No 1396/93⁽⁴⁾, introduced a countervailing charge on apples originating in Chile;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of apples originating in Chile, must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 846/93 'ECU 6,43' is hereby replaced by 'ECU 9,38'.

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, 15 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 88, 8. 4. 1993, p. 30.

⁽⁴⁾ OJ No L 137, 8. 6. 1993, p. 9.

COMMISSION REGULATION (EEC) No 1468/93**of 15 June 1993****introducing a countervailing charge on apricots originating in Tunisia**

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 Commission Regulation (EEC) No 1389/93⁽³⁾ introduced a countervailing charge on apricots originating in Tunisia;

Whereas for apricots originating in Tunisia there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of apricots originating in Tunisia can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1389/93 is hereby repealed.

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, 15 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 136, 5. 6. 1993, p. 41.

COMMISSION REGULATION (EEC) No 1469/93
of 15 June 1993
fixing additional amounts for in the eggs sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 3821/92⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Commission Regulation No 54/65/EEC⁽⁵⁾, No 183/66/EEC⁽⁶⁾, No 765/67/EEC⁽⁷⁾, (EEC) No 59/70⁽⁸⁾, as amended by Regulation (EEC) No 4155/87⁽⁹⁾ and (EEC) No 2164/72⁽¹⁰⁾, as amended by Regulation (EEC) No 3987/87⁽¹¹⁾, the levies on imports of poultry eggs in shell originating in and coming from

Poland, South Africa, Australia, Romania or Bulgaria are not increased by an additional amount, in so far as concerns products imported in accordance with Article 4 (a) of Regulation No 163/67/EEC;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 990/69⁽¹²⁾, as amended by Regulation (CEE) No 4155/87, the levies on imports of eggs not in shell and egg yolks originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (b) of Regulation (EEC) No 2771/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2771/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 16 June 1993.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 24.

⁽⁵⁾ OJ No 59, 8. 4. 1965, p. 848/65.

⁽⁶⁾ OJ No 211, 19. 11. 1966, p. 3602/66.

⁽⁷⁾ OJ No 260, 27. 10. 1967, p. 24.

⁽⁸⁾ OJ No L 11, 16. 1. 1970, p. 1.

⁽⁹⁾ OJ No L 392, 31. 12. 1987, p. 29.

⁽¹⁰⁾ OJ No L 232, 12. 10. 1972, p. 3.

⁽¹¹⁾ OJ No L 376, 31. 12. 1987, p. 20.

⁽¹²⁾ OJ No L 130, 31. 5. 1969, p. 4.

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

Done at Brussels, 15 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 15 June 1993 fixing additional amounts for products in the eggs sector

CN code	Origin of imports ⁽¹⁾	Additional amount
		ECU/100 kg
0408 11 10	01	75,00
0408 91 10	02	150,00

⁽¹⁾ Origin :

01 United States of America,
02 Czech Republic.

COMMISSION REGULATION (EEC) No 1470/93
of 15 June 1993
fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by the Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries ⁽³⁾, as last amended by Regulation (EEC) No 3821/92 ⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Commission Regulation (EEC) No 565/68 ⁽⁵⁾, as last amended by Regulation (EEC) No 3986/87 ⁽⁶⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2261/69 ⁽⁷⁾, as last amended by Regulation (EEC) No 3986/87, the import levies on slaughtered ducks and

geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2474/70 ⁽⁸⁾, as amended by Regulation (EEC) No 3986/87, the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2164/72 ⁽⁹⁾, as amended by Regulation (EEC) No 3987/87 ⁽¹⁰⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 16 June 1993.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 24.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 376, 31. 12. 1987, p. 7.

⁽⁷⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁸⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁹⁾ OJ No L 232, 12. 10. 1972, p. 3.

⁽¹⁰⁾ OJ No L 376, 31. 12. 1987, p. 20.

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

Done at Brussels, 15 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 15 June 1993 fixing additional amounts for poultry meat products

(ECU/100 kg)

CN code	Origin of imports (1)	Additional amount
0207 39 11	01	20,00
0207 41 10	01	20,00
0207 10 11	02	10,00
0207 10 15	02	10,00
0207 21 10	02	10,00
0207 10 19	02	10,00
0207 21 90	02	10,00
0207 39 13	02	10,00
0207 41 11	02	10,00
0207 39 25	02	10,00
0207 41 71	02	10,00
0207 39 41	03	20,00
0207 42 41	03	20,00

(1) Origin :

01 Brazil, Thailand and China,

02 Croatia, Slovenia,

03 Croatia.

COMMISSION REGULATION (EEC) No 1471/93

of 15 June 1993

fixing the export refunds on pigmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular the first sentence of Article 15 (5) thereof,

Having regard to Council Regulation (EEC) No 2768/75 of 29 October 1975 laying down general rules for granting export refunds on pigmeat and criteria for fixing the amount of such refunds⁽³⁾, and in particular Article 5 (1) thereof,

Whereas Article 15 of Regulation (EEC) No 2759/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for these products within the Community may be covered by an export refund;

Whereas it follows from applying these rules and criteria to the present situation on the market in pigmeat that the refund should be fixed as set out below;

Whereas facilities exist at present for the export of pigs falling within CN codes 0103 91 10 and 0103 92 19 and certain products falling within CN code 0203; whereas a refund should be fixed for these products taking particular account of the conditions of competition for Community exporters on world markets;

Whereas there are openings for exports to certain Eastern European countries; whereas the grant of a special refund with respect to these destinations is subject to compliance with the conditions provided for in Commission Regulation (EEC) No 1328/93⁽⁴⁾;

Whereas, in the case of products falling within CN codes 0210 19 51 and 0210 19 81, the refund should be limited to an amount which takes account of the qualitative characteristics of each of the products falling within these codes and of the foreseeable trend of production costs on the world market; whereas it is important that the Community should continue to take part in international trade in the case of certain typical Italian products falling within CN code 0210 91 81;

Whereas, because of the conditions of competition in certain third countries, which are traditionally importers

of products falling within CN codes 1601 00 and 1602, the refund for these products should be fixed so as to take this situation into account; whereas steps should be taken to ensure that the refund is granted only for the net weight of the edible substances, to the exclusion of the net weight of the bones possibly contained in the said preparations;

Whereas, since economically significant quantities of other pigmeat products are not being exported at present, there is no need to fix a refund for these products;

Whereas Article 4 of Regulation (EEC) No 2768/75 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 (1) of Regulation (EEC) No 2759/75 according to destination;

Whereas the refunds should be fixed taking account of the amendments to the refund nomenclature established by Commission Regulation (EEC) No 3846/87⁽⁵⁾, as last amended by Regulation (EEC) No 1457/93⁽⁶⁾;

Whereas Council Regulation (EEC) No 990/93⁽⁷⁾ prohibits trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which the export refund specified in Article 15 of Regulation (EEC) No 2759/75 is granted and the amount of the refund shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 June 1993.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 39.

⁽⁴⁾ See page 109 of this Official Journal.

⁽⁵⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 142, 12. 6. 1993, p. 55.

⁽⁷⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 15 June 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 15 June 1993 fixing the export refunds on pigmeat

(ECU/100 kg net weight)			(ECU/100 kg net weight)		
Product code	Destination of refund (1)	Amount of refund (2)	Product code	Destination of refund (1)	Amount of refund (2)
0103 91 10 000	01	24,00	0210 12 19 100	01	35,00
0103 92 19 000	01	24,00	0210 12 19 900	01	—
0203 11 10 000	01	35,00	0210 19 40 100	01	25,00
	02	70,00	0210 19 40 900	01	—
0203 12 11 100	01	35,00	0210 19 51 100	01	25,00
0203 12 11 900	01	—	0210 19 51 310	01	17,00
0203 12 19 100	01	35,00	0210 19 51 390	01	—
0203 12 19 900	01	—	0210 19 51 900	01	—
0203 19 11 100	01	35,00	0210 19 81 100	01	70,00
0203 19 11 900	01	—	0210 19 81 300	01	52,00
0203 19 13 100	01	35,00	0210 19 81 900	01	—
0203 19 13 900	01	—	1601 00 10 100	01	35,00
0203 19 15 100	01	24,00	1601 00 10 900	01	—
0203 19 15 900	01	—	1601 00 91 100	01	58,00
0203 19 55 120	01	25,00	1601 00 91 900	01	—
0203 19 55 190	01	25,00	1601 00 99 100	01	40,00
0203 19 55 311	01	17,00	1601 00 99 900	01	—
0203 19 55 319	01	—	1602 10 00 000	01	16,00
0203 19 55 391	01	17,00	1602 20 90 100	01	30,00
0203 19 55 399	01	—	1602 20 90 900	01	—
0203 19 55 900	01	—	1602 41 10 100	01	30,00
0203 21 10 000	01	35,00	1602 41 10 210	01	50,00
	02	70,00	1602 41 10 290	01	26,00
0203 22 11 100	01	35,00	1602 41 10 900	01	—
0203 22 11 900	01	—	1602 42 10 100	01	30,00
0203 22 19 100	01	35,00	1602 42 10 210	01	44,00
0203 22 19 900	01	—	1602 42 10 290	01	26,00
0203 29 11 100	01	35,00	1602 42 10 900	01	—
0203 29 11 900	01	—	1602 49 11 110	01	30,00
0203 29 13 100	01	35,00	1602 49 11 190	01	50,00
0203 29 13 900	01	—	1602 49 11 900	01	—
0203 29 15 100	01	24,00	1602 49 13 110	01	30,00
0203 29 15 900	01	—	1602 49 13 190	01	44,00
0203 29 55 120	01	25,00	1602 49 13 900	01	—
0203 29 55 190	01	25,00	1602 49 15 110	01	30,00
0203 29 55 311	01	17,00	1602 49 15 190	01	44,00
0203 29 55 319	01	—	1602 49 15 900	01	—
0203 29 55 391	01	17,00	1602 49 19 110	01	20,00
0203 29 55 399	01	—	1602 49 19 190	01	36,00
0203 29 55 900	01	—	1602 49 19 900	01	—
0210 11 11 100	01	25,00	1602 49 30 100	01	26,00
0210 11 11 900	01	—	1602 49 30 900	01	—
0210 11 31 110	01	70,00	1602 49 50 100	01	16,00
0210 11 31 190	01	—	1602 49 50 900	01	—
0210 11 31 910	01	52,00	1602 90 10 100	01	28,00
0210 11 31 990	01	—	1602 90 10 900	01	—
0210 12 11 100	01	17,00	1902 20 30 100	01	16,00
0210 12 11 900	01	—	1902 20 30 900	01	—

(1) The destinations are as follows:

01 Third Countries

02 The Russian Federation, the Ukraine and Belarus, under the terms of Commission Regulation (EEC) No 1328/93.

(2) 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 product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EEC) No 1472/93**of 15 June 1993****adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for trade with Spain from 6 June 1993**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 85 (1) and 252 (1) thereof,

Whereas Commission Regulation (EEC) No 1112/93 of 6 May 1993 laying down detailed rules for the application of the supplementary trade mechanism in the beef and veal sector between the Community as constituted at 31 December 1985 and Spain and Portugal and repealing Regulations (EEC) No 3810/91 and (EEC) No 3829/92⁽¹⁾, set the indicative ceilings applicable in the beef and veal sector and the maximum quantities for which STM licences may be issued in May and June 1993;

Whereas Article 85 (1) of the Act of Accession makes provision for the Commission to take the interim protective measures necessary if the indicative ceiling for the year in course or part of it is reached or exceeded;

Whereas the licence applications lodged between 7 and 15 June 1993 are for a quantity in excess of that set for the months of May and June 1993 for Spain for live animals; whereas as an interim protective measure no further certificates should be issued for the time being,

HAS ADOPTED THIS REGULATION:

Article 1

For live animals of the bovine species, other than purebred breeding animals and animals for bullfights the issuing of STM licences in response to applications submitted from 16 June 1993 onwards is suspended for the time being.

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, 15 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 113, 7. 5. 1993, p. 10.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 8 June 1993

amending Council Decision 88/591/ECSC, EEC, Euratom establishing a Court of First Instance of the European Communities

(93/350/Euratom, ECSC, EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 32d thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 168a thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 140a thereof,

Having regard to the Protocol on the Statute of the Court of Justice of the European Coal and Steel Community, signed in Paris on 18 April 1951,

Having regard to the request from the Court of Justice,

Having regard to the opinion of the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas the attachment to the Court of Justice of a Court of First Instance by Decision 88/591/ECSC, EEC, Euratom⁽²⁾ is intended, by the establishment of a second court, in particular in respect of actions requiring close examination of complex facts, to improve the judicial protection of individual interests and to maintain the quality and effectiveness of judicial review in the Community legal order by enabling the Court of Justice

to concentrate its activities on its fundamental task, of ensuring uniform interpretation of Community law;

Whereas, with the same end in view, it is appropriate, taking into account past experience to enlarge the jurisdiction transferred to the Court of First Instance to hear and determine at first instance certain classes of action or proceeding brought by natural or legal persons;

Whereas Decision 88/591/ECSC, EEC, Euratom should therefore be amended in consequence,

HAS DECIDED AS FOLLOWS:

Article 1

Decision 88/591/ECSC, EEC, Euratom is hereby amended as follows:

1. the following shall be substituted for Article 3 (1):

'The Court of First Instance shall exercise at first instance the jurisdiction conferred on the Court of Justice by the Treaties establishing the Communities and by the acts adopted in implementation thereof, save as otherwise provided in an act setting up a body governed by Community law:

(a) in disputes as referred to in Article 179 of the EEC Treaty and Article 152 on the EAEC Treaty;

(b) in actions brought by natural or legal persons pursuant to the second paragraph of Article 33, Article 35, the first and second paragraphs of Article 40 and Article 42 of the ECSC Treaty;

(c) in actions brought by natural or legal persons pursuant to the second paragraph of Article 173, the third paragraph of Article 175 and Articles 178 and 181 of the EEC Treaty;

⁽¹⁾ OJ No C 241, 21. 9. 1992, p. 1.

⁽²⁾ OJ No L 319, 25. 11. 1988, p. 1. Corrected version published in OJ No C 215, 21. 8. 1989, p. 1.

(d) in actions brought by natural or legal persons pursuant to the second paragraph of Article 146, the third paragraph of Article 148 and Articles 151 and 153 of the 'EAEC Treaty.';

2. paragraphs 2 and 3 of Article 3 are hereby repealed ;

3. the following shall be substituted for Article 4 :

'Article 4

Save as hereinafter provided, Articles 34, 36, 39, 44 and 92 of the ECSC Treaty, Articles 172, 174, 176, 184 to 187 and 192 of the EEC Treaty and Articles 49, 83, 144b, 147, 149, 156 to 159 and 164 of the Euratom Treaty shall apply to the Court of First Instance.'

Article 2

In the Protocol on the Statute of the Court of Justice of the European Coal and Steel Community, as amended by Decision 88/591/ECSC, EEC, Euratom, the following shall be substituted for the second paragraph of Article 53 :

'By way of derogation from Article 44 of the Treaty, decisions of the Court of First Instance declaring a general decision or general recommendation to be void shall take effect only as from the date of expiry of the period referred to in the first paragraph of Article 49 of this Statute, or if an appeal shall have been brought within that period, as from the date of dismissal of the appeal, without prejudice, however, to the right of a party to apply to the Court of Justice pursuant to the second and third paragraphs of Article 39 of the Treaty, for the suspension of the effects of the act which has been declared void or for the prescription of any other interim measure.'

Article 3

This Decision shall enter into force on the first day of the second month following that of its publication in the

Official Journal of the European Communities; however, in respect of actions brought by natural or legal persons pursuant to the second paragraph of Article 33, Article 35 and the first and second paragraphs of Article 40 of the ECSC Treaty and which concern acts relating to the application of Article 74 of the said Treaty in respect of actions brought by natural or legal persons pursuant to the second paragraph of Article 173, the third paragraph of Article 175 and Article 178 of the EEC Treaty and relating to measures to protect trade within the meaning of Article 113 of that Treaty in the case of dumping and subsidies, its entry into force shall be deferred to a date that the Council shall fix by unanimous decision.

The provisions relating to actions brought under Article 42 of the ECSC Treaty, Article 181 of the EEC Treaty or Article 153 of the EAEC Treaty shall apply only to contracts concluded after the entry into force of this Decision.

Article 4

Cases falling within the scope of Article 3 of Decision 88/591/ECSC, EEC, Euratom, as amended by this Decision, of which the Court of Justice is seised on the date on which this Decision enters into force but in which the preliminary report provided for in Article 44 (1) of the Rules of Procedure of the Court of Justice has not yet been presented, shall be referred to the Court of First Instance.

Done at Luxembourg, 8 June 1993.

For the Council

The President

N. HELVEG PETERSEN

COMMISSION

COMMISSION DECISION

of 19 May 1993

determining analysis methods, sampling plans and maximum limits for mercury
in fishery products

(93/351/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and placing on the market of fishery products⁽¹⁾, and in particular Chapter V, part II point 3 C of the Annex thereto,

Whereas natural contamination or pollution of the aquatic environment may result in concentrations of contaminants such as mercury in fishery products;

Whereas, to protect public health, the maximum limits for concentrations of mercury in fishery products should be laid down;

Whereas acceptable weekly human intakes of mercury, as provisionally established at international level, must not be exceeded; whereas the provisions on maximum limits for mercury in fishery products will have to be reviewed if different acceptable weekly intakes are established at international level;

Whereas low concentrations of mercury do not pose an immediate toxicological danger to consumers but it is necessary to avoid possibly harmful long-term accumulations; whereas it is therefore desirable to limit its absorption in general;

Whereas for physiological reasons certain species concentrate mercury more easily in their tissues; whereas, in accordance with the objectives of the public health protection, higher acceptability limits should be set for these than for other fishery products;

Whereas by Commission Decision 90/515/EEC⁽²⁾ the Commission adopted reference methods for detecting

residues of heavy metals and arsenic; whereas it is appropriate to apply that Decision to the detection of mercury in fishery products;

Whereas Article 3 (4) (b) of Directive 91/493/EEC requires that when live bivalve molluscs are processed the provisions of Chapter V of the Annex to that Directive be applied;

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

HAS ADOPTED THIS DECISION:

Article 1

The mean total mercury content, as determined by the analysis referred to in Article 3 (2), of the edible parts of fishery products must not exceed 0,5 ppm of fresh product (0,5 milligrams per kilo of fresh weight). This average limit is, however, increased to 1 ppm of fresh product (1 milligram per kilo of fresh weight) for the edible parts of the species listed in the Annex.

Article 2

The analysis method to be used in determining the total mercury content is that specified by Decision 90/515/EEC.

Article 3

1. Sampling plans shall be laid down for fresh and frozen fishery products by the competent authority. These shall take account on the one hand of the results obtained from national checks and within the framework of the monitoring system carried out in accordance with Chapter V, part II point 3 B of the Annex to Directive 91/493/EEC and on the other hand of the following factors:

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 286, 18. 10. 1990, p. 33.

A. Product type :

- (a) species listed in the Annex ;
- (b) other species ;

B. The minimum number of samples to be taken per lot for each product category shall be :

- category (a) : 10 samples taken from 10 different individuals,
- category (b) : five samples taken from five different individuals.

2. The analysis shall be carried out on the finely homogenized mixture of the samples so as to obtain the mean value of the mercury content.

In particular, in the case of fish of the species listed in the Annex, which are of various sizes, the samples taken must represent the composition of the lot.

3. The sampling plans referred to in paragraph 1 and subsequent modifications thereof shall be notified to the

Commission for information. The Commission shall inform the other Member States.

Article 4

The mean total mercury content referred to in Article 1 will be reviewed when new weekly permissible intakes for mercury are laid down at international level, and at the latest three years following the notification of this Decision, on the basis of the data obtained from the sampling plans and communicated to the Commission by the Member States.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 19 May 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Sharks (all species)
Tuna (*Thunnus* spp.)
Little tuna (*Euthynnus* spp.)
Bonito (*Sarda* spp.)
Plain bonito (*Orcynopsis unicolor*)
Swordfish (*Xipbias gladius*)
Sailfish (*Istiophorus platypterus*)
Marlin (*Makaira* spp.)
Eel (*Anguilla* spp.)
Bass (*Dicentrarchus labrax*)
Sturgeon (*Acipenser* spp.)
Halibut (*Hippoglossus hippoglossus*)
Redfish (*Sebastes marinus*, *S. mentella*)
Blue ling (*Molva dipterygia*)
Atlantic catfish (*Anarhichas lupus*)
Pike (*Esox lucius*)
Portuguese dogfish (*Centrosymnes coelolepis*)
Rays (*Raja* spp.)
Scabbardfishes (*Lepidopus caudatus*, *Aphanopus carbo*)
Anglerfish (*Lophius* spp.)

COMMISSION DECISION

of 1 June 1993

**laying down derogations from the conditions of approval for border inspection
posts located in ports where fish is landed**

(93/352/EEC)

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

Having regard to Council Directive 90/675/EEC of
10 December 1990 laying down the principles governing
the organization of veterinary checks on products enter-
ing the Community from third countries ⁽¹⁾, as last
amended by Directive 92/118/EEC ⁽²⁾, and in particular
Article 18 paragraph 4 thereof,

Whereas the border inspection posts must satisfy the
general requirements laid down by Directive
90/675/EEC; whereas supplementary and necessary
conditions have been laid down by Commission Decision
92/525/EEC ⁽³⁾ in order to allow the approval of these
posts;

Whereas, in relation to the landing of fish in ports, it is
necessary to take account of the derogation from certain
provisions relating to the border inspection posts and the
staff responsible for the organization of the controls;

Whereas, in this context, it is appropriate to take account
of the health conditions for the production and the
placing on the market of fishery products laid down by
Council Directive 91/493/EEC ⁽⁴⁾ for the conditions of
approval of the border inspection posts which are located
in ports and where fish is landed;

Whereas the competent authorities of the Member States
must have the possibility to designate official agents,
responsible for the control of fish, who must have the
required abilities for this kind of control;

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

HAS ADOPTED THIS DECISION:

Article 1

The competent authority of a Member State shall desig-
nate an official agent, who is specifically trained, to be
responsible for the carrying out of checks on fish in
border inspection posts located in ports where fish is
unloaded. The competent authority shall inform other
Member States and the Commission.

Article 2

By derogation from point 2 of the Annex of Decision
92/525/EEC, unloading and landing of fish must be
carried out in accordance with Chapter II, point 2 of the
Annex of Directive 91/493/EEC.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 1 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 331, 17. 11. 1992, p. 16.

⁽⁴⁾ OJ No L 268, 24. 9. 1991, p. 15.