

Official Journal

of the European Communities

ISSN 0378-6978

L 147

Volume 36

18 June 1993

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EEC) No 1483/93 of 17 June 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal	1
Commission Regulation (EEC) No 1484/93 of 17 June 1993 fixing the premiums to be added to the import levies on cereals, flour and malt	3
Commission Regulation (EEC) No 1485/93 of 17 June 1993 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	5
* Commission Regulation (EEC) No 1486/93 of 16 June 1993 concerning the classification of certain goods in the combined nomenclature	8
* Commission Regulation (EEC) No 1487/93 of 17 June 1993 amending Regulations (EEC) No 2257/92 and (EEC) No 2258/92 laying down detailed rules for implementing the specific arrangements for supplying Madeira and the Canary Islands, respectively, with certain vegetable oils and establishing the forecast supply balances	10
Commission Regulation (EEC) No 1488/93 of 17 June 1993 on the supply of white sugar as food aid	12
Commission Regulation (EEC) No 1489/93 of 17 June 1993 fixing the import levies on white sugar and raw sugar	16
Commission Regulation (EEC) No 1490/93 of 17 June 1993 amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender	18
Commission Regulation (EEC) No 1491/93 of 17 June 1993 introducing a countervailing charge on apples originating in the United States of America	20
Commission Regulation (EEC) No 1492/93 of 17 June 1993 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	22

II *Acts whose publication is not obligatory*

Council

93/355/EEC :

- * **Council Decision of 8 June 1993 concerning the conclusion of a Memorandum of understanding on certain oil seeds between the European Economic Community and the United States of America within the framework of the GATT** 25
- Memorandum of Understanding on oil seeds** 26

Commission

93/356/EEC :

- * **Commission Decision of 16 June 1993 repealing Decision 93/127/EEC introducing safeguard measures in respect of rice originating in the Netherlands Antilles** 28

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1483/93

of 17 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 16 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 18 June 1993.

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

Done at Brussels, 17 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 17 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	141,20 (*) (*)
0712 90 19	141,20 (*) (*)
1001 10 00	178,38 (*) (*)
1001 90 91	154,55
1001 90 99	154,55 (*)
1002 00 00	154,31 (*)
1003 00 10	139,74
1003 00 20	139,74
1003 00 80	139,74 (*)
1004 00 00	118,70
1005 10 90	141,20 (*) (*)
1005 90 00	141,20 (*) (*)
1007 00 90	144,97 (*)
1008 10 00	51,89 (*)
1008 20 00	104,91 (*)
1008 30 00	56,15 (*)
1008 90 10	(*)
1008 90 90	56,15
1101 00 00	228,97 (*)
1102 10 00	227,74
1103 11 30	288,52
1103 11 50	288,52
1103 11 90	245,64

(*) Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(*) 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.

(*) Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

(*) 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.

(*) 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.

(*) 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).

(*) The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

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

(*) 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 1484/93**of 17 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 16 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 18 June 1993.

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

Done at Brussels, 17 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 17 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	0	0	0
1001 90 99	0	0	0	0
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	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
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 1485/93

of 17 June 1993

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EEC) No 2046/92⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 1900/92⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 1901/92⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 1902/92⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 14 and 15 June 1993 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

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

(²) OJ No L 215, 30. 7. 1992, p. 1.

(³) OJ No L 169, 28. 6. 1976, p. 24.

(⁴) OJ No L 192, 11. 7. 1992, p. 1.

(⁵) OJ No L 169, 28. 6. 1976, p. 43.

(⁶) OJ No L 192, 11. 7. 1992, p. 2.

(⁷) OJ No L 169, 28. 6. 1976, p. 9.

(⁸) OJ No L 48, 26. 2. 1986, p. 1.

(⁹) OJ No L 142, 9. 6. 1977, p. 10.

(¹⁰) OJ No L 192, 11. 7. 1992, p. 3.

(¹¹) OJ No L 181, 21. 7. 1977, p. 4.

(¹²) OJ No L 370, 30. 12. 1978, p. 60.

(¹³) OJ No L 331, 28. 11. 1978, p. 6.

(¹⁴) OJ No L 263, 19. 9. 1991, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 18 June 1993.

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

Done at Brussels, 17 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ^(*)

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

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

^(*) For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

^(*) For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

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

COMMISSION REGULATION (EEC) No 1486/93

of 16 June 1993

concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EEC) No 1001/93⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is appropriate that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the combined nomenclature and which do not conform to the rights established by this Regulation, can continue to be

invoked under the provisions in Article 6 of Commission Regulation (EEC) No 3796/90⁽³⁾, as amended by Regulation (EEC) No 2674/92⁽⁴⁾, for a period of three months by the holder if a binding contract has been concluded such as is envisaged in Article 14 (3) (a) or (b) of Commission Regulation (EEC) No 1715/90⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 6 of Regulation (EEC) No 3796/90 for a period of three months by the holder if a binding contract has been concluded as envisaged in Article 14 (3) (a) or (b) of Regulation (EEC) No 1715/90.

Article 3

This Regulation shall enter into force on the 21st 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, 16 June 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 104, 29. 4. 1993, p. 28.

⁽³⁾ OJ No L 365, 28. 12. 1990, p. 17.

⁽⁴⁾ OJ No L 271, 16. 9. 1992, p. 5.

⁽⁵⁾ OJ No L 160, 26. 6. 1990, p. 1.

ANNEX

Description	Classification CN code	Reason										
(1)	(2)	(3)										
Sterilized food preparation in the form of a milky white opaque liquid tasting and smelling of coconut, made by milling and squeezing coconut pulp combined with water, having the following analytical properties : <table><tr><td>Water</td><td>79,6 % by weight</td></tr><tr><td>Sucrose</td><td>3,3 % by weight</td></tr><tr><td>Total fat content</td><td>16,6 % by weight</td></tr><tr><td>Fibre</td><td>0,1 % by weight</td></tr><tr><td>Ash</td><td>0,4 % by weight</td></tr></table> The product is sold as 'coconut milk' in a 400 ml can for general culinary purposes e.g. in the preparation of desserts, sauces, etc.	Water	79,6 % by weight	Sucrose	3,3 % by weight	Total fat content	16,6 % by weight	Fibre	0,1 % by weight	Ash	0,4 % by weight	2106 90 91	Classification in accordance with General Rules 1 and 6 for the interpretation of the combined nomenclature and the wording of CN codes 2106, 2106 90 and 2106 90 91. As virtually all the fibre has been removed, the preparation cannot be considered a product falling within CN code 2008 19.
Water	79,6 % by weight											
Sucrose	3,3 % by weight											
Total fat content	16,6 % by weight											
Fibre	0,1 % by weight											
Ash	0,4 % by weight											

COMMISSION REGULATION (EEC) No 1487/93

of 17 June 1993

amending Regulations (EEC) No 2257/92 and (EEC) No 2258/92 laying down detailed rules for implementing the specific arrangements for supplying Madeira and the Canary Islands, respectively, with certain vegetable oils and establishing the forecast supply balances

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 10 thereof,

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

Whereas, pursuant to Article 2 of Regulations (EEC) No 1600/92 and (EEC) No 1601/92, Commission Regulations (EEC) No 2257/92 ⁽⁴⁾ and (EEC) No 2258/92 ⁽⁵⁾ lay down detailed rules for implementing the specific arrangements and establish the forecast supply balances for vegetable oils for the period from 1 July 1992 to 30 June 1993; whereas the forecast supply balances for the period from 1 July 1993 to 30 June 1994 for Madeira and the Canary Islands must be fixed;

Whereas, for practical and administrative reasons, the arrangements should be managed on a monthly instead of a quarterly basis; whereas, however, the period of validity of import licences, exemption certificates and aid certificates should be adjusted;

Whereas Regulations (EEC) No 2257/92 and (EEC) No 2258/92 should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2257/92 is hereby amended as follows:

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.
⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.
⁽³⁾ OJ No L 173, 27. 6. 1992, p. 13.
⁽⁴⁾ OJ No L 219, 4. 8. 1992, p. 44.
⁽⁵⁾ OJ No L 219, 4. 8. 1992, p. 46.

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

'1. The quantities of the forecast supply balance for Madeira for the period from 1 July 1993 to 30 June 1994 which qualify for exemption from customs duties on imports from third countries or which benefit from Community supply aid shall be as follows:

CN code	Description of goods	Quantity (tonnes)
1507 to 1516 (excluding 1509 and 1510)	Vegetable oils (excluding olive oil)	3 000'

2. in Article 3 'quarter' is replaced by 'month';

3. Article 4 is replaced by the following:

Article 4

1. Import licences and exemption certificates shall expire on the last day of the second month following the month in which they were issued.

2. Aid certificates shall expire on the last day of the second month following the month in which they were issued.'

Article 2

Regulation (EEC) No 2258/92 is hereby amended as follows:

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

'1. The quantities of the forecast supply balance for the Canary Islands for the period from 1 July 1993 to 30 June 1994 which qualify for exemption from customs duties on imports from third countries or which benefit from Community supply aid shall be as follows:

CN code	Description of goods	Quantity (tonnes)
1507 to 1516 (excluding 1509 and 1510)	Vegetable oils (excluding olive oil)	35 000'

2. in Article 3 (1) and (2) 'quarter' is replaced by 'month';
3. Article 4 is replaced by the following:

Article 4

1. Import licences and exemption certificates shall expire on the last day of the second month following the month in which they were issued.

2. Aid certificates shall expire on the last day of the second month following the month in which they were issued.'

Article 3

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 17 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1488/93

of 17 June 1993

on the supply of white sugar as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain countries and beneficiary organizations 4 788 tonnes of sugar;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, in order to ensure that the supplies are carried out, provision should be made for tenderers to be able to mobilize either A or B quota sugar or C sugar in accordance with the regulations governing the market; whereas the contract for the supply of each lot is to be awarded to the tenderer submitting the lowest tender having regard to the conditions applicable to the categories of sugar in question;

Whereas, notably for logistical reasons, certain supplies were not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annexes, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

Tenders relating to the lots specified in the Annex shall cover either sugar produced under the A or B quotas or C sugar within the meaning of points (a), (b) and (c) of the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81⁽⁶⁾. Tenders shall be rejected unless they specify the category of sugar to which they relate.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

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, 17 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

⁽⁶⁾ OJ No L 177, 1. 7. 1981, p. 4.

ANNEX I

LOTS A, B and C

1. **Operation Nos⁽¹⁾**: see Annex II
2. **Programme**: 1993
3. **Recipient⁽²⁾**: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma; tel. (39 6) 57 97; telex 626675 I WFP
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods⁽³⁾⁽⁴⁾⁽⁵⁾**: see OJ No C 114, 29. 4. 1991, p. 21 (under V.A.1)
8. **Total quantity**: 4 788 tonnes
9. **Number of lots**: three (lot A: 2 086 tonnes; lot B: 945 tonnes; lot C: 1 757 tonnes); see Annex II
10. **Packaging and marking⁽⁶⁾⁽⁷⁾⁽⁸⁾**: see OJ No C 114, 29. 4. 1991, p. 21 (under V.A.2 and V.A.3)
Markings in English (A1 + A2 + C1 + C2 + C4) and French (A3 + B + C3)
Supplementary markings: see Annex II
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
 - A or B sugar (points (a) and (b))
 - C sugar (point (c))
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 9 — 29. 8. 1993
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 6. 7. 1993 at 12 noon (Brussels time)
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 20. 7. 1993 at 12 noon (Brussels time)
 - (b) period for making the goods available at the port of shipment: 23. 8 — 12. 9. 1993
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 3. 8. 1993 at 12 noon (Brussels time)
 - (b) period for making the goods available at the port of shipment: 6 — 26. 9. 1993
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾**:
Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles; (telex 22037 / 25670 AGREC B; telefax (32/2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer⁽⁴⁾**: In the case of A and B sugar: periodic refund applicable to white sugar on 11. 6. 1993, fixed by Commission Regulation (EEC) No 1408/93 (OJ No L 139, 10. 6. 1993, p. 5)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded.

The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

- (⁴) For A and B sugar :

Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the accession compensatory amounts. The date referred to in Article 2 of the above-mentioned Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106) shall not apply to this amount.

For C sugar :

Commission Regulation (EEC) No 2330/87 is not applicable. The rules given in Commission Regulation (EEC) No 2630/81 (OJ No L 258, 11. 9. 1981, p. 16) apply to exportation of sugar supplied under this Regulation.

- (⁵) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
 - phytosanitary certificate.
- (⁶) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁷) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
- (⁸) Lots A + C1 + C2 : Shipment to take place in 20-foot containers.
- (⁹) Notwithstanding OJ No C 114, point V.A.3(c) is replaced by the following : 'the words "European Community"'.

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	Inscripciones complementarias
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Yderligere påskrifter
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Ergänzende Aufschriften
Παρίδια	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Συμπληρωματικές ενδείξεις
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Supplementary markings
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Inscriptions complémentaires
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Iscrizioni supplementari
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Bijkomende vermeldingen
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Acção n°	Inscrições complementares
A	2 086	A 1 : 150	234/93	Kenya / WFP / 0496100 / Mombasa
		A 2 : 1 850	235/93	Kenya / WFP / 0496100 / Mombasa
		A 3 : 86	236/93	Djibouti / PAM / 0496000 / Djibouti
B	945	B 1 : 500	237/93	Algérie / PAM / 0415503 / Oran
		B 2 : 445	238/93	Algérie / PAM / 0415503 / Oran
C	1 757	C 1 : 915	300/93	Sudan / WFP / 0416802 / Port Sudan
		C 2 : 250	301/93	Sudan / WFP / 0501600 / Port Sudan
		C 3 : 72	302/93	Mauritanie / PAM / 0515701 / Nouakchott
		C 4 : 520	431/93	Mozambique / WFP / 0416403 / Maputo

COMMISSION REGULATION (EEC) No 1489/93
of 17 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 1465/93 ⁽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 16 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 18 June 1993.

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

Done at Brussels, 17 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 144, 16. 6. 1993, p. 6.

ANNEX

to the Commission Regulation of 17 June 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	35,41 ⁽¹⁾
1701 11 90	35,41 ⁽¹⁾
1701 12 10	35,41 ⁽¹⁾
1701 12 90	35,41 ⁽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 1490/93

of 17 June 1993

amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender

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 Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EEC) No 1377/93 ⁽⁴⁾, opens buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying in of the quantities necessary to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in

an amendment, in accordance with the Annexes hereto, to the list of Member States or regions of a Member State where buying in is open by invitation to tender, and the list of the quality groups which may be bought in;

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

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 21 June 1993.

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

Done at Brussels, 17 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 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 136, 5. 6. 1993, p. 11.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}, paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1, lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do artigo 1.º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
Belgique	x	x				
Denmark		x	x			
Deutschland	x	x				
España	x	x				
France	x	x				x
Nederland		x				
Ireland				x	x	x
Great Britain				x	x	
Northern Ireland				x	x	

COMMISSION REGULATION (EEC) No 1491/93**of 17 June 1993****introducing a countervailing charge on apples originating in the United States of America**

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 1660/92 of 26 June 1992 fixing for the 1992/93 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of Quality class I at ECU 57,08 per 100 kilograms net for the month of June 1993;

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 apples originating in the United States of America 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 apples;

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 3,96 per 100 kilograms net is applied to apples (CN codes 0808 10 31, 0808 10 33, 0808 10 39, 0808 10 51, 0808 10 53, 0808 10 59, 0808 10 81, 0808 10 83 and 0808 10 89) originating in the United States of America.

Article 2

This Regulation shall enter into force on 19 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 172, 27. 6. 1992, p. 57.

⁽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, 17 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1492/93

of 17 June 1993

fixing the export refunds 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 the fourth subparagraph of Article 16 (2) thereof,

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

Whereas Article 2 of 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⁾ provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas export possibilities exist for a quantity of 2 000 tonnes of wheat flour to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 ⁽⁴⁾, as last amended by Regulation (EEC) No 3570/92 ⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas, furthermore, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities

were fixed in Commission Regulation No 162/67/EEC ⁽⁶⁾, as last amended by Regulation (EEC) No 468/92 ⁽⁷⁾;

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

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁸⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁹⁾;

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

Whereas Council Regulation (EEC) No 990/93 ⁽¹⁰⁾ 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 Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 June 1993.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 362, 11. 12. 1992, p. 51.

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

⁽⁷⁾ OJ No L 53, 28. 2. 1992, p. 15.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ 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, 17 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 17 June 1993 fixing export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 00 100	01	57,00
1001 10 00 400	—	—	1101 00 00 130	01	54,00
1001 90 91 000	—	—	1101 00 00 150	01	50,00
1001 90 99 000	04	25,00	1101 00 00 170	01	46,00
	07	18,00	1101 00 00 180	01	43,00
	02	15,00	1101 00 00 190	—	—
1002 00 00 000	03	25,00	1101 00 00 900	—	—
	02	15,00	1102 10 00 500	01	57,00
1003 00 10 000	08	42,00	1102 10 00 700	—	—
	02	—	1102 10 00 900	—	—
1003 00 20 000	04	25,00	1103 11 30 200	01	0
	02	15,00	1103 11 30 900	—	—
1003 00 80 000	04	25,00	1103 11 50 200	01	0
	02	15,00	1103 11 50 400	01	0
1004 00 00 200	—	—	1103 11 50 900	—	—
1004 00 00 400	—	—	1103 11 90 200	01	57,00
1005 10 90 000	—	—	1103 11 90 800	—	—
1005 90 00 000	04	90,00			
	06	10,00			
	05	15,00			
	02	0			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Bulgaria,
- 06 Zones I, VIII a), Albania, Romania and Cuba,
- 07 Malta, Senegal, Ivory Coast, Tunisia and Morocco,
- 08 Algeria.

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 8 June 1993

concerning the conclusion of a Memorandum of understanding on certain oil seeds between the European Economic Community and the United States of America within the framework of the GATT

(93/355/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the recommendation from the Commission,

Whereas a GATT panel found that a consequence of the Community's support scheme for oil seeds was an impairment of the value of the tariff concession which the Community had granted to the United States in 1962;

Whereas the GATT panel consequently recommended that the Community should act quickly to eliminate this impairment;

Whereas a mutually satisfactory agreement was reached in the negotiations initiated with the United States of America and took the form of a Memorandum of Understanding;

Whereas this Memorandum of Understanding should be quickly given effect, so that the deadlines contained therein can be met,

HAS DECIDED AS FOLLOWS:

Article 1

The Memorandum of Understanding between the European Economic Community and the United States of

America on oil seeds in the framework of the General Agreement on Tariffs and Trade is hereby approved on behalf of the European Economic Community.

The text of the said Memorandum is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to sign the Memorandum of Understanding in order to bind the Community.

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Luxembourg, 8 June 1993.

For the Council

The President

N. HELVEG PETERSEN

MEMORANDUM OF UNDERSTANDING ON OIL SEEDS

1. European Community (Community) legislation for producers of rape and colza seeds, sunflower seeds, and soya beans is set out in Council Regulation (EEC) No 1765/92 of 30 June 1992.
2. The Community shall implement the following additional adjustments to the benefits accruing to European producers under this programme in respect of crop specific oil seeds payments.
3.
 - (a) The Community shall not engage in any market support expenditure in respect of rape and colza seeds, sunflower seeds and soya beans except in accordance with the terms and conditions provided pursuant to the Regulation specified in paragraph 1.
 - (b) The Community shall exclude from the benefits of the regime, the cultivation of 'confectionery sunflower seed' with effect from sowings for harvest in 1994.
4. The Community shall introduce a separate base area (SBA) for producers benefiting from the crop specific oil seeds payments system which shall respect the following principles:
 - progressive implementation to affect those crops planted for harvest in 1994 and subsequent years,
 - in recognition of the Treaties of Accession, full implementation for Spain and Portugal will commence in 1995/96.
5. The SBA system shall have the following components:
 - a Community oil seed base area shall be established for which crop specific oil seeds payments are made (the figures for EC-12 are set out in the Annex),
 - for a particular marketing year the applicable EC-12 oil seeds base area shall be reduced to reflect the annual set aside rate for arable crops fixed by the Council. In no year, however, shall the reduction be less than 10 % of the base.
6. In respect of any marketing year (without prejudice to the provisions of the corrective mechanism specified in Article 5 (1) (d) of Regulation (EEC) No 1765/92), crop specific oil seeds payments shall be subject to the following additional discipline:
 - for every 1 % of area planted benefiting from crop specific oil seeds payments in excess of the Community oil seed base area (after reduction in conformity with paragraph 5) the compensatory payments to such oil seed producers shall be reduced by 1 %,
 - any such decreases in compensatory payments applied to area planted above the SBA shall be applied in the same marketing year,
 - in addition, the percentage decrease in the adjusted compensatory payment shall be carried forward to the following marketing year,
 - however, in any year in which there is no decrease required in the compensatory payment (i.e. area planted is equal to or below the SBA (after reduction in conformity with paragraph 5)) the compensatory payment in that year may return to the level of the base reference amount,
 - subsequent adjustments in the compensatory payment shall be applied in the manner described above.
7. Should the by-products made available as a result of the cultivation of oil seeds on land set aside for the manufacture within the Community of products not primarily intended for human or animal consumption exceed one million metric tonnes annually expressed in soya bean meal equivalents, the Community shall take appropriate corrective action within the framework of the CAP reform.

8. The Community shall grant a tariff-rate quota for imports of 500 000 metric tonnes of corn into Portugal, beginning in the 1993/94 marketing year. The within quota tariff rate shall be bound at such levels so as to ensure that the quota shall be filled.
9. The Community shall incorporate the commitments set forth in paragraphs 1 to 8 herein in the Community schedule of domestic support commitments to be annexed to the Uruguay Round Protocol to the GATT.
10. The United States agrees to forego any further compensation claim for impairment of the bindings. If either party considers this Agreement has been breached, the Parties agree to undertake binding arbitration in the GATT on the issues of breach, damage and remedy.

3 December 1992

ANNEX

EC-12 oil seed separate base area system ⁽¹⁾

(Soya beans, rape and colza seeds and sunflower seeds)

Member State/oil seed	Reference year ⁽²⁾	
	1994/95	1995/96 and subsequent years ⁽³⁾
	Hectares	
SPAIN		
Sunflower seed	1 411 000	—
PORTUGAL		
Sunflower seed	122 000	—
EC-12		
Other	3 966 000	—
<i>Total</i>	—	5 128 000

⁽¹⁾ Figures to be reduced to reflect the annual set aside rate for arable crops.

⁽²⁾ The term 1994/95 refers to the Community marketing year, i.e. oil seeds (both winter and spring sown) for harvest in 1994.

⁽³⁾ It is understood that, should the membership of the Community be expanded, this Agreement will be amended to reflect an increase in the separate base area in an amount no more than the average level of production area of the acceding member in the three years immediately preceding such accession.

COMMISSION

COMMISSION DECISION

of 16 June 1993

repealing Decision 93/127/EEC introducing safeguard measures in respect of rice
originating in the Netherlands Antilles

(93/356/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Decision 91/482/EEC of
25 July 1991 on the association of the overseas countries
and territories with the European Economic Commu-
nity ⁽¹⁾, and in particular Article 109 thereof,

Having consulted the Committee set up by Article 1 (2) of
Annex IV to that Decision,

Whereas the Commission, in its Decision 93/127/EEC ⁽²⁾,
as last amended by Decision 93/211/EEC ⁽³⁾, laid down a
minimum price up to 31 August 1993 for imports of
semi-milled rice originating in the Netherlands Antilles ;

Whereas the situation on the Community market in
Indica rice has now greatly improved ; whereas, therefore,
there is no longer sufficient threat to require the maintain-
ing of safeguard measures ;

Whereas the safeguard measures should therefore be
abolished,

HAS ADOPTED THIS DECISION :

Article 1

Decision 93/127/EEC is hereby repealed.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 16 June 1993.

For the Commission

Manuel MARÍN

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 50, 2. 3. 1993, p. 27.

⁽³⁾ OJ No L 90, 14. 4. 1993, p. 36.