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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1637/93**of 28 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 25 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 29 June 1993.

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

Done at Brussels, 28 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 28 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	137,36 (*) (*)
0712 90 19	137,36 (*) (*)
1001 10 00	174,90 (*) (*)
1001 90 91	150,09
1001 90 99	150,09 (*)
1002 00 00	152,08 (*)
1003 00 10	136,91
1003 00 20	136,91
1003 00 80	136,91 (*)
1004 00 00	115,65
1005 10 90	137,36 (*) (*)
1005 90 00	137,36 (*) (*)
1007 00 90	142,33 (*)
1008 10 00	46,86 (*)
1008 20 00	101,26 (*)
1008 30 00	50,90 (*)
1008 90 10	(*)
1008 90 90	50,90
1101 00 00	222,72 (*)
1102 10 00	224,51
1103 11 30	283,13
1103 11 50	283,13
1103 11 90	238,89

(*) 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 1638/93**of 28 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 25 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 29 June 1993.

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

Done at Brussels, 28 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 28 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	0,17
1001 90 99	0	0	0	0,17
1002 00 00	0	0	0	0
1003 00 10	0	2,82	2,82	2,82
1003 00 20	0	2,82	2,82	2,82
1003 00 80	0	2,82	2,82	2,82
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	0,24

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	0,30	0,30
1107 10 19	0	0	0	0,23	0,23
1107 10 91	0	5,02	5,02	5,02	5,02
1107 10 99	0	3,75	3,75	3,75	3,75
1107 20 00	0	4,37	4,37	4,37	4,37

COMMISSION REGULATION (EEC) No 1639/93

of 28 June 1993

laying down detailed rules for the application of Regulation (EEC) No 404/93 as regards the cessation of banana cultivation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾ and in particular Article 13 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 ⁽²⁾, and in particular Article 6 (2) thereof,

Whereas, given the particularly unfavourable conditions for the production of bananas prevailing in certain producing regions in the Community, Regulation (EEC) No 404/93 provides for a premium for the cessation of such production;

Whereas it is necessary to define the detailed rules for applying the premium scheme, and in particular to determine what information must be given in applications for the grubbing-up premium and to provide for verification of the accuracy of that information;

Whereas, in order to ensure the effectiveness of the scheme, it is essential to obtain from farmers applying for the premium, and from any subsequent owners and farmers, an undertaking to refrain from replanting bananas for an appropriate period of time on the areas covered by applications; whereas applicants must also undertake not to increase the areas planted with bananas beyond the plots for which the premium is applied;

Whereas, in order to avoid the risk of grubbed-up plants being replanted, it should be made obligatory that they be made unsuitable for this purpose;

Whereas the competent national authorities must adopt all the appropriate inspection measures to ensure that applicants comply with their obligations, and in particular measures to establish, prior to payment of the premium, that grubbing-up has actually taken place in accordance with Community provisions; whereas inspections should also be carried out periodically after grubbing up, so as to ensure compliance with the undertaking not to replant;

Whereas the agricultural rate to be used for converting the amount of the premium into national currency should

be the rate in force on the first day of the year in which the grubbing-up takes place;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for the premium for the cessation of banana production provided for in Article 13 of Regulation (EEC) No 404/93 shall be submitted to the competent authorities of the Member States before commencement of the grubbing-up operations:

- for 1993, during the period from 1 July to the end of August,
- for 1994, during January.

2. Applications shall include at least the following information:

- (a) name and address of the applicant;
- (b) name, where applicable, and address of the holding concerned;
- (c) total surface area of the banana plantation cultivated by the producer;
- (d) for each parcel on which grubbing-up is to take place and for which the grubbing-up premium is applied for, the information required to identify such parcels, the total surface area planted, the number of banana trees per hectare, and the varieties;
- (e) the period over which the applicant undertakes to carry out the grubbing-up operations for each banana plantation or parcel of banana plantation concerned. This period may not extend beyond the end of the fifth month following the month in which acceptance of the premium application is notified in accordance with Article 2 (2).

3. Applications shall be accompanied by:

- a written undertaking by the applicant, for a period of 20 years from the end of the grubbing-up operation, not to plant banana trees on the parcels on which grubbing-up took place and not to extend the area under bananas on the holding beyond the existing banana plantation;
- where applicable, under conditions provided for in national legislation, a written agreement to the grubbing-up operation by the owner(s) of the parcels under bananas, as well as an undertaking by the owner(s) to

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

have the undertaking not to replant signed by any new owner or farmer, in the event of the sale or any other form of transfer of the parcels concerned. This undertaking shall continue to apply automatically to any subsequent owner or farmer over the period referred to in the first indent.

Article 2

1. Upon receipt of the application for the grubbing-up premium, the competent authority shall verify the information contained therein, where necessary by on-site inspections, shall register the undertakings provided for in Article 1 (3) and, where applicable, shall establish that the application is accepted.

2. Applicants shall be notified as to the acceptance or otherwise of their application two months after the lodging of the application at the latest.

3. The grubbing-up operation must be carried out within the time limits provided for in the premium application. It may not commence until the notification referred to in paragraph 2 has been sent.

4. Plants grubbed up must be made unsuitable for replanting.

Article 3

1. The competent authorities shall establish, by on-site inspections the areas covered by the aid application, that grubbing-up has been carried out in accordance with this Regulation, and in particular Article 2 (3) and (4) thereof, and shall certify the time at which it took place.

2. The grubbing-up premium shall be paid not later than three months after the date on which it was established that the grubbing-up took place.

Except in cases of *force majeure*, where applicants have not grubbed up the area for which the premium was sought by the date indicated in the application in accordance with Article 1 (2) (e), the premium shall be reduced by 20 %. No premium shall be granted if grubbing-up has not taken place within the three months following the final date indicated in the application.

Article 4

1. Member States shall check compliance the undertakings provided for in Article 1 (3) by routine inspections.

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

Done at Brussels, 28 June 1993.

of the holdings such that each holding is checked at least once every five years.

2. Member States shall inform the Commission of the results of the checks within two months following the month in which they were carried out.

3. Where the Member States establish that the undertakings provided for in Article 1 (3) have not been complied with,

— they shall recover the amount of the grubbing-up premium paid to the offending parties, plus interest calculated from the date of payment of the premium up to effective recovery thereof. The rate of interest to be applied shall be that in force for similar recovery operations under national law. The rate may not be lower than the reference rate referred to in the Annex as applied in the Member State concerned on the day of payment, plus one percentage point. Member States may decide not to collect interest if it amounts to ECU 20 or less,

— they shall impose on the offending parties the payment of an amount equal to 50 % of the amount of the grubbing-up premium paid.

4. The aid recovered and, where applicable, the interest shall be paid to the paying agencies or authorities and deducted by them from the expenditure financed by the European Agricultural Guidance and Guarantee Fund, Guarantee Section.

Article 5

Member States shall inform the Commission, no later than 31 December 1993 and 31 December 1994 respectively for 1993 and 1994, of the areas covered by applications for the grubbing-up premium as well as the areas grubbed-up the information being broken down by variety and region.

Article 6

The rate to be applied each year for conversion into national currency of the amount of the premium per hectare for the cessation of banana production shall be the agricultural conversion rate in force on 1 January of the year in which grubbing-up took place.

Article 7

This Regulation shall enter into force on 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

1. *Belgium* :
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COMMISSION REGULATION (EEC) No 1640/93
of 28 June 1993
fixing for the 1993/94 marketing year the reference prices for apples

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 Article 27 (1) 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 9 (1) thereof,

Having regard to Commission Regulation (EEC) No 3824/92 of 28 December 1992 laying down the prices and amounts fixed in ecus to be amended as a result of the monetary realignments⁽⁴⁾, as last amended by Regulation (EEC) No 1330/93⁽⁵⁾, and in particular Article 2 thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are fixed annually before the beginning of the marketing year;

Whereas because of the importance of apple-growing in the Community it is necessary to fix a reference price for apples;

Whereas apples harvested during a given crop year are marketed from July of one year to June of the following year; whereas reference prices should therefore be fixed for the period from 1 July up to and including 30 June of the following year;

Whereas to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting

Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas producer prices are the average of the prices recorded during the three years prior to the date of fixing the reference price, for a home-grown product with defined commercial characteristics, on the representative market or markets situated in the production areas where prices are lowest, for the products or varieties which represent a considerable proportion of production marketed throughout the year or for part of it and which satisfy specified requirements as regards market preparation; whereas when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market must be disregarded;

Whereas Article 1 of Commission Regulation (EEC) No 3820/92 of 28 December 1992 on transitional measures for the application of the agrimonetary arrangements laid down in Council Regulation (EEC) No 3813/92⁽⁶⁾ establishes a correspondence between the provisions of the agrimonetary arrangements applicable from 1 January 1993 and those applicable before that date;

Whereas Regulation (EEC) No 3824/92 establishes a list of prices and amounts for the fruit and vegetables sector which are to be divided by a coefficient of 1,013088 fixed by Regulation (EEC) No 537/93⁽⁷⁾, as amended by Regulation (EEC) No 1331/93⁽⁸⁾, as from the beginning of the 1993/94 marketing year; whereas Article 2 of Regulation (EEC) No 3824/92 lays down that the resulting reduction in the prices and amounts for each sector concerned shall be specified and the level of such reduced prices fixed; whereas, however, this adjustment may not result in a

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁵⁾ OJ No L 132, 29. 5. 1993, p. 113.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 22.

⁽⁷⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁸⁾ OJ No L 132, 29. 5. 1993, p. 114.

reference price level below that of the preceding marketing year, in accordance with Article 23 (2) of Regulation (EEC) No 1035/72;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1993/1994 marketing year, the reference prices for apples (CN codes 0808 10 31, 33, 39, 51, 53, 59, 81, 83 and 89), expressed in ecus per 100 kilograms net, shall be as follows for packed class I fruit, all sizes:

July :	46,25
August :	41,11
September :	43,98
October :	43,78
November :	44,61
December :	45,95
January :	48,62
February :	50,44
March :	52,73
April :	54,00
May :	56,31
June :	57,08.

Article 2

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, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1641/93

of 28 June 1993

fixing for the 1993/94 marketing year the reference prices for pears

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 Article 27 (1) 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 9 (1) thereof,

Having regard to Commission Regulation (EEC) No 3824/92 of 28 December 1992 laying down the prices and amounts fixed in ecus to be amended as a result of the monetary realignments⁽⁴⁾, as last amended by Regulation (EEC) No 1330/93⁽⁵⁾, and in particular Article 2 thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed before the beginning of each marketing year;

Whereas pears are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas pears harvested during a given crop year are marketed from June of one year to May of the following year; whereas the quantities marketed in June and May of the following year are so small that there is no need to fix reference prices; whereas the reference prices should therefore be fixed for the period 1 July up to and including 30 April of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

— the increase in production costs for fruit and vegetables, less productivity growth, and

— the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas to take variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying the specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas Article 1 of Commission Regulation (EEC) No 3820/92 of 28 December 1992 on transitional measures for the application of the agrimonetary arrangements laid down in Council Regulation (EEC) No 3813/92⁽⁶⁾ establishes a correspondence between the provisions of the agrimonetary arrangements applicable from 1 January 1993 and those applicable before that date;

Whereas Regulation (EEC) No 3824/92 establishes a list of prices and amounts for the fruit and vegetables sector which are to be divided by a coefficient of 1,013088 fixed by Regulation (EEC) No 537/93⁽⁷⁾, as amended by Regulation (EEC) No 1331/93⁽⁸⁾, as from the beginning of the 1993/94 marketing year; whereas Article 2 of Regulation (EEC) No 3824/92 lays down that the resulting reduction in the prices and amounts for each sector concerned shall be specified and the level of such reduced prices fixed;

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁵⁾ OJ No L 132, 29. 5. 1993, p. 113.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 22.

⁽⁷⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁸⁾ OJ No L 132, 29. 5. 1993, p. 114.

whereas, however, this adjustment may not result in a reference price level below that of the preceding marketing year, in accordance with Article 23 (2) of Regulation (EEC) No 1035/72;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1993/94 marketing year, the reference prices for pears (CN codes 0808 20 31, 33, 35 and 39) expressed in

ecus per 100 kilograms net of packed products of class 1, of all sizes, shall be as follows;

July :	47,03
August :	39,96
September :	39,66
October :	42,86
November :	45,94
December :	49,29
January to April inclusive :	51,33.

Article 2

This Regulation shall enter into force on 1 July 1992.

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

Done at Brussels, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1642/93

of 28 June 1993

reducing the basic and the buying-in prices for aubergines, pears and table grapes for the 1993/94 marketing year as a result of the monetary realignments of September and November 1992 and January and May 1993

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 Article 16b (4) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, and in particular Article 9 (1) thereof,

Having regard to Commission Regulation (EEC) No 3824/92 of 28 December 1992 laying down the prices and amounts fixed in ecus to be amended as a result of the monetary realignments⁽⁴⁾, as last amended by Regulation (EEC) No 1330/93⁽⁵⁾, and in particular Article 2 thereof,

Whereas Article 1 of Commission Regulation (EEC) No 3820/92 of 28 December 1992 on transitional measures for the application of the agrimonetary arrangements laid down in Regulation (EEC) No 3813/92⁽⁶⁾ establishes a link between the agrimonetary arrangements applicable with effect from 1 January 1993 and those applying previously;

Whereas Regulation (EEC) No 3824/92 establishes the list of prices and amounts in the fruit and vegetables sector which are to be divided by the reducing coefficients laid down by Commission Regulation (EEC) No 537/93⁽⁷⁾, as last amended by Regulation (EEC) No 1331/93⁽⁸⁾, from the beginning of the 1993/94 marketing year under the

arrangements for the automatic dismantling of the negative monetary gaps; whereas Article 2 of Regulation (EEC) No 3824/92 provides that the resulting reduction in the prices and amounts are to be specified for each sector concerned and that the reduced prices and amounts are to be fixed; whereas the basic and the buying-in prices for aubergines, pears and table grapes for the 1993/94 marketing year have been fixed by Council Regulation (EEC) No 1289/93 of 27 May 1993⁽⁹⁾, as amended by Commission Regulation (EEC) No 1334/93⁽¹⁰⁾;

Whereas in consequence of the above the basic and the buying-in prices for aubergines, pears and table grapes for the 1993/94 marketing year fixed by Regulation (EEC) No 1289/93 must be reduced by 1,05, 1,29 and 1,25 % for aubergines, pears and table grapes respectively;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1993/94 marketing year the basic and buying-in prices fixed by Regulation (EEC) No 1289/93 are hereby reduced by 1,05, 1,29 and 1,25 % for aubergines, pears and table grapes respectively and shall be as shown in the Annex hereto.

The prices do not include the effect of the cost of the packaging in which the product is put up.

Article 2

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁵⁾ OJ No L 132, 29. 5. 1993, p. 113.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 22.

⁽⁷⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁸⁾ OJ No L 132, 29. 5. 1993, p. 114.

⁽⁹⁾ OJ No L 132, 29. 5. 1993, p. 3.

⁽¹⁰⁾ OJ No L 132, 29. 5. 1993, p. 120.

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

Done at Brussels, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

BASIC AND BUYING-IN PRICES

1993/94 marketing year

AUBERGINES

For the period 1 July to 31 October 1993

(in ECU/100 kg)

	Basic price	Buying-in price
July to October	17,55	7,04

The prices refer to:

- elongated aubergines in quality Class I of a minimum diameter of 40 mm,
 - globus aubergines in quality Class I of a minimum diameter of 70 mm,
- put up in packaging.

PEARS

(other than perry pears)

For the period 1 July 1993 to 30 April 1994

(in ECU/100 kg)

	Basic price	Buying-in price
July	28,27	14,54
August	26,37	14,15
September	25,22	13,53
October	26,24	13,53
November	26,63	13,78
December	27,00	14,15
January to April	27,25	14,41

These prices refer to pears of:

- the varieties Beurré Hardy, Bon Chrétien Williams, Conférence, Coscia (Ercolini), Crystallis (Beurré Napoléon, Blanquilla, Tsakonika), Dr Jules Guyot (Limonera) and Rocha, in quality Class I of a minimum diameter of 60 mm,
 - the variety Emperor Alexander (Kaiser Alexandre Bosc), in quality Class I, of a minimum diameter of 70 mm,
- put up in packaging.

TABLE GRAPES

For the period 1 August to 20 November 1993

(in ECU/100 kg)

	Basic price	Buying-in price
August	35,83	23,05
September, October and 1 to 20 November	32,03	19,62

These prices refer to table grapes of the varieties Regina dei Vigneti, Soultanine, Regina (Mennavacca bianca, Rosaki, Dattier de Beyrouth), Italia, Aledo, Ohanes (Almeria) and D. Maria, in quality Class I, put up in packaging.

COMMISSION REGULATION (EEC) No 1643/93**of 28 June 1993****amending Regulation (EEC) No 827/90 adopting the list of representative
producer markets for certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables⁽¹⁾, as last amended by
Regulation (EEC) No 638/93⁽²⁾, and in particular
Article 17 (2) thereof,Whereas the lists of representative markets in the Nether-
lands introduced by Regulation (EEC) No 827/90⁽³⁾, as
last amended by Commission Regulation (EEC)
No 530/91⁽⁴⁾, should be adjusted in the light of new
information from the Member States concerned;Whereas the measures provided for in this Regulation are
in accordance with the opinion of the Management
Committee for Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

*Article 1*The Annexes to Regulation (EEC) No 827/90 are hereby
amended in respect of the Netherlands as indicated in the
Annex hereto.*Article 2*This Regulation shall enter into force on the third day
following its publication in the *Official Journal of the
European Communities*.This Regulation shall be binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 28 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 86, 31. 3. 1990, p. 13.⁽⁴⁾ OJ No L 58, 5. 3. 1991, p. 20.

ANNEX**AMENDMENTS TO THE LIST OF REPRESENTATIVE PRODUCER MARKETS CONTAINED
IN THE ANNEXES TO REGULATION (EEC) No 827/90****ANNEX I****CAULIFLOWERS***Netherlands:*

- Groenteveiling Westland BA
- West Friesland-Oost en Langedijk
- CHZ Barendrecht

ANNEX II**TOMATOES***Netherlands:*

- De Kring
- Groenteveiling Westland BA
- Zuid-Oost-Nederland

ANNEX III**AUBERGINES***Netherlands:*

- De Kring
- Groenteveiling Westland BA

ANNEX VII**PEARS***Netherlands:*

- Geldermalsen
- Zuid-Oost-Nederland
- West-Friesland-Oost en Langedijk

ANNEX IX**APPLES***Netherlands:*

- CHZ Kapelle
 - Geldermalsen
 - Utrecht
-

COMMISSION REGULATION (EEC) No 1644/93**of 28 June 1993****amending Regulation (EEC) No 3734/92 as regards the time limit for notification to the Commission of quantities of fruit and vegetables originating in Greece covered by admissible applications**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3438/92 of 23 November 1992 on special measures applying to consignments of certain fresh fruit and vegetables originating in Greece⁽¹⁾, and in particular Article 3 thereof,Whereas Article 3 of Commission Regulation (EEC) No 3734/92⁽²⁾ laying down detailed rules for the application of Regulation (EEC) No 3438/92 sets a three-month time limit for notification to the Commission of the overall quantities of products covered by admissible applications; whereas this time limit does not enable the competent Greek authorities to effect the necessary scrutiny and should therefore be extended;

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

Article 1

In Article 3 of Regulation (EEC) No 3734/92, 'Not later than three months after ...' is replaced by 'Not later than five months after ...'.

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 350, 1. 12. 1992, p. 1.⁽²⁾ OJ No L 380, 24. 12. 1992, p. 19.

COMMISSION REGULATION (EEC) No 1645/93

of 28 June 1993

on the issue of a standing invitation to tender for the resale on the internal market of 50 000 tonnes of durum wheat held by the Greek intervention agency with a view to its processing in certain Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 7 (6) thereof,

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

Whereas Article 4 of Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by intervention agencies ⁽⁵⁾, as last amended by Regulation (EEC) No 966/93 ⁽⁶⁾, provides for the possibility of restricting the use and/or destination of the cereals sold;

Whereas, in view of the present shortage of durum wheat, a standing invitation to tender should be issued for the resale on the internal market of 50 000 tonnes of durum wheat held by the Greek intervention agency with a view to its processing in the Community's northern Member States;

Whereas, moreover, as regards verification, the provisions of Commission Regulation (EEC) No 3002/92 of 16 October 1992 laying down common detailed rules for verifying the use and/or destination of products from intervention ⁽⁷⁾, as last amended by Regulation (EEC) No 642/93 ⁽⁸⁾, are applicable;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek intervention agency shall issue a standing invitation to tender for the disposal on the internal

market of 50 000 tonnes of durum wheat with a view to its processing in Belgium, Denmark, Germany, France, Ireland, Luxembourg, the Netherlands and the United Kingdom.

2. Without prejudice to the provisions of Regulation (EEC) No 1836/82, and in particular the second subparagraph of Article 13 (4) thereof, the following special rules shall apply to the present invitation to tender:

- tenderers shall undertake to process the quantities of durum wheat in the Member States referred to in paragraph 1,
- processing must be carried out by 31 October 1993 at the latest, except in cases of *force majeure*,
- a security of ECU 50 per tonne shall be lodged by the successful tenderer with the Greek intervention agency to ensure that the conditions laid down in the first and second indents are complied with. The security shall be lodged at the latest two working days following the day on which the statement of the award of contract was received,
- the minimum resale price to be observed shall be ECU 175 per tonne.

Article 2

1. The obligations referred to in the first and second indents of Article 1 (2) shall be considered as primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽⁹⁾. They shall be considered as having been fulfilled only if the successful tenderer provides proof to that effect.

2. Proof that the cereals referred to in this Regulation have been processed in the Member States referred to in Article 1 shall be furnished in accordance with Regulation (EEC) No 3002/92.

Processing shall be deemed to have taken place when the durum wheat is delivered to a storehouse located in one of the Member States referred to in Article 1.

Article 3

Apart from the endorsements provided for in Regulation (EEC) No 3002/92, box 104 of the T 5 control copy must contain one or more of the following:

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 98, 24. 4. 1993, p. 25.

⁽⁷⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁸⁾ OJ No L 69, 20. 3. 1993, p. 14.

⁽⁹⁾ OJ No L 205, 3. 8. 1985, p. 5.

- Destnados a la transformación [Reglamento (CEE) n° 1645/93].
- Til forarbejdning (forordning (EØF) nr. 1645/93).
- Zur Verarbeitung bestimmt (Verordnung (EWG) Nr. 1645/93).
- Προοριζόμενο για μεταποίηση [κανονισμός (ΕΟΚ) αριθ. 1645/93].
- For processing (Regulation (EEC) No 1645/93).
- Destinées à la transformation [règlement (CEE) n° 1645/93].
- Destinate alla trasformazione [regolamento (CEE) n. 1645/93].
- Bestemd om te worden verwerkt (Verordening (EEG) nr. 1645/93).
- Destinadas à transformação [Regulamento (CEE) n° 1645/93].

Article 4

1. The closing date for the submission of tenders for the first partial invitation to tender is hereby fixed at 1 July 1993.

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

Done at Brussels, 28 June 1993.

2. The closing date for the last partial invitation to tender shall be 29 July 1993.

3. Tenders must be lodged with the Greek intervention agency.

Ministry for Agriculture (YDAGEP),
Internal Market Division,
241 Acharnon Street,
GR-10446 Athens,
(telex : 22735 YDAG GR).

Article 5

The Greek intervention agency shall communicate to the Commission, at the latest by Tuesday of the week following the closing date for the submission of tenders, the quantity and the average prices of the various lots sold.

Article 6

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

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1646/93
of 28 June 1993
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 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 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 2767/90 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁴⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 150 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88⁽⁶⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in

particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

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, 28 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 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁷⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 28 June 1993 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0401 10 10 000		5,45	0402 21 91 900		149,14
0401 10 90 000		5,45	0402 21 99 100		110,85
0401 20 11 100		5,45	0402 21 99 200		111,66
0401 20 11 500		8,42	0402 21 99 300		113,12
0401 20 19 100		5,45	0402 21 99 400		121,46
0401 20 19 500		8,42	0402 21 99 500		124,32
0401 20 91 100		11,21	0402 21 99 600		135,31
0401 20 91 500		13,06	0402 21 99 700		141,84
0401 20 99 100		11,21	0402 21 99 900		149,14
0401 20 99 500		13,06	0402 29 15 200		0,6000
0401 30 11 100		16,78	0402 29 15 300		0,9640
0401 30 11 400		25,87	0402 29 15 500		1,0192
0401 30 11 700		38,87	0402 29 15 900		1,1000
0401 30 19 100		16,78	0402 29 19 200		0,6000
0401 30 19 400		25,87	0402 29 19 300		0,9640
0401 30 19 700		38,87	0402 29 19 500		1,0192
0401 30 31 100		46,29	0402 29 19 900		1,1000
0401 30 31 400		72,28	0402 29 91 100		1,1085
0401 30 31 700		79,70	0402 29 91 500		1,2146
0401 30 39 100		46,29	0402 29 99 100		1,1085
0401 30 39 400		72,28	0402 29 99 500		1,2146
0401 30 39 700		79,70	0402 91 11 110		5,45
0401 30 91 100		90,84	0402 91 11 120		11,21
0401 30 91 400		133,53	0402 91 11 310		19,10
0401 30 91 700		155,81	0402 91 11 350		23,60
0401 30 99 100		90,84	0402 91 11 370		28,92
0401 30 99 400		133,53	0402 91 19 110		5,45
0401 30 99 700		155,81	0402 91 19 120		11,21
0402 10 11 000		60,00	0402 91 19 310		19,10
0402 10 19 000		60,00	0402 91 19 350		23,60
0402 10 91 000		0,6000	0402 91 19 370		28,92
0402 10 99 000		0,6000	0402 91 31 100		22,16
0402 21 11 200		60,00	0402 91 31 300		34,18
0402 21 11 300		96,40	0402 91 39 100		22,16
0402 21 11 500		101,92	0402 91 39 300		34,18
0402 21 11 900		110,00	0402 91 51 000		25,87
0402 21 17 000		60,00	0402 91 59 000		25,87
0402 21 19 300		96,40	0402 91 91 000		90,84
0402 21 19 500		101,92	0402 91 99 000		90,84
0402 21 19 900		110,00	0402 99 11 110		0,0545
0402 21 91 100		110,85	0402 99 11 130		0,1121
0402 21 91 200		111,66	0402 99 11 150		0,1862
0402 21 91 300		113,12	0402 99 11 310		22,04
0402 21 91 400		121,46	0402 99 11 330		26,63
0402 21 91 500		124,32	0402 99 11 350		35,68
0402 21 91 600		135,31	0402 99 19 110		0,0545
0402 21 91 700		141,84	0402 99 19 130		0,1121

Product code	Destination (°)	Amount of refund (°)	Product code	Destination (°)	Amount of refund (°)
0402 99 19 150		0,1862	0403 90 59 510		90,84
0402 99 19 310		22,04	0403 90 59 540		133,53
0402 99 19 330		26,63	0403 90 59 570		155,81
0402 99 19 350		35,68	0403 90 61 100		0,0545
0402 99 31 110		0,2402	0403 90 61 300		0,0842
0402 99 31 150		37,17	0403 90 63 000		0,1121
0402 99 31 300		0,4629	0403 90 69 000		0,1678
0402 99 31 500		0,7970	0404 90 11 100		60,00
0402 99 39 110		0,2402	0404 90 11 910		5,45
0402 99 39 150		37,17	0404 90 11 950		19,10
0402 99 39 300		0,4629	0404 90 13 120		60,00
0402 99 39 500		0,7970	0404 90 13 130		96,40
0402 99 91 000		0,9084	0404 90 13 140		101,92
0402 99 99 000		0,9084	0404 90 13 150		110,00
0403 10 02 000		—	0404 90 13 911		5,45
0403 10 04 200		—	0404 90 13 913		11,21
0403 10 04 300		—	0404 90 13 915		16,78
0403 10 04 500		—	0404 90 13 917		25,87
0403 10 04 900		—	0404 90 13 919		38,87
0403 10 06 000		—	0404 90 13 931		19,10
0403 10 12 000		—	0404 90 13 933		23,60
0403 10 14 200		—	0404 90 13 935		28,92
0403 10 14 300		—	0404 90 13 937		34,18
0403 10 14 500		—	0404 90 13 939		35,74
0403 10 14 900		—	0404 90 19 110		110,85
0403 10 16 000		—	0404 90 19 115		111,66
0403 10 22 100		5,45	0404 90 19 120		113,12
0403 10 22 300		8,42	0404 90 19 130		121,46
0403 10 24 000		11,21	0404 90 19 135		124,32
0403 10 26 000		16,78	0404 90 19 150		135,31
0403 10 32 100		0,0545	0404 90 19 160		141,84
0403 10 32 300		0,0842	0404 90 19 180		149,14
0403 10 34 000		0,1121	0404 90 19 900		—
0403 10 36 000		0,1678	0404 90 31 100		60,00
0403 90 11 000		60,00	0404 90 31 910		5,45
0403 90 13 200		60,00	0404 90 31 950		19,10
0403 90 13 300		96,40	0404 90 33 120		60,00
0403 90 13 500		101,92	0404 90 33 130		96,40
0403 90 13 900		110,00	0404 90 33 140		101,92
0403 90 19 000		110,85	0404 90 33 150		110,00
0403 90 31 000		0,6000	0404 90 33 911		5,45
0403 90 33 200		0,6000	0404 90 33 913		11,21
0403 90 33 300		0,9640	0404 90 33 915		16,78
0403 90 33 500		1,0192	0404 90 33 917		25,87
0403 90 33 900		1,1000	0404 90 33 919		38,87
0403 90 39 000		1,1085	0404 90 33 931		19,10
0403 90 51 100		5,45	0404 90 33 933		23,60
0403 90 51 300		8,42	0404 90 33 935		28,92
0403 90 53 000		11,21	0404 90 33 937		34,18
0403 90 59 110		16,78	0404 90 33 939		35,74
0403 90 59 140		25,87	0404 90 39 110		110,85
0403 90 59 170		38,87	0404 90 39 115		111,66
0403 90 59 310		46,29	0404 90 39 120		113,12
0403 90 59 340		72,28	0404 90 39 130		121,46
0403 90 59 370		79,70			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0404 90 39 150		124,32	0405 00 19 500		156,10
0404 90 39 900		—	0405 00 19 700		160,00
0404 90 51 100		0,6000	0405 00 90 100		160,00
0404 90 51 910		0,0545	0405 00 90 900		206,00
0404 90 51 950		22,04	0406 10 20 100		—
0404 90 53 110		0,6000	0406 10 20 200		—
0404 90 53 130		0,9640	0406 10 20 210		—
0404 90 53 150		1,0192	0406 10 20 230	028	—
0404 90 53 170		1,1000		032	—
0404 90 53 911		0,0545		400	35,23
0404 90 53 913		0,1121		404	—
0404 90 53 915		0,1678		...	43,29
0404 90 53 917		0,2587	0406 10 20 290	028	—
0404 90 53 919		0,3887		032	—
0404 90 53 931		22,04		400	35,23
0404 90 53 933		26,63		404	—
0404 90 53 935		35,68		...	43,29
0404 90 53 937		37,17	0406 10 20 610	028	12,19
0404 90 53 939		—		032	12,19
0404 90 59 130		1,1085		036	—
0404 90 59 150		1,2146		038	—
0404 90 59 930		0,5557		400	78,73
0404 90 59 950		0,7970		404	—
0404 90 59 990		0,9084		...	80,77
0404 90 91 100		0,6000	0406 10 20 620	028	18,05
0404 90 91 910		0,0545		032	18,05
0404 90 91 950		22,04		036	—
0404 90 93 110		0,6000		038	—
0404 90 93 130		0,9640		400	86,80
0404 90 93 150		1,0192		404	—
0404 90 93 170		1,1000		...	88,56
0404 90 93 911		0,0545	0406 10 20 630	028	21,66
0404 90 93 913		0,1121		032	21,66
0404 90 93 915		0,1678		036	—
0404 90 93 917		0,2587		038	—
0404 90 93 919		0,3887		400	98,65
0404 90 93 931		22,04		404	—
0404 90 93 933		26,63		...	99,99
0404 90 93 935		35,68	0406 10 20 640	028	—
0404 90 93 937		37,17		032	—
0404 90 93 939		—		036	—
0404 90 99 130		1,1085		038	—
0404 90 99 150		1,2146		400	117,33
0404 90 99 930		0,5557		404	—
0404 90 99 950		0,7970		...	117,33
0404 90 99 990		0,9084	0406 10 20 650	028	24,82
0405 00 11 100		—		032	24,82
0405 00 11 200		120,98		036	—
0405 00 11 300		152,20		038	—
0405 00 11 500		156,10		400	58,66
0405 00 11 700		160,00		404	—
0405 00 19 100		—		...	122,15
0405 00 19 200		120,98			
0405 00 19 300		152,20			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 10 20 660		—	0406 30 10 200	028	—
0406 10 20 810	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	39,27
	400	19,37		404	—
	404	—		...	43,94
	...	19,01	0406 30 10 250	028	—
0406 10 20 830	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	39,27
	400	33,95		404	—
	404	—		...	43,94
	...	32,46	0406 30 10 300	028	—
0406 10 20 850	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	57,66
	400	41,34		404	—
	404	—		...	64,46
	...	39,37	0406 30 10 350	028	—
0406 10 20 870		—		032	—
0406 10 20 900		—		036	—
0406 10 80 000		—		038	—
0406 20 90 100		—		400	39,27
0406 20 90 913	028	—		404	—
	032	—		...	43,94
	400	79,18	0406 30 10 400	028	—
	404	—		032	—
	...	76,66		036	—
0406 20 90 915	028	—		038	—
	032	—		400	57,66
	400	105,58		404	—
	404	—		...	64,46
	...	102,21	0406 30 10 450	028	—
0406 20 90 917	028	—		032	—
	032	—		036	—
	400	112,19		038	—
	404	—		400	83,96
	...	108,59		404	—
0406 20 90 919	028	—		...	93,81
	032	—	0406 30 10 500	—	—
	400	125,37	0406 30 10 550	028	—
	404	—		032	—
	...	121,38		036	—
0406 20 90 990		—		038	—
0406 30 10 100		—		400	39,27
0406 30 10 150	028	—		404	18,05
	032	—		...	43,94
	036	—	0406 30 10 600	028	—
	038	—		032	—
	400	18,08		036	—
	404	—		038	—
	...	20,61		400	57,66
				404	25,27
				...	64,46

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 10 650	028	—	0406 30 31 730	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	83,96		400	57,66
	404	—		404	—
	...	93,81		...	64,46
0406 30 10 700	028	—	0406 30 31 910	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	83,96		400	39,27
	404	—		404	—
	...	93,81		...	43,94
0406 30 10 750	028	—	0406 30 31 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	102,47		400	57,66
	404	—		404	—
	...	114,50		...	64,46
0406 30 10 800	028	—	0406 30 31 950	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	102,47		400	83,96
	404	—		404	—
	...	114,50		...	93,81
0406 30 10 900	028	—	0406 30 39 100	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	102,47		400	39,27
	404	—		404	18,05
	...	114,50		...	43,94
0406 30 31 100	028	—	0406 30 39 300	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	18,08		400	57,66
	404	—		404	25,27
	...	20,61		...	64,46
0406 30 31 300	028	—	0406 30 39 500	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	18,08		400	57,66
	404	—		404	25,27
	...	20,61		...	64,46
0406 30 31 500	028	—	0406 30 39 700	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	39,27		400	83,96
	404	—		404	—
	...	43,94		...	93,81
0406 30 31 710	028	—	0406 30 39 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	39,27		400	83,96
	404	—		404	—
	...	43,94		...	93,81

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 39 950	028	—	0406 90 23 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	102,47		400	58,66
	404	—		404	—
	...	114,50		...	122,15
0406 30 90 000	028	—	0406 90 25 100	028	—
	032	—	0406 90 25 900	032	—
	036	—		036	—
	038	—		038	—
	400	102,47		400	58,66
	404	—		404	—
	...	114,50		...	122,15
0406 40 00 100		—	0406 90 27 100		—
0406 40 00 900	028	—	0406 90 27 900	028	—
	032	—		032	—
	038	—		036	—
	400	108,30		038	—
	404	—		400	50,66
	...	114,17		404	—
				...	103,52
0406 90 13 000	028	—	0406 90 31 111		—
	032	—	0406 90 31 119	028	—
	036	—		032	—
	038	—		036	—
	400	117,33		038	13,54
	404	—		400	56,39
	...	143,80		404	14,44
0406 90 15 100	028	—		...	81,19
	032	—	0406 90 31 151	028	—
	036	—		032	—
	038	—		036	—
	400	117,33		038	—
	404	—		400	52,71
	...	143,80		404	13,50
0406 90 15 900		—		...	75,66
0406 90 17 100	028	—	0406 90 31 159		—
	032	—	0406 90 31 900		—
	036	—	0406 90 33 111		—
	038	—	0406 90 33 119	028	—
	400	117,33		032	—
	404	—		036	—
	...	143,80		038	13,54
0406 90 17 900		—		400	56,39
0406 90 21 100		—		404	14,44
0406 90 21 900	028	—		...	81,19
	032	—	0406 90 33 151	028	—
	036	—		032	—
	038	—		036	—
	400	117,33		038	—
	404	—		400	52,71
	...	136,90		404	13,50
0406 90 23 100		—		...	75,66

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 33 159		—	0406 90 69 910	028	—
0406 90 33 911		—		032	—
0406 90 33 919	028	—		036	63,18
	032	—		400	135,38
	036	—		404	72,20
	038	13,54		***	148,91
	400	56,39	0406 90 69 990		—
	404	14,44	0406 90 73 100		—
	***	81,19	0406 90 73 900	028	—
0406 90 33 951	028	—		032	—
	032	—		036	38,50
	036	—		400	144,40
	038	—		404	108,30
	400	52,71		***	136,28
	404	13,50	0406 90 75 100		—
	***	75,66	0406 90 75 900	028	—
0406 90 33 959		—		032	—
0406 90 35 110		—		036	—
0406 90 35 190	028	—		400	58,66
	032	—		404	—
	036	38,50		***	113,68
	400	144,40	0406 90 77 100	028	21,66
	404	81,23		032	21,66
	***	143,08		036	—
0406 90 35 910		—		038	—
0406 90 35 990	028	—		400	53,04
	032	—		404	—
	036	—		***	99,99
	038	—	0406 90 77 300	028	—
	400	117,33		032	—
	404	—		036	—
	***	117,33		038	—
0406 90 61 000	028	—		400	58,66
	032	—		404	—
	036	81,23		***	122,15
	400	171,48	0406 90 77 500	028	—
	404	126,35		032	—
	***	166,96		036	—
0406 90 63 100	028	—		038	—
	032	—		400	67,69
	036	94,79		404	—
	400	198,55		***	122,15
	404	144,40	0406 90 79 100		—
	***	191,43	0406 90 79 900	028	—
0406 90 63 900	028	—		032	—
	032	—		036	—
	036	63,18		038	—
	400	135,38		400	50,66
	404	72,20		404	—
	***	148,91		***	103,52
0406 90 69 100		—	0406 90 81 100		—

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 81 900	028	—	0406 90 89 959	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	117,33		400	117,33
	404	—		404	—
	...	117,33		...	117,33
0406 90 85 100		—	0406 90 89 971	028	24,82
0406 90 85 910	028	—		032	24,82
	032	—		036	—
	036	38,51		038	—
	400	144,40		400	66,79
	404	81,23		404	—
	...	143,08		...	122,15
0406 90 85 991	028	—	0406 90 89 972	028	—
	032	—		032	—
	036	—		400	35,23
	038	—		404	—
	400	117,33		...	43,29
	404	—		...	—
	...	117,33	0406 90 89 979	028	24,82
0406 90 85 995	028	24,82		032	24,82
	032	24,82		036	—
	036	—		038	—
	038	—		400	66,79
	400	58,66		404	—
	404	—		...	122,15
	...	122,15	0406 90 89 990	028	—
0406 90 85 999		—		0406 90 93 000	—
0406 90 89 100	028	12,19		0406 90 99 000	—
	032	12,19		2309 10 15 010	—
	036	—		2309 10 15 100	—
	038	—		2309 10 15 200	0,23
	400	80,77		2309 10 15 300	0,31
	404	—		2309 10 15 400	0,39
	...	80,77	2309 10 15 500	2309 10 15 500	0,47
0406 90 89 200	028	18,05		2309 10 15 700	0,55
	032	18,05		2309 10 15 900	—
	036	—		2309 10 19 010	—
	038	—		2309 10 19 100	—
	400	86,80		2309 10 19 200	0,23
	404	—	2309 10 19 300	2309 10 19 300	0,31
	...	88,56		2309 10 19 400	0,39
0406 90 89 300	028	21,66		2309 10 19 500	0,47
	032	21,66		2309 10 19 600	0,55
	036	—		2309 10 19 700	0,58
	038	—		2309 10 19 800	0,62
	400	98,65		2309 10 19 900	—
	404	—	2309 10 70 010	2309 10 70 010	—
	...	99,99		2309 10 70 100	18,00
0406 90 89 910		—		2309 10 70 200	24,00
0406 90 89 951	028	—		2309 10 70 300	30,00
	032	—			
	036	38,50			
	400	144,40			
	404	81,23			
	...	136,28			

Product code	Destination (*)	Amount of refund (*)	Product code	Destination (*)	Amount of refund. (")
2309 10 70 500		36,00	2309 90 39 300		0,31
2309 10 70 600		42,00	2309 90 39 400		0,39
2309 10 70 700		48,00	2309 90 39 500		0,47
2309 10 70 800		52,80	2309 90 39 600		0,55
2309 10 70 900		—	2309 90 39 700		0,58
2309 90 35 010		—	2309 90 39 800		0,62
2309 90 35 100		—	2309 90 39 900		—
2309 90 35 200		0,23	2309 90 70 010		—
2309 90 35 300		0,31	2309 90 70 100		18,00
2309 90 35 400		0,39	2309 90 70 200		24,00
2309 90 35 500		0,47	2309 90 70 300		30,00
2309 90 35 700		0,55	2309 90 70 500		36,00
2309 90 35 900		—	2309 90 70 600		42,00
2309 90 39 010		—	2309 90 70 700		48,00
2309 90 39 100		—	2309 90 70 800		52,80
2309 90 39 200		0,23	2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 208/93.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (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 1647/93**of 28 June 1993****fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin**

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

Having regard to Council Regulation (EEC) No 2783/75 of 29 October 1975 on the common system of trade for ovalbumin and lactalbumin ⁽¹⁾, as amended by Regulation (EEC) No 4001/87 ⁽²⁾, and in particular Article 2 (2) and the second subparagraph of Article 5 (5) thereof,

Whereas the sluice-gate prices and import duties for the products specified in Article 1 of Regulation (EEC) No 2783/75 must be fixed quarterly in advance ; whereas they must be fixed by reference to the sluice-gate price and levy applicable to eggs in shell during the same period ;

Whereas these have been fixed by Commission Regulation (EEC) No 1648/93 of 28 June 1993 fixing the sluice-gate prices and levies for eggs ⁽³⁾ ;

Whereas, since sluice-gate prices and import duties for ovalbumin and lactalbumin were last fixed by Commission Regulation (EEC) No 780/93 ⁽⁴⁾, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1993 ;

Whereas the methods for calculating sluice-gate prices and import duties are laid down in Commission Regulation No 200/67/EEC ⁽⁵⁾ ; whereas these methods should

be used to calculate the sluice-gate prices and import duties for the coming quarter ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

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, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.

⁽²⁾ OJ No L 377, 31. 12. 1987, p. 44.

⁽³⁾ See page 33 of this Official Journal.

⁽⁴⁾ OJ No L 79, 1. 4. 1993, p. 44.

⁽⁵⁾ OJ No 134, 30. 6. 1967, p. 2834/67.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

ANNEX

to the Commission Regulation of 28 June 1993 fixing the sluice-gate prices and import duties for ovalbumin and lactalbumin ⁽¹⁾

CN code	Sluice-gate price	Import duty
	ECU/100 kg	ECU/100 kg
3502 10 91	388,23	119,12
3502 10 99	52,04	16,14
3502 90 51	388,23	119,12
3502 90 59	52,04	16,14

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

COMMISSION REGULATION (EEC) No 1648/93
of 28 June 1993
fixing the sluice-gate prices and levies for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed in advance for each quarter;

Whereas, as the levies and sluice-gate prices for eggs were fixed latterly in Commission Regulation (EEC) No 783/93⁽³⁾ for the period 1 April to 30 June 1993, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1993;

Whereas the levy on eggs in shell is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Annex I to Council Regulation (EEC) No 2773/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for eggs⁽⁴⁾, as last amended by Regulation (EEC) No 4155/87⁽⁵⁾;

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2773/75; whereas the price for the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas the said Article 3 provides that the prices for each type of feed grain on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component

is calculated; whereas that period is 1 January to 31 May 1993;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year;

Whereas the levy on eggs for hatching must be calculated in the same way as the levy on eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2773/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to eggs for hatching;

Whereas the levy on the products specified in Article 1 (1) (b) of Regulation (EEC) No 2771/75 must be derived from the levy on eggs in shell on the basis of the coefficients set out in the Annex to Commission Regulation No 164/67/EEC of 26 June 1967 fixing the factors for calculating levies and sluice-gate prices for derived egg products⁽⁶⁾, as last amended by Regulation (EEC) No 4155/87;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation (EEC) No 2771/75 must be fixed in advance for each quarter;

Whereas the sluice-gate price for eggs in shell is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain specified in Annex II to Regulation (EEC) No 2773/75;

Whereas the price for that quantity of grain must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2773/75;

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1993;

Whereas the second amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2773/75;

Whereas the sluice-gate price for eggs for hatching must be calculated in the same way as the sluice-gate price for eggs in shell; whereas, however, the quantity of feed grain used in the calculation must be that specified in Annex II to Regulation (EEC) No 2773/75; whereas the standard amount must be that fixed in the same Annex;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 79, 1. 4. 1993, p. 52.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 64.

⁽⁵⁾ OJ No L 392, 31. 12. 1987, p. 29.

⁽⁶⁾ OJ No 129, 28. 6. 1967, p. 2578/67.

Whereas the sluice-gate prices for the products specified in Article 1 (1) (b) of Regulation (EEC) No 2771/75 must be derived from the sluice-gate prices for eggs in shell, taking into account the value of the basic product, the coefficients for those products fixed in accordance with Article 5 (2) of that Regulation and the standard amount fixed in the Annex to Regulation No 164/67/EEC;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate prices for whole products, account must be taken of the absence of certain marketing costs specific to eggs in shell, and of a percentage reflecting the lower prices generally obtained for eggs intended for processing; whereas these marketing costs — to be deducted from the sluice-gate price for eggs in shell — may be assessed at 0,0967 ECU per kilogram; whereas the percentage to be deducted from that reduced sluice-gate price may be assessed at 20 %;

Whereas, as regards the lower value to be allowed for in the calculation of the sluice-gate prices for separated products, the same reduction in marketing costs as for whole products should be allowed for; whereas, however, the percentage to be deducted should be lower than that taken for whole products, as the production of separated products requires the use of fresh eggs; whereas this percentage may be assessed at 7 %;

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⁽¹⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulations (EEC) No 518/92⁽²⁾, (EEC) No 519/92⁽³⁾ and (EEC) No 520/92⁽⁴⁾ of 27 February

1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 579/92⁽⁵⁾, as last amended by Regulation (EEC) No 3730/92⁽⁶⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards eggs;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁴⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁵⁾ OJ No L 62, 7. 3. 1992, p. 15.

⁽⁶⁾ OJ No L 380, 24. 12. 1992, p. 12.

ANNEX

to the Commission Regulation of 28 June 1993 fixing the sluice-gate prices and levies for eggs⁽²⁾

CN code	Sluice-gate price	Levy
	ECU/100 units	ECU/100 units
0407 00 11	51,52	11,39 ⁽¹⁾
0407 00 19	10,93	3,43 ⁽¹⁾
	ECU/100 kg	ECU/100 kg
0407 00 30	83,04	29,34 ⁽¹⁾
0408 11 10	403,95	137,31 ⁽¹⁾
0408 19 11	182,71	59,85 ⁽¹⁾
0408 19 19	194,68	63,96 ⁽¹⁾
0408 91 10	339,07	132,62 ⁽¹⁾
0408 99 10	89,85	34,03 ⁽¹⁾

⁽¹⁾ Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 579/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

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

COMMISSION REGULATION (EEC) No 1649/93
of 28 June 1993
fixing the sluice-gate prices and levies for poultrymeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2777/75;

Whereas sluice-gate prices for the products specified in Article 1 (1) of Regulation No 2777/75 must be fixed in advance for each quarter;

Whereas, as the levies and sluice-gate prices were fixed latterly in Commission Regulation (EEC) No 782/93⁽³⁾, for the period 1 April to 30 June 1993, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1993;

Whereas the levy on slaughtered poultry is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain specified in Annex I to Council Regulation (EEC) No 2778/75 of 29 October 1975 laying down rules for calculating the levy and the sluice-gate price for poultrymeat⁽⁴⁾, as last amended by Regulation (EEC) No 3714/92;

Whereas the price within the Community for that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2778/75; whereas the price for the like quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas the said Article 3 provides that the price for each type of feed grain on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1993;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year;

Whereas the levy on chicks must be calculated in the same way as the levy on slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex I to Regulation (EEC) No 2778/75; whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable to chicks;

Whereas the levy on the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the levy on slaughtered poultry on the basis of the coefficients set out in the Annex to Commission Regulation (EEC) No 3011/79 of 20 December 1979 fixing the coefficients for calculating levies on derived poultrymeat products and repealing Regulation No 199/67/EEC⁽⁵⁾, as last amended by Regulation (EEC) No 3714/92;

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

Whereas the sluice-gate price for slaughtered poultry is made up of two components;

Whereas the first component must be equal to the price on the world market for the quantity of feed grain shown in Annex II to Regulation (EEC) No 2778/75;

Whereas the price for that quantity of cereals must be determined in accordance with Article 4 (2) and (3) of Regulation (EEC) No 2778/75;

Whereas the said Article 4 provides that the price for each cereal on the world market shall be equal to the average of the cif prices determined for that cereal for the period of five months ending one month before the quarter in respect of which the said component is calculated; whereas that period is 1 January to 31 May 1993;

Whereas the second amount, which represents other feeding costs and overhead costs of production and marketing, is fixed in Annex II to Regulation (EEC) No 2778/75;

Whereas the sluice-gate price for chicks must be calculated in the same way as the sluice-gate price for slaughtered poultry; whereas, however, the quantity of feed grain used in the calculation must be that shown in Annex II to Regulation (EEC) No 2778/75; whereas the standard amount must be that fixed in the same Annex;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 79, 1. 4. 1993, p. 47.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 84.

⁽⁵⁾ OJ No L 337, 29. 12. 1979, p. 65.

Whereas the sluice-gate price for the products specified in Article 1 (2) (d) of Regulation (EEC) No 2777/75 must be derived from the sluice-gate prices for slaughtered poultry on the basis of the coefficients fixed for these products in accordance with Article 5 (3) of that Regulation;

Whereas Council Regulation (EEC) No 3833/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain agricultural products originating in developing countries⁽¹⁾, as last amended by Regulation (EEC) No 1028/93⁽²⁾, partially or totally suspends Common Tariff duties, in particular on certain poultrymeat products;

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

Whereas Council Regulations (EEC) No 518/92⁽⁴⁾, (EEC) No 519/92⁽⁵⁾ and (EEC) No 520/92⁽⁶⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 579/92⁽⁷⁾, as last amended by Regulation (EEC) No 3730/92⁽⁸⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards poultrymeat;

Whereas, by Council Regulations (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing

countries⁽⁹⁾, as last amended by Regulation (EEC) No 1028/93, and (EEC) 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) or the overseas countries and territories (OCT)⁽¹⁰⁾ as last amended by Regulation (EEC) No 444/92⁽¹¹⁾; special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular for certain poultrymeat products;

Whereas 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

1. The levies provided for in Article 3 of Regulation (EEC) No 2777/75 and the sluice-gate prices provided for in Article 7 thereof, in respect of the products specified in Article 1 (1), shall be as set out in the Annex hereto.
2. However, in the case of products falling within CN codes 0207 31, 0207 39 90, 0207 50, 0210 90 71, 0210 90 79, 1501 00 90, 1602 31, 1602 39 19, 1602 39 30 and 1602 39 90, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 2

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, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 86.

⁽²⁾ OJ No L 108, 1. 5. 1993, p. 1.

⁽³⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁴⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁵⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁶⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁷⁾ OJ No L 62, 7. 3. 1992, p. 15.

⁽⁸⁾ OJ No L 380, 24. 12. 1992, p. 12.

⁽⁹⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽¹⁰⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽¹¹⁾ OJ No L 52, 27. 2. 1992, p. 7.

ANNEX

to the Commission Regulation of 28 June 1993 fixing the sluice-gate prices and levies for poultrymeat⁽¹⁾ ⁽²⁾

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 units	ECU/100 units	%
0105 11 11	22,36	5,30	—
0105 11 19	22,36	5,30	—
0105 11 91	22,36	5,30	—
0105 11 99	22,36	5,30	—
0105 19 10	99,13	17,84	—
0105 19 90	22,36	5,30	—
	ECU/100 kg	ECU/100 kg	
0105 91 00	77,13	21,99 (*)	—
0105 99 10	87,54	32,54	—
0105 99 20	113,34	32,97 (*)	—
0105 99 30	102,87	25,05 (*)	—
0105 99 50	119,11	34,43	—
0207 10 11	96,91	27,63 (*)	—
0207 10 15	110,19	31,41 (*)	—
0207 10 19	120,06	34,23 (*)	—
0207 10 31	146,96	35,78 (*)	—
0207 10 39	161,09	39,22 (*)	—
0207 10 51	102,99	38,28 (*)	—
0207 10 55	125,06	46,48 (*)	—
0207 10 59	138,96	51,65 (?) (*)	—
0207 10 71	161,91	47,10 (*)	—
0207 10 79	152,83	49,81 (?) (*)	—
0207 10 90	170,16	49,19	—
0207 21 10	110,19	31,41 (*)	—
0207 21 90	120,06	34,23 (*)	—
0207 22 10	146,96	35,78 (*)	—
0207 22 90	161,09	39,22 (*)	—
0207 23 11	125,06	46,48 (*)	—
0207 23 19	138,96	51,65 (?) (*)	—
0207 23 51	161,91	47,10 (*)	—
0207 23 59	152,83	49,81 (?) (*)	—
0207 23 90	170,16	49,19	—
0207 31 10	1 619,10	471,00	3 (?)
0207 31 90	1 619,10	471,00	3 (?)
0207 39 11	283,79	88,96 (*)	—
0207 39 13	132,07	37,65 (*)	—
0207 39 15	91,68	27,64 (*)	—
0207 39 17	63,47	19,14 (*)	—
0207 39 21	181,81	51,83 (*)	—
0207 39 23	170,79	48,69 (*)	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 39 25	282,08	85,06	—
0207 39 27	63,47	19,14 (*)	—
0207 39 31	308,62	75,14 (*)	—
0207 39 33	177,20	43,14 (*)	—
0207 39 35	91,68	27,64 (*)	—
0207 39 37	63,47	19,14 (*)	—
0207 39 41	235,14	57,25 (*)	—
0207 39 43	110,22	26,84 (*)	—
0207 39 45	198,40	48,30 (*)	—
0207 39 47	282,08	85,06 (*)	—
0207 39 51	63,47	19,14 (*)	—
0207 39 53	320,94	104,60 (?) (*)	—
0207 39 55	283,79	88,96 (?) (*)	—
0207 39 57	152,86	56,82	—
0207 39 61	168,11	54,79 (?) (*)	—
0207 39 63	187,18	54,11	—
0207 39 65	91,68	27,64 (?) (*)	—
0207 39 67	63,47	19,14 (?) (*)	—
0207 39 71	229,25	74,72 (?) (*)	—
0207 39 73	181,81	51,83 (?) (*)	—
0207 39 75	221,60	72,22 (?) (*)	—
0207 39 77	170,79	48,69 (?) (*)	—
0207 39 81	194,53	67,41 (?) (*)	—
0207 39 83	282,08	85,06	—
0207 39 85	63,47	19,14 (*)	—
0207 39 90	162,20	48,91	10
0207 41 10	283,79	88,96 (*)	—
0207 41 11	132,07	37,65 (*)	—
0207 41 21	91,68	27,64 (*)	—
0207 41 31	63,47	19,14 (*)	—
0207 41 41	181,81	51,83 (*)	—
0207 41 51	170,79	48,69 (*)	—
0207 41 71	282,08	85,06 (*)	—
0207 41 90	63,47	19,14 (*)	—
0207 42 10	308,62	75,14 (*)	—
0207 42 11	177,20	43,14 (*)	—
0207 42 21	91,68	27,64 (*)	—
0207 42 31	63,47	19,14 (*)	—
0207 42 41	235,14	57,25 (*)	—
0207 42 51	110,22	26,84 (*)	—
0207 42 59	198,40	48,30 (*)	—
0207 42 71	282,08	85,06 (*)	—
0207 42 90	63,47	19,14	—
0207 43 11	320,94	104,60 (?) (*)	—

CN code	Sluice-gate price	Levy	Conventional rate of duty
	ECU/100 kg	ECU/100 kg	%
0207 43 15	283,79	88,96 ⁽²⁾ ^(*)	—
0207 43 21	152,86	56,82	—
0207 43 23	168,11	54,79 ⁽²⁾ ^(*)	—
0207 43 25	187,18	54,11	—
0207 43 31	91,68	27,64 ⁽²⁾ ^(*)	—
0207 43 41	63,47	19,14 ⁽²⁾ ^(*)	—
0207 43 51	229,25	74,72 ⁽²⁾ ^(*)	—
0207 43 53	181,81	51,83 ⁽²⁾ ^(*)	—
0207 43 61	221,60	72,22 ⁽²⁾ ^(*)	—
0207 43 63	170,79	48,69 ⁽²⁾ ^(*)	—
0207 43 71	194,53	67,41 ⁽²⁾ ^(*)	—
0207 43 81	282,08	85,06	—
0207 43 90	63,47	19,14 ^(*)	—
0207 50 10	1 619,10	471,00	3 ⁽²⁾
0207 50 90	162,20	48,91	10
0209 00 90	141,04	42,53	—
0210 90 71	1 619,10	471,00	3
0210 90 79	162,20	48,91	10
1501 00 90	169,25	51,04	18
1602 31 11	293,92	71,56	17
1602 31 19	310,29	93,57	17
1602 31 30	169,25	51,04	17
1602 31 90	98,73	29,77	17
1602 39 11	279,12	88,44	—
1602 39 19	310,29	93,57	17
1602 39 30	169,25	51,04	17
1602 39 90	98,73	29,77	17

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

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

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

^(*) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 579/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

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

COMMISSION REGULATION (EEC) No 1650/93**of 28 June 1993****fixing the amounts by which import duties on beef and veal originating in the African, Caribbean and Pacific States (ACP) are to be reduced**

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

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT) ⁽¹⁾, as amended by Regulation (EEC) No 297/91 ⁽²⁾, and in particular Article 3 thereof,

Whereas Article 3 of Regulation (EEC) No 715/90 provides for a 90 % reduction in the import duties on beef and veal; whereas the amount of this reduction must be calculated in conformity with Article 3 of Commission

Regulation (EEC) No 970/90 ⁽³⁾, as last amended by Regulation (EEC) No 3808/92 ⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts by which import duties on beef and veal are to be reduced pursuant to Article 3 of Regulation (EEC) No 715/90 shall, in respect of importations during the third quarter of 1993 be as shown in the Annex hereto.

Article 2

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, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽³⁾ OJ No L 99, 19. 4. 1990, p. 8.

⁽⁴⁾ OJ No L 384, 30. 12. 1992, p. 33.

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

Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC	Importe (en ecus/100 kg) Beløb (ECU/100 kg) Betrag (ECU/100 kg) Εισφορά (Ecu/100 kg) Amount (ECU/100 kg) Montant (en écus/100 kg) Importo (ECU/100 kg) Bedrag (ecu/100 kg) Montante (Em ECU/100 kg)
0102 90 05	118,290
0102 90 21	118,290
0102 90 29	118,290
0102 90 41	118,290
0102 90 49	118,290
0102 90 51	118,290
0102 90 59	118,290
0102 90 61	118,290
0102 90 69	118,290
0102 90 71	118,290
0102 90 79	118,290
0201 10 00	224,751
0201 20 20	224,751
0201 20 30	179,800
0201 20 50	269,700
0201 20 90	337,125
0201 30 00	385,624
0202 10 00	156,968
0202 20 10	156,968
0202 20 30	125,574
0202 20 50	196,210
0202 20 90	235,452
0202 30 10	196,210
0202 30 50	196,210
0202 30 90	269,985
0206 10 95	385,624
0206 29 91	269,985
0210 20 10	337,125
0210 20 90	385,624
0210 90 41	385,624
0210 90 90	385,624
1602 50 10	385,624
1602 90 61	385,624

NB: Los códigos NC, incluidas las notas a pie de página, se definen en el Reglamento (CEE) n° 2658/87 modificado.

NB: KN-koderne, herunder henvisninger til fodnoter, er fastsat i den ændrede forordning (EØF) nr. 2658/87.

NB: Die KN-Codes sowie die Verweisungen und Fußnoten sind durch die geänderte Verordnung (EWG) Nr. 2658/87 bestimmt.

NB: Οι κωδικοί της συνδυασμένης ονοματολογίας, συμπεριλαμβανομένων των υποσημειώσεων, καθορίζονται στον τροποποιημένο κανονισμό (ΕΟΚ) αριθ. 2658/87.

NB: The CN codes and the footnotes are defined in amended Regulation (EEC) No 2658/87.

NB: Les codes NC ainsi que les renvois en bas de page sont définis au règlement (CEE) n° 2658/87 modifié.

NB: I codici NC e i relativi richiami in calce sono definiti dal regolamento (CEE) n. 2658/87 modificato.

NB: GN-codes en voetnoten: zie de gewijzigde Verordening (EEG) nr. 2658/87.

NB: Os códigos NC, incluindo as remissões em pé-de-página são definidos no Regulamento (CEE) n° 2658/87 alterado.

COMMISSION REGULATION (EEC) No 1651/93**of 28 June 1993****fixing the sluice-gate prices and levies 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 Articles 8 and 12 (1) thereof,

Whereas a levy fixed quarterly in advance must be charged on imports into the Community for the products specified in Article 1 (1) of Regulation (EEC) No 2759/75;

Whereas, as the levies and sluice-gate prices were last fixed by Commission Regulation (EEC) No 633/93 of 18 March 1993⁽³⁾, for the period from 1 April to 30 June 1993, new levies and sluice-gate prices must be fixed for the period 1 July to 30 September 1993;

Whereas the levy on pig carcasses is made up of two components;

Whereas the first component must be equal to the difference between prices within the Community and on the world market for the quantity of feed grain determined in accordance with Article 1 of Council Regulation (EEC) No 2764/75 of 29 October 1975 laying down the rules for calculating a component of the levy on pig carcasses⁽⁴⁾, as last amended by Regulation (EEC) No 4160/87⁽⁵⁾, the composition whereof is indicated therein;

Whereas the value within the Community of that quantity of feed grain must be determined in accordance with Article 2 of Regulation (EEC) No 2764/75; whereas the value for the same quantity on the world market must be determined in accordance with Article 3 thereof;

Whereas Article 3 of that Regulation provides that the price of each cereal on the world market is to be equal to the average of the cif prices of that cereal; whereas the cif prices are recorded for the five-month period ending one month before the quarter in respect of which the said

component is calculated; whereas that period is 1 January to 31 May 1993;

Whereas the second component must be equal to 7 % of the average of the sluice-gate prices applicable for the four quarters to 1 April in each year;

Whereas the levies on the products specified in Article 1 (1) (a) and (b) of Regulation (EEC) No 2759/75 other than pig carcasses must be derived from the levy on pig carcasses on the basis of the coefficients fixed for such products pursuant to Article 10 (4) of Regulation (EEC) No 2759/75 in Annex I to Commission Regulation (EEC) No 3944/87 of 21 December 1987 fixing coefficients for calculating levies on pigmeat products⁽⁶⁾, as last amended by Regulation (EEC) No 2242/91⁽⁷⁾;

Whereas the levies on the products specified in Article 1 (1) (c) of Regulation (EEC) No 2759/75 are made up of two components;

Whereas the first component must be derived from the levy on pig carcasses on the basis of the coefficients fixed in Annex II to Regulation (EEC) No 3944/87;

Whereas the second component must be equal to 7 %, and for products falling within CN codes ex 1602 and ex 1902 to 10 % of the average offer prices for imports during the 12 months to 1 April; whereas those averages should be determined bearing in mind all the information available on imports into the Community from third countries, taking into account the representative character of prices;

Whereas, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00, 1602 20 90 and 1602 90 10 in respect of which the rate of duty has been bound under the General Agreement on Tariffs and Trade (GATT), the levies must not exceed the amount resulting from that binding;

Whereas for pig carcasses and other products referred to in Article 1 of Council Regulation (EEC) No 2766/75 of 29 October 1975 establishing the list of products for which sluice-gate prices are to be fixed and laying down the

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 67, 19. 3. 1993, p. 16.

⁽⁴⁾ OJ No L 282, 1. 11. 1975, p. 21.

⁽⁵⁾ OJ No L 392, 31. 12. 1987, p. 46.

⁽⁶⁾ OJ No L 373, 31. 12. 1987, p. 25.

⁽⁷⁾ OJ No L 204, 27. 7. 1991, p. 21.

rules for fixing the sluice-gate price for pig carcasses⁽¹⁾, as last amended by Regulation (EEC) No 3909/87⁽²⁾, the sluice-gate prices must be fixed in advance for each quarter;

Whereas the sluice-gate price for pig carcasses is made up of three components;

Whereas the first component must be equal to the value on the world market of the quantity of feed grain equivalent to the quantity of feedingstuffs required for the production in third countries of one kilogram of pigmeat, such quantity being composed as provided in Article 2 (1) of Regulation (EEC) No 2766/75;

Whereas the value of that quantity of grain must be determined in accordance with Article 2 (2) and (3) of Regulation (EEC) No 2766/75;

Whereas the said Article 2 provides that the price for each cereal on the world market shall be equal to the average of the cif prices of such cereal; whereas the cif prices shall be determined for the period of five months ending one month before the quarter in respect of which the said amount is calculated; whereas that period is 1 January to 31 May 1993;

Whereas the second component, which represents the extra cost, in relation to feed grain of feedingstuffs other than grain required for the production of one kilogram of pigmeat, shall, in accordance with Article 3 (1) of Regulation (EEC) No 2766/75, be 15 % of the value of the quantity of feed grain;

Whereas the third amount, which represents overhead costs of production and marketing, shall, in accordance with Article 3 (2) of Regulation (EEC) No 2766/75, be ECU 38,69 per 100 kilograms of pig carcasses;

Whereas the sluice-gate prices of products referred to in Article 1 of Regulation (EEC) No 2766/75, other than pig carcasses, must be derived from the sluice-gate price for pig carcasses on the basis of the coefficients laid down by Regulation (EEC) No 3944/87;

Whereas, by Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽³⁾, as last amended by Regulation (EEC) No 1028/93⁽⁴⁾, and Council Regulation (EEC) No 715/90⁽⁵⁾ on the arran-

gements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States), as amended by Regulation (EEC) No 444/92⁽⁶⁾, special import arrangements were introduced involving a reduction to 50 % in levies within the framework of fixed amounts or annual quotas, in particular for certain pigmeat products;

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

Whereas Council Regulation (EEC) No 518/92⁽⁸⁾, (EEC) No 519/92⁽⁹⁾ and (EEC) No 520/92⁽¹⁰⁾ of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 564/92⁽¹¹⁾, as amended by Regulation (EEC) No 3371/92⁽¹²⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards pigmeat;

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992⁽¹³⁾; whereas Commission Regulation (EEC) No 1156/93⁽¹⁴⁾ lays down detailed rules for the application of the import arrangements for these products originating in Austria and Finland;

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

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 25.

⁽²⁾ OJ No L 370, 30. 12. 1987, p. 11.

⁽³⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽⁴⁾ OJ No L 108, 1. 5. 1993.

⁽⁵⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁶⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁸⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁹⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽¹⁰⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽¹¹⁾ OJ No L 61, 6. 3. 1992, p. 9.

⁽¹²⁾ OJ No L 342, 25. 11. 1993, p. 22.

⁽¹³⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽¹⁴⁾ OJ No L 129, 27. 5. 1993, p. 14.

HAS ADOPTED THIS REGULATION:

1602 20 90 and 1602 90 10, in respect of which the rate of duty has been bound within GATT, the levy shall not exceed the amount resulting from that binding.

Article 1

1. For the period 1 July to 30 September 1993 the sluice-gate prices and levies provided for in Articles 12 and 8 respectively of Regulation (EEC) No 2759/75 for the products referred to in Article 1 (1) thereof shall be as set out in the Annex hereto.

2. Nevertheless, in the case of products falling within CN codes 0206 30 21, 0206 30 31, 0206 41 91, 0206 49 91, 1501 00 11, 1601 00 10, 1602 10 00,

Article 2

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

It shall apply with effect from 1 July 1993.

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

Done at Brussels, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 June 1993 fixing the sluice-gate prices and levies on pigmeat

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg) ⁽¹⁾	Conventional rate of duty bound within GATT (%)
0103 91 10	72,16	40,30	—
0103 92 11	61,37	34,27	—
0103 92 19	72,16	40,30 ^(*)	—
0203 11 10	93,84	52,40 ^(*) ⁽²⁾	—
0203 12 11	136,07	75,98 ^(*) ⁽²⁾	—
0203 12 19	105,10	58,69 ^(*) ⁽²⁾	—
0203 19 11	105,10	58,69 ^(*) ⁽²⁾	—
0203 19 13	152,02	84,89 ^(*) ⁽²⁾	—
0203 19 15	81,64	45,59 ^(*) ⁽²⁾	—
0203 19 55	152,02	84,89 ^(*) ⁽²⁾	—
0203 19 59	152,02	84,89 ^(*) ⁽²⁾	—
0203 21 10	93,84	52,40 ^(*) ⁽²⁾	—
0203 22 11	136,07	75,98 ^(*) ⁽²⁾	—
0203 22 19	105,10	58,69 ^(*) ⁽²⁾	—
0203 29 11	105,10	58,69 ^(*) ⁽²⁾	—
0203 29 13	152,02	84,89 ^(*) ⁽²⁾ ⁽³⁾	—
0203 29 15	81,64	45,59 ^(*) ⁽²⁾	—
0203 29 55	152,02	84,89 ^(*) ⁽²⁾ ⁽³⁾	—
0203 29 59	152,02	84,89 ^(*) ⁽²⁾	—
0206 30 21	113,55	63,40	7
0206 30 31	82,58	46,11	4
0206 41 91	113,55	63,40	7
0206 49 91	82,58	46,11	4
0209 00 11	37,54	20,96	—
0209 00 19	41,29	23,06	—
0209 00 30	22,52	12,58	—
0210 11 11	136,07	75,98 ^(*) ⁽²⁾	—
0210 11 19	105,10	58,69 ^(*)	—
0210 11 31	264,63	147,77 ^(*) ⁽²⁾	—
0210 11 39	208,32	116,33 ^(*)	—
0210 12 11	81,64	45,59 ^(*) ⁽²⁾	—
0210 12 19	136,07	75,98 ^(*) ⁽²⁾	—
0210 19 10	120,12	67,07 ^(*)	—
0210 19 20	131,38	73,36 ^(*)	—
0210 19 30	105,10	58,69 ^(*)	—
0210 19 40	152,02	84,89 ^(*) ⁽²⁾	—
0210 19 51	152,02	84,89 ^(*)	—
0210 19 59	152,02	84,89 ^(*)	—
0210 19 60	208,32	116,33 ^(*)	—
0210 19 70	261,81	146,19 ^(*)	—
0210 19 81	264,63	147,77 ^(*) ⁽²⁾	—
0210 19 89	264,63	147,77 ^(*)	—
0210 90 31	113,55	63,40	—
0210 90 39	82,58	46,11	—
1501 00 11	30,03	16,77	3
1501 00 19	30,03	16,77	—
1601 00 10	131,38	111,20 ⁽²⁾	24
1601 00 91	220,52	162,56 ^(*) ⁽²⁾ ⁽³⁾	—

CN code	Sluice-gate price (ECU/100 kg)	Amount of levies (ECU/100 kg) ⁽¹⁾	Conventional rate of duty bound within GATT (%)
1601 00 99	150,14	108,90 ⁽¹⁾ ⁽²⁾ ^(*) ⁽⁵⁾	—
1602 10 00	105,10	62,82	26
1602 20 90	121,99	108,08	25
1602 41 10	229,91	175,25 ^(*)	—
1602 42 10	192,37	140,47 ^(*)	—
1602 49 11	229,91	176,78 ^(*)	—
1602 49 13	192,37	126,35 ^(*)	—
1602 49 15	192,37	127,99 ⁽¹⁾ ^(*)	—
1602 49 19	126,68	88,84 ⁽¹⁾ ^(*)	—
1602 49 30	105,10	75,12 ^(*)	—
1602 49 50	62,87	55,64 ^(*)	—
1602 90 10	121,99	89,38	26
1602 90 51	126,68	87,02	—
1902 20 30	62,87	47,98	—

⁽¹⁾ The levy on products originating in the developing countries and listed in the Annex to Regulation (EEC) No 3834/90 is reduced by 50 % within the limits of the fixed amounts referred to in that Annex.

⁽²⁾ The levy on products originating in the ACP and listed in Article 8 of amended Regulation (EEC) No 715/90 reduced by 50 % within the limits of the quotas referred to in that Regulation.

^(*) 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 564/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽⁵⁾ For products imported from Austria or Finland, the levy applicable is restricted within the conditions provided for in Regulation (EEC) No 1156/93.

NB: The CN codes and the footnotes are defined in amended Commission Regulation (EEC) No 2658/87.

COMMISSION REGULATION (EEC) No 1652/93

of 28 June 1993

suspending advance fixing of the agricultural conversion rate of the Irish punt

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

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾,

Having regard to Council Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽²⁾, and in particular Article 16 (2) thereof,

Whereas, where a review of the monetary or market situation reveals difficulties arising from the application of the rules concerning the advance fixing of the agricultural conversion rate or where such difficulties are liable to arise, a decision may be taken to suspend the application of these rules; whereas in extremely urgent cases the Commission may, after a review of the situation on the basis of all the available information, decide to suspend

the advance fixing of the agricultural conversion rate for a maximum of three working days;

Whereas given the present monetary situation, maintenance of the present arrangements is likely to lead to a speculation concerning the Irish punt and disturbance of the markets; whereas advance fixing of the agricultural conversion rate of the Irish punt should therefore be urgently suspended,

HAS ADOPTED THIS REGULATION:

Article 1

Advance fixing of the agricultural conversion rate of the Irish punt is suspended for applications lodged between 29 and 30 June 1993.

Article 2

This Regulation shall enter into force on 29 June 1993.

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

Done at Brussels, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 108, 1. 5. 1993, p. 106.

COMMISSION REGULATION (EEC) No 1653/93

of 28 June 1993

fixing the corrective amount applicable to the refund on malt

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular Article 13 (4) thereof,

Whereas Article 13 (4) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Commission Regulation (EEC) No 1533/93⁽²⁾ laying down detailed rules on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals allows for the fixing of a corrective amount for the malt referred to in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 2 of Regulation (EEC) No 1533/93;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁴⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13 (4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

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, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1993, p. 21.
⁽²⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.
⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 28 June 1993 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11	5th period 12
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

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

COMMISSION REGULATION (EEC) No 1654/93

of 28 June 1993

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

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

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

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

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

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

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

oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.

COMMISSION REGULATION (EEC) No 1655/93

of 28 June 1993

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular the third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽²⁾, as last amended by Regulation (EEC) No 1544/93⁽³⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76⁽⁴⁾ laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, provide 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, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Council Regulation (EEC) No 1620/93⁽⁵⁾ on the import and export system for products processed from cereals and from rice defines the specific

criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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 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⁾;

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

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾ 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;

(¹) OJ No L 181, 1. 7. 1992, p. 21.

(²) OJ No L 166, 25. 6. 1976, p. 1.

(³) OJ No L 154, 25. 6. 1993, p. 5.

(⁴) OJ No L 166, 25. 6. 1976, p. 36.

(⁵) OJ No L 155, 26. 6. 1993, p. 29.

(⁶) OJ No L 387, 31. 12. 1992, p. 1.

(⁷) OJ No L 108, 1. 5. 1993, p. 106.

(⁸) OJ No L 102, 28. 4. 1993, p. 14.

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

Whereas, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 are hereby fixed as shown in the Annex to this Regulation.

Article 2

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, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 June 1993 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (1)	Product code	Refund (1)
1102 20 10 100 (2)	134,26	1104 23 10 900	—
1102 20 10 300 (2)	115,08	1104 29 11 000	32,05
1102 20 10 900 (2)	—	1104 29 15 000	—
1102 20 90 100 (2)	115,08	1104 29 19 000	—
1102 20 90 900 (2)	—	1104 29 91 000	31,42
1102 30 00 000	—	1104 29 95 000	66,15
1102 90 10 100	65,18	1104 30 10 000	7,86
1102 90 10 900	44,32	1104 30 90 000	23,98
1102 90 30 100	135,85	1107 10 11 000	55,93
1102 90 30 900	—	1107 10 91 000	77,34
1103 12 00 100	135,85	1108 11 00 200	62,84
1103 12 00 900	—	1108 11 00 300	62,84
1103 13 10 100 (2)	172,62	1108 11 00 800	—
1103 13 10 300 (2)	134,26	1108 12 00 200	153,44
1103 13 10 500 (2)	115,08	1108 12 00 300	153,44
1103 13 10 900 (2)	—	1108 12 00 800	—
1103 13 90 100 (2)	115,08	1108 13 00 200	153,44
1103 13 90 900 (2)	—	1108 13 00 300	153,44
1103 14 00 000	—	1108 13 00 800	—
1103 19 10 000	66,15	1108 14 00 200	—
1103 19 30 100	67,35	1108 14 00 300	—
1103 19 30 900	—	1108 14 00 800	—
1103 21 00 000	32,05	1108 19 10 200	157,12
1103 29 20 000	44,32	1108 19 10 300	157,12
1103 29 30 000	—	1108 19 10 800	—
1103 29 40 000	—	1108 19 90 200	—
1104 11 90 100	65,18	1108 19 90 300	—
1104 11 90 900	—	1108 19 90 800	—
1104 12 90 100	150,94	1109 00 00 100	0,00
1104 12 90 300	120,75	1109 00 00 900	—
1104 12 90 900	—	1702 30 51 000	200,43
1104 19 10 000	32,05	1702 30 59 000	153,44
1104 19 50 110	153,44	1702 30 91 000	200,43
1104 19 50 130	124,67	1702 30 99 000	153,44
1104 19 50 150	—	1702 40 90 000	153,44
1104 19 50 190	—	1702 90 50 100	200,43
1104 19 50 900	—	1702 90 50 900	153,44
1104 19 91 000	—	1702 90 75 000	210,02
1104 21 10 100	65,18	1702 90 79 000	145,77
1104 21 10 900	—	2106 90 55 000	153,44
1104 21 30 100	65,18	2302 10 10 000	—
1104 21 30 900	—	2302 10 90 100	—
1104 21 50 100	86,90	2302 10 90 900	—
1104 21 50 300	69,52	2302 20 10 000	—
1104 21 50 900	—	2302 20 90 100	—
1104 22 10 100	120,75	2302 20 90 900	—
1104 22 10 900	—	2302 30 10 000	—
1104 22 30 100	128,30	2302 30 90 000	—
1104 22 30 900	—	2302 40 10 000	—
1104 22 50 000	—	2302 40 90 000	—
1104 23 10 100	143,85	2303 10 11 100	—
1104 23 10 300	110,29	2303 10 11 900	—

(1) 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.

(2) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

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

COMMISSION REGULATION (EEC) No 1656/93

of 28 June 1993

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular the third subparagraph of Article 13 (4) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 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 within the Community may be covered by an export refund;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽²⁾, as last amended by Regulation (EEC) No 3630/91⁽³⁾, provides that calculation of the export refund must take account of, in particular, the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in

the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas, under the terms of Article 4 of Commission Regulation (EEC) No 1619/93⁽⁴⁾, the refund may be varied on the basis of the destination;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾ 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⁽⁶⁾;

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

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, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto;

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽³⁾ OJ No L 344, 14. 12. 1991, p. 40.

⁽⁴⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 102, 28. 4. 1993, p. 14.

HAS ADOPTED THIS REGULATION :

Regulation (EEC) No 1619/93 are hereby fixed as shown in the Annex to this Regulation.

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to

Article 2

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, 28 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 June 1993 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)		(ECU/tonne)	
Product code	Amount of refund (1)	Product code	Amount of refund (1)
2309 10 11 110	4,80	2309 90 53 290	3,74
2309 10 13 110	4,80	2309 10 11 310	19,18
2309 10 31 110	4,80	2309 10 13 310	19,18
2309 10 33 110	4,80	2309 10 31 310	19,18
2309 10 51 110	4,80	2309 10 33 310	19,18
2309 10 53 110	4,80	2309 10 51 310	19,18
2309 90 31 110	4,80	2309 10 53 310	19,18
2309 90 33 110	4,80	2309 90 31 310	19,18
2309 90 41 110	4,80	2309 90 33 310	19,18
2309 90 43 110	4,80	2309 90 41 310	19,18
2309 90 51 110	4,80	2309 90 43 310	19,18
2309 90 53 110	4,80	2309 90 51 310	19,18
2309 10 11 190	1,87	2309 90 53 310	19,18
2309 10 13 190	1,87	2309 10 11 390	7,49
2309 10 31 190	1,87	2309 10 13 390	7,49
2309 10 33 190	1,87	2309 10 31 390	7,49
2309 10 51 190	1,87	2309 10 33 390	7,49
2309 10 53 190	1,87	2309 10 51 390	7,49
2309 90 31 190	1,87	2309 10 53 390	7,49
2309 90 33 190	1,87	2309 90 31 390	7,49
2309 90 41 190	1,87	2309 90 33 390	7,49
2309 90 43 190	1,87	2309 90 41 390	7,49
2309 90 51 190	1,87	2309 90 43 390	7,49
2309 90 53 190	1,87	2309 90 51 390	7,49
2309 10 11 210	9,59	2309 90 53 390	7,49
2309 10 13 210	9,59	2309 10 31 410	28,77
2309 10 31 210	9,59	2309 10 33 410	28,77
2309 10 33 210	9,59	2309 10 51 410	28,77
2309 10 51 210	9,59	2309 10 53 410	28,77
2309 10 53 210	9,59	2309 90 41 410	28,77
2309 90 31 210	9,59	2309 90 43 410	28,77
2309 90 33 210	9,59	2309 90 51 410	28,77
2309 90 41 210	9,59	2309 90 53 410	28,77
2309 90 43 210	9,59	2309 10 31 490	11,23
2309 90 51 210	9,59	2309 10 33 490	11,23
2309 90 53 210	9,59	2309 10 51 490	11,23
2309 10 11 290	3,74	2309 10 53 490	11,23
2309 10 13 290	3,74	2309 90 41 490	11,23
2309 10 31 290	3,74	2309 90 43 490	11,23
2309 10 33 290	3,74	2309 90 51 490	11,23
2309 10 51 290	3,74	2309 90 53 490	11,23
2309 10 53 290	3,74	2309 10 31 510	38,36
2309 90 31 290	3,74	2309 10 33 510	38,36
2309 90 33 290	3,74	2309 10 51 510	38,36
2309 90 41 290	3,74	2309 10 53 510	38,36
2309 90 43 290	3,74	2309 90 41 510	38,36
2309 90 51 290	3,74	2309 90 43 510	38,36

(ECU/tonne)		(ECU/tonne)	
Product code	Amount of refund (1)	Product code	Amount of refund (1)
2309 90 51 510	38,36	2309 10 53 690	18,72
2309 90 53 510	38,36	2309 90 41 690	18,72
2309 10 31 590	14,98	2309 90 43 690	18,72
2309 10 33 590	14,98	2309 90 51 690	18,72
2309 10 51 590	14,98	2309 90 53 690	18,72
2309 10 53 590	14,98	2309 10 51 710	57,54
2309 90 41 590	14,98	2309 10 53 710	57,54
2309 90 43 590	14,98	2309 90 51 710	57,54
2309 90 51 590	14,98	2309 90 53 710	57,54
2309 90 53 590	14,98	2309 10 51 790	22,46
2309 10 31 610	47,95	2309 10 53 790	22,46
2309 10 33 610	47,95	2309 90 51 790	22,46
2309 10 51 610	47,95	2309 90 53 790	22,46
2309 10 53 610	47,95	2309 10 51 810	67,13
2309 90 41 610	47,95	2309 10 53 810	67,13
2309 90 43 610	47,95	2309 90 51 810	67,13
2309 90 51 610	47,95	2309 90 53 810	67,13
2309 90 53 610	47,95	2309 10 51 890	26,21
2309 10 31 690	18,72	2309 10 53 890	26,21
2309 10 33 690	18,72	2309 90 51 890	26,21
2309 10 51 690	18,72	2309 90 53 890	26,21

(1) 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 (OJ No L 366, 24. 12. 1987, p. 1).

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION No 1/93 OF THE EC—CZECH REPUBLIC AND SLOVAK
REPUBLIC JOINT COMMITTEE**

of 28 May 1993

**concerning the export of certain steel products from the Slovak Republic to the
Community**

(93/372/ECSC)

THE JOINT COMMITTEE,

Whereas the Joint Committee referred to in Article 37 of the Interim Agreement between the Community of the one part and the Czech and Slovak Federal Republic of the other part, signed in Brussels on 16 December 1991 (hereinafter referred to as 'the Interim Agreement') recognized the need to find appropriate solutions in the framework of Article 44 (1) of the Interim Agreement, in order to ensure that the attainment of the objectives of the Interim Agreement will not be jeopardized;

Whereas certain steel products were the subject of safeguard measures in the Community in 1992 taken pursuant to Commission Recommendation 92/434/ECSC of 14 August 1992⁽¹⁾ and Commission Decision 92/433/EEC of 14 August 1992⁽²⁾;

Whereas declarations have been submitted by the Czech Republic and by the Slovak Republic informing the Community that both the Czech Republic and the Slovak Republic continue to assume all the obligations deriving from the Interim Agreement upon the dissolution of the Czech and Slovak Federal Republic on 31 December 1992;

Whereas in view of the grave crisis and the need for restructuring in the steel industry both of the Community and of the Slovak Republic it is desirable to ensure a predictable and stable framework for their trading relationship;

Whereas the situation is of a nature that requires a prompt decision of the Joint Committee pursuant to Article 38 of the Interim Agreement;

Whereas the situation has been the subject of thorough examination and on the basis of relevant information supplied to it the parties are agreed that an acceptable solution which least disturbs the functioning of the Interim Agreement is a tariff quota system for the imports of certain steel products into the Community,

HAS DECIDED AS FOLLOWS:

Article 1

1. For the period 1 June 1993 to 31 December 1995, imports into the Community of products, the CN codes of which are listed in Annex I and which originate in the territory of the Slovak Republic shall be subject to the import duty foreseen in the Interim Agreement and in particular in Article 2 of its Protocol 2 provided that they are accompanied by a movement certificate EUR 1 and an export licence in the form set out in Annex II within the following limits:

(in tonnes)

	For 1. 6. to 31. 12. 1993	For 1994	For 1995
Hot-rolled coils	78 167	167 000	200 000
Cold-rolled sheet	54 530	100 040	110 700
Hot-rolled strip and hoop	21 525	39 600	43 200
Cut lengths	55 417	102 000	112 000
For seamless tubes	12 012	23 760	26 928

⁽¹⁾ OJ No L 238, 21. 8. 1992, p. 26.

⁽²⁾ OJ No L 238, 21. 8. 1992, p. 24.

2. For the period referred to in paragraph 1 imports into the Community of the products referred to in Annex I and originating in the territory of the Slovak Republic :

- within the limits set out in paragraph 1, not accompanied by a movement certificate EUR 1 and an export licence in the form set out in Annex II,
- in excess of these amounts,

shall be subject to an import duty in addition to that foreseen in the Interim Agreement. The additional duty shall be the following percentage points of the customs value of the products :

- 25 % for hot-rolled coils,
- 30 % for cold-rolled sheet,
- 25 % hot-rolled strip and hoop,
- 25 % cut lengths,
- 30 % for seamless tubes.

3. Without prejudice to applicable Community legislation, products imported into the Community after outward processing or for the purposes of inward processing using the suspension system foreseen in Commission Regulation (EEC) No 1999/85⁽¹⁾ which comply with the usual administrative requirements are not included within the scope of this Decision.

4. The rules of origin to be applied are those laid down in Protocol 4 of the Interim Agreement. However, these rules shall apply to the territory of the Slovak Republic rather than, as foreseen in the Protocol, to the territory of the Czech and Slovak Federal Republic.

Article 2

The Slovak authorities undertake to remain within the limits set out in Article 1 (1) for licences issued in the form set out in Annex II. Such licences shall include the following information in respect of the relevant tariff quota :

‘Goods deducted from the tariff quota to the amount of ... tonnes’.

Article 3

1. The Slovak authorities shall use their best endeavours :

- to present sudden and prejudicial changes in traditional trade flows resulting in regional concentration of export to the Community of the products referred to in Annex I, and
- to ensure an even rate of delivery of the products referred to in Annex I, in order to avoid a significant concentration of any particular product in any particular period.

2. Should sudden and prejudicial changes in trade flows or surges of imports arise, the Community will be entitled to request consultations in order to find a satisfactory solution to those problems. Such consultations must be held within 15 working days of their being requested by the Community.

Article 4

1. The Slovak Republic undertakes to supply the Community with precise statistical information on the export licences issued by the Slovak authorities pursuant to Article 2. Such information shall be transmitted to the Community by the end of the month following the month to which the statistics relate.

2. The Community undertakes to supply the Slovak authorities with precise statistical information on imports of the products referred to in Annex I as soon as possible.

Article 5

1. If necessary, at the request of either of the Parties, consultations shall be held on any problems arising from the operation of the Decision. Such consultations shall be held promptly. Any consultations held under this Article shall be approached by both Parties in a spirit of cooperation and with a desire to reconcile the difference between them.

2. Without prejudice to paragraph 1, consultations on the operation of this Decision will take place on a quarterly basis between representatives of the Community on the one part and representatives of the Slovak Republic on the other part. These consultations will focus in particular on comparisons of statistical and any other relevant information on trade flows and price levels, and on information relating to possible fraudulent circumvention of origin rules.

3. Not later than 31 March 1994 and 31 March 1995 the Parties shall, in the light of the operation of this Decision, examine whether the conditions for the application of this Decision still obtain.

⁽¹⁾ OJ No L 188, 20. 7. 1985, p. 1.

Article 6

Any notices to be given hereunder shall be given :

- in respect of the Community to the Commission of the European Communities (DG I/D/2 and DG III/E/1),
- in respect of the Slovak Republic to

The Mission of the Slovak Republic to the European Communities ; and

The Ministry of Economy of the Slovak Republic, Multilateral Cooperation Department, Spitalska 8, 81315 Bratislava, Slovak Republic (Fax 00 427 368093).

Article 7

This Decision shall be binding on both the Community and the Slovak Republic which shall take the measures necessary to implement it.

This Decision shall enter into force on the date of signature.

Done at Brussels, 28 May 1993.

For the Community

Jörn KECK

For the Slovak Republic

Jan VARSO

ANNEX I

Hot-rolled coils

	7219 13 90
	7219 14 10
	7219 14 90
7208 11 00	
7208 12 10	
7208 12 91	7225 10 10
7208 12 95	7225 20 20
7208 12 98	7225 30 00
7208 13 10	
7208 13 91	
7208 13 95	
7208 13 98	
7208 14 10	
7208 14 91	7209 11 00
7208 14 99	7209 12 90
7208 21 10	7209 13 90
7208 21 90	7209 14 90
7208 22 10	7209 21 00
7208 22 91	7209 22 90
7208 22 95	7209 23 90
7208 22 98	7209 24 91
7208 23 10	7209 24 99
7208 23 91	7209 31 00
7208 23 95	7209 32 90
7208 23 98	7209 33 90
7208 24 10	7209 34 90
7208 24 91	7209 41 00
7208 24 99	7209 42 90
	7209 43 90
	7209 44 90
7219 11 10	
7219 11 90	7211 30 10
7219 12 10	7211 41 10
7219 12 90	7211 41 91
7219 13 10	7211 49 10

Cold-rolled sheets

Wire rod

	7213 10 00
	7213 20 00
	7213 31 00
	7213 39 00
	7213 41 00
	7213 49 00
	7213 50 10
	7213 50 90
	7221 00 10
	7221 00 90
	7227 10 00
	7227 20 00
	7227 90 10
	7227 90 30
	7227 90 50
	7227 90 70

Hot-rolled strip and hoop

	7211 12 10
	7211 12 90
	7211 19 10
	7211 19 91
	7211 19 99
	7211 22 10
	7211 22 90
	7211 29 10
	7211 29 91
	7211 29 99
	7212 60 91
	7220 11 00
	7220 12 00

7220 90 31

7226 10 10
7226 20 20
7226 91 10
7226 91 90
7226 99 20

Cut lengths

7208 32 10
7208 33 10
7208 33 99
7208 34 10
7208 34 90
7208 42 10
7208 43 10
7208 43 99
7208 44 10
7208 44 90
7208 35 10
7208 35 90
7208 45 10
7208 45 90

Seamless tubes

Complete combined nomenclature code 7304.

Welded tubes

Complete combined nomenclature code 7306.

MINISTRY OF ECONOMY OF THE SLOVAK REPUBLIC

Špitálska 8

813 15 Bratislava

No

In Bratislava on

Signature

AGREED MINUTE No 1

In the context of Decision No 1/93 (S) of the EC-Czech Republic and Slovak Republic Joint Committee of 28 May 1993 concerning trade problems in respect of certain steel products, the parties agreed on the amounts set out in Article 1 (1) for the period 1 June to 31 December 1993.

The Community and the Slovak Republic further agree that if imports of the said products originating in the Slovak Republic for the period 1 January to 31 May 1993 exceed the following amounts :

— hot-rolled coils	55 833 tonnes,
— cold-rolled sheet	38 950 tonnes,
— hot-rolled strip and hoop	15 375 tonnes,
— cut lengths	39 583 tonnes,
— seamless tubes	8 580 tonnes,

the Slovak authorities shall reduce the amounts of the licences they can deliver pursuant to Article 2 for the period of 1 June to 31 December 1993 (and, if necessary, for the year 1994), by amounts corresponding to such excess.

In the event that the amounts for the period 1 January to 31 May 1993 are less than the amounts set out above the Slovak authorities may increase the amounts of the licences they can deliver pursuant to Article 2 for the period of 1 June to 31 December 1993 by amounts corresponding to such shortfall.

The parties agree to meet not later than 30 September 1993 to ascertain the amounts imported into the Community for the period 1 January to 31 May 1993.

AGREED MINUTE No 2

In the context of Decision No 1/93 (S) of the EC-Czech Republic and Slovak Republic Joint Committee of 28 May 1993 concerning trade problems in respect of certain steel products the parties agreed that the Slovak authorities shall use their best endeavours to prevent sudden and prejudicial changes in trade flows resulting in regional concentrations in exports to the Community and to ensure an even rate of delivery of such exports.

The Community and the Slovak Republic further agree that, without prejudice to the full application of the tariff quota system, traditional trade flows during the period of application of this Decision shall be ascertained by reference to the traditional trade flows in the year 1991 of trade between the Community and that part of the territory of the former Czech and Slovak Federal Republic represented by the Slovak Republic. At the request of either party consultations can be held concerning the adaptation of traditional trade flows to take account of changes in the Community market.

Declaration

In the context of Decision No 1/93 of the EC-Czech Republic and Slovak Republic Joint Committee of 28 May 1993 concerning trade problems in respect of certain steel products the parties agreed that the products set out in Annex I to the Decision be covered by a system of tariff quotas.

The Community hereby declares that it considers that the Decision constitutes measures which least disturb the functioning of the Interim Agreement and further that the proper functioning of the Decision will preclude other solutions to trade problems.

Declaration by the Slovak Republic

The Slovak Republic declares that for the period of the validity of this Decision it is satisfied that no exports to the Community of wire rod and welded tubes as referred to in Annex I to this Decision are foreseen from the Slovak Republic.

Declaration

The Slovak Republic having raised queries, as a result of discrepancies in the statistical data presented by the parties, concerning the statistical information in respect of sheets (as referred to in Annex I) imported into the Community from the Czech and Slovak Federal Republic in the year 1991, the Community and the Slovak Republic declare that they are ready to re-examine the statistical information and to consult with a view to verifying the said information as promptly as possible.

If it appears on the basis of this verification that there is a material error, the parties will meet to find an appropriate solution.

**DECISION No 1/93 OF THE EC—CZECH REPUBLIC AND SLOVAK
REPUBLIC JOINT COMMITTEE**

of 28 May 1993

concerning the export of certain steel products from the Czech Republic to the
Community

(93/373/ECSC)

THE JOINT COMMITTEE,

HAS DECIDED AS FOLLOWS:

Whereas the Joint Committee referred to in Article 37 of the Interim Agreement between the Community of the one part and the Czech and Slovak Federal Republic on the other part, signed in Brussels on 16 December 1991 (hereinafter referred to as 'the Interim Agreement') recognised the need to find appropriate solutions in the framework of Article 44 (1) of the Interim Agreement, in order to ensure that the attainment of the objectives of the Interim Agreement will not be jeopardized;

Whereas certain steel products were the subject of safeguard measures in the Community in 1992 taken pursuant to Commission Recommendation 92/434/ECSC⁽¹⁾ of 14 August 1992 and Commission Decision 92/433/EEC⁽²⁾ of 14 August 1992;

Whereas declarations have been submitted by the Czech Republic and by the Slovak Republic informing the Community that both the Czech Republic and the Slovak Republic continue to assume all the obligations deriving from the Interim Agreement upon the dissolution of the Czech and Slovak Federal Republic on 31 December 1992;

Whereas, in view of the grave crisis and the need for restructuring in the steel industry both of the Community and of the Czech Republic, it is desirable to ensure a predictable and stable framework for their trading relationship;

Whereas the situation is of a nature that requires a prompt decision of the Joint Committee pursuant to Article 38 of the Interim Agreement;

Whereas the situation has been the subject of thorough examination and on the basis of relevant information supplied to it the parties are agreed that an acceptable solution which least disturbs the functioning of the Interim Agreement is a tariff quota system for the imports of certain steel products into the Community,

Article 1

1. For the period 1 June 1993 to 31 December 1995, imports into the Community of products, the CN codes of which are listed in Annex I and which originate in the territory of the Czech Republic shall be subject to the import duty foreseen in the Interim Agreement and in particular in Article 2 of its Protocol 2 provided that they are accompanied by a movement certificate EUR 1 and an export licence in the form set out in Annex II within the following limits:

(in tonnes)

	For 1. 6. to 31. 12. 1993	For 1994	For 1995
Cold-rolled sheet	11 970	21 960	24 300
Wire rod	119 000	220 000	242 000
Hot-rolled strip and hoop	2 392	4 400	4 800
Seamless tubes	25 905	51 240	58 072
Welded tubes	29 167	60 000	70 000

2. For the period referred to in paragraph 1 imports into the Community of the products referred to in Annex I and originating in the territory of the Czech Republic:

- within the limits set out in paragraph 1, not accompanied by a movement certificate EUR 1 and an export licence in the form set out in Annex II,
- in excess of these amounts,

shall be subject to an import duty in addition to that foreseen in the Interim Agreement. The additional duty shall be the following percentage points of the customs value of the products:

- 30 % for cold-rolled sheet,
- 30 % for wire rod,
- 25 % for hot-rolled strip and hoop,
- 30 % for seamless tubes,
- 30 % for welded tubes.

⁽¹⁾ OJ No L 238, 21. 8. 1992, p. 26.

⁽²⁾ OJ No L 238, 21. 8. 1992, p. 24.

3. Without prejudice to applicable Community legislation, products imported into the Community after outward processing or for the purposes of inward processing using the suspension system foreseen in Commission Regulation (EEC) No 1999/85⁽¹⁾ which comply with the usual administrative requirements are not included within the scope of this Decision.

4. The rules of origin to be applied are those laid down in Protocol 4 of the Interim Agreement. However, these rules shall apply to the territory of the Czech Republic rather than, as foreseen in the Protocol, to the territory of the Czech and Slovak Federal Republic.

Article 2

The Czech authorities undertake to remain within the limits set out in Article 1 (1) for licences issued in the form set out in Annex II. Such licences shall include the following information in respect of the relevant tariff quota:

'Goods deducted from the tariff quota to the amount of ... tonnes'.

Article 3

1. The Czech authorities shall use their best endeavours:

- to present sudden and prejudicial changes in traditional trade flows resulting in regional concentration of export to the Community of the products referred to in Annex I, and
- to ensure an even rate of delivery of the products referred to in Annex I, in order to avoid a significant concentration of any particular product in any particular period.

2. Should sudden and prejudicial changes in trade flows or surges of imports arise, the Community will be entitled to request consultations in order to find a satisfactory solution to those problems. Such consultations must be held within 15 working days of their being requested by the Community.

Article 4

1. The Czech Republic undertakes to supply the Community with precise statistical information on the export licences issued by the Czech authorities pursuant to Article 2. Such information shall be transmitted to the Community by the end of the month following the month to which the statistics relate.

2. The Community undertakes to supply the Czech authorities with precise statistical information on imports of the products referred to in Annex I as soon as possible.

Article 5

1. If necessary, at the request of either of the Parties, consultations shall be held on any problems arising from the operation of the Decision. Such consultations shall be held promptly. Any consultations held under this Article shall be approached by both Parties in a spirit of cooperation and with a desire to reconcile the difference between them.

2. Without prejudice to paragraph 1, consultations on the operation of this Decision will take place on a quarterly basis between representatives of the Community on the one part and representatives of the Czech Republic on the other part. These consultations will focus in particular on comparisons of statistical and any other relevant information on trade flows and price levels, and on information relating to possible fraudulent circumvention of origin rules.

3. Not later than 31 March 1994 and 31 March 1995 the Parties shall, in the light of the operation of this Decision, examine whether the conditions for the application of this Decision still obtain.

Article 6

Any notices to be given hereunder shall be given:

- in respect of the Community to the Commission of the European Communities (DG I/D/2 and DG III/E/1),
- in respect of the Czech Republic to

The Mission of the Czech Republic to the European Communities; and

The Ministry of Industry and Trade, Foreign Trade, Foreign Trade Section, Multilateral Trade Policy Department, Na Frantisku 32, 110 15 Prague 1, Czech Republic (Fax 00 422 2318544).

Article 7

This Decision shall be binding on both the Community and the Slovak Republic which shall take the measures necessary to implement it.

This Decision shall enter into force on the date of signature.

Done at Brussels, 28 May 1993.

For the Community

Jörn KECK

For the Czech Republic

Pavel TELICKA

⁽¹⁾ OJ No L 188, 20. 7. 1985, p. 1.

ANNEX I

Hot-rolled coils

7219 13 90
7219 14 10
7219 14 90

7208 11 00
7208 12 10
7208 12 91
7208 12 95
7208 12 98
7208 13 10
7208 13 91
7208 13 95
7208 13 98
7208 14 10
7208 14 91
7208 14 99
7208 21 10
7208 21 90
7208 22 10
7208 22 91
7208 22 95
7208 22 98
7208 23 10
7208 23 91
7208 23 95
7208 23 98
7208 24 10
7208 24 91
7208 24 99

7225 10 10
7225 20 20
7225 30 00

Cold-rolled sheets

7209 11 00
7209 12 90
7209 13 90
7209 14 90
7209 21 00
7209 22 90
7209 23 90
7209 24 91
7209 24 99
7209 31 00
7209 32 90
7209 33 90
7209 34 90
7209 41 00
7209 42 90
7209 43 90
7209 44 90

7211 30 10
7211 41 10
7211 41 91
7211 49 10

Wire rod

7213 10 00
7213 20 00
7213 31 00
7213 39 00
7213 41 00
7213 49 00
7213 50 10
7213 50 90

7221 00 10
7221 00 90
7227 10 00
7227 20 00
7227 90 10
7227 90 30
7227 90 50
7227 90 70

Hot-rolled strip and hoop

7211 12 10
7211 12 90
7211 19 10
7211 19 91
7211 19 99
7211 22 10
7211 22 90
7211 29 10
7211 29 91
7211 29 99

7212 60 91

7220 11 00
7220 12 00

7220 90 31

7226 10 10
7226 20 20
7226 91 10
7226 91 90
7226 99 20

Cut lengths

7208 32 10
7208 33 10
7208 33 99
7208 34 10
7208 34 90
7208 42 10
7208 43 10
7208 43 99
7208 44 10
7208 44 90
7208 35 10
7208 35 90
7208 45 10
7208 45 90

Seamless tubes

Complete combined nomenclature code 7304.

Welded tubes

Complete combined nomenclature code 7306.

ANNEX II

MINISTRY OF INDUSTRY AND TRADE
OF THE CZECH REPUBLIC
LICENSING OFFICE

EXPORT LICENCE
No

Exporter :		
Description of goods :		
CN codes	Name	Quantity
Country of destination :		
Certification by the competent authority :		
Goods deducted from the tariff quota to the amount of tonnes.		

At on

Signature

AGREED MINUTE No 1

In the context of Decision No 1/93 (S) of the EC-Czech Republic and Slovak Republic Joint Committee of 28 May 1993 concerning trade problems in respect of certain steel products, the parties agreed on the amounts set out in Article 1 (1) for the period 1 June to 31 December 1993.

The Community and the Czech Republic further agree that if imports of the said products originating in the Czech Republic for the period 1 January to 31 May 1993 exceed the following amounts :

— for cold-rolled sheet	8 550 tonnes,
— for wire rod	85 000 tonnes,
— for hot-rolled strip and hoop	1 708 tonnes,
— for seamless tubes	18 503 tonnes,
— for welded tubes	20 833 tonnes,

the Czech authorities shall reduce the amounts of the licences they can deliver pursuant to Article 2 for the period of 1 June to 31 December 1993 (and, if necessary, for the year 1994), by amounts corresponding to such excess.

In the event that the amounts for the period 1 January to 31 May 1993 are less than the amounts set out above the Czech authorities may increase the amounts of the licences they can deliver pursuant to Article 2 for the period of 1 June to 31 December 1993 by amounts corresponding to such shortfall.

The parties agree to meet not later than 30 September 1993 to ascertain the amounts imported into the Community for the period 1 January to 31 May 1993.

AGREED MINUTE No 2

In the context of Decision No 1/93 (S) of the EC-Czech Republic and Slovak Republic Joint Committee of 28 May 1993 concerning trade problems in respect of certain steel products the parties agreed that the Czech authorities shall use their best endeavours to prevent sudden and prejudicial changes in trade flows resulting in regional concentrations in exports to the Community and to ensure an even rate of delivery of such exports.

The Community and the Czech Republic further agree that, without prejudice to the full application of the tariff quota system, traditional trade flows during the period of application of this Decision shall be ascertained by reference to the traditional trade flows in the year 1991 of trade between the Community and that part of the territory of the former Czech and Slovak Federal Republic represented by the Czech Republic. At the request of either party consultations can be held concerning the adaptation of traditional trade flows to take account of changes in the Community market.

Declaration

In the context of Decision No 1/93 of the EC-Czech Republic and Slovak Republic Joint Committee of 28 May 1993 concerning trade problems in respect of certain steel products the parties agreed that the products set out in Annex I to the Decision be covered by a system of tariff quotas.

The Community hereby declares that it considers that the Decision constitutes measures which least disturb the functioning of the Interim Agreement and further that the proper functioning of the Decision will preclude other solutions to trade problems.

Declaration by the Czech Republic

The Czech Republic declares that for the period of the validity of this Decision it is satisfied that no exports to the Community of wire rod and welded tubes as referred to in Annex I to this Decision are foreseen from the Czech Republic.

COMMISSION

COMMISSION DECISION

of 15 June 1993

repealing Decision 93/229/EEC suspending the buying-in of butter in certain Member States

(Only the French text is authentic)

(93/375/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular the first subparagraph of Article 7a (1) and Article 7a (3) thereof,

Whereas Council Regulation (EEC) No 777/87 ⁽³⁾, as last amended by Regulation (EEC) No 1634/91 ⁽⁴⁾, sets out the circumstances under which the buying-in of butter and skimmed milk powder may be suspended and subsequently resumed and, where suspension takes place, the alternative measures that may be taken;

Whereas Commission Regulation (EEC) No 1547/87 ⁽⁵⁾, as last amended by Regulation (EEC) No 2011/91 ⁽⁶⁾, lays down the criteria on the basis of which the buying-in of butter by invitation to tender is to be opened and suspended, in a Member State or, as regards the United Kingdom and the Federal Republic of Germany, in a region;

Whereas Commission Decision 93/229/EEC ⁽⁷⁾ suspends buying-in in France; whereas information on market prices shows that the condition laid down in Article 1 (3) of Regulation

(EEC) No 1547/87 is currently no longer met in this Member State; whereas it is appropriate therefore to repeal the abovementioned Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS DECISION:

Article 1

Decision 93/229/EEC is hereby repealed.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 15 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 26.

⁽⁵⁾ OJ No L 144, 4. 6. 1987, p. 12.

⁽⁶⁾ OJ No L 185, 11. 7. 1991, p. 5.

⁽⁷⁾ OJ No L 97, 23. 4. 1993, p. 34.

COMMISSION DECISION

of 16 June 1993

terminating the review of anti-dumping measures adopted under Council Regulation (EEC) 1698/85 imposing a definitive anti-dumping duty on imports of electronic typewriters originating in Japan

(93/376/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Articles 15 and 9 thereof,

After consultation within the Advisory Committee as provided for by the above Regulation,

Whereas :

(hereafter referred to as the 'basic Regulation'), announced the initiation of an anti-dumping review concerning imports into the Community of certain ETWs originating in Japan by a notice published in the *Official Journal of the European Communities*⁽²⁾ after a request for review had been received from the Committee of European Electronic Typewriter Manufacturers ('CETMA') on behalf of :

- Ing. C. Olivetti & C. SpA, Ivrea, Italy,
- Rank Xerox Limited, Marlow, United Kingdom, and
- Triumph-Adler Aktiengesellschaft, Nuremberg, Germany,

allegedly representing a major proportion of the total ETW-Community production.

A. PROCEDURE

- (1) In 1985 a definitive anti-dumping duty was imposed on imports of certain electronic typewriters (ETWs) originating in Japan and falling into CN-codes ex 8469 10 00, ex 8469 21 00, ex 8469 29 00 and ex 8470 90 00 by Council Regulation (EEC) No 1698/85⁽²⁾, as last amended by Regulation (EEC) No 486/88⁽³⁾. By Regulation (EEC) No 1022/88⁽⁴⁾, as last amended by Regulation (EEC) No 2329/88⁽⁵⁾, the Council, in order to prevent circumvention of those measures, extended the above anti-dumping duty to cover certain ETWs assembled in the Community by some of the Japanese producers concerned. Subsequently, by Decisions 88/300/EEC⁽⁶⁾, 88/387/EEC⁽⁷⁾ and 88/424/EEC⁽⁸⁾, the Commission accepted undertakings from Kyushu Matsushita (UK) Ltd., Canon Bretagne SA und Shapr Manufacturing (UK) Ltd. in that regard.
- (2) In December 1990, the Commission, in accordance with Article 15 (3) of Regulation (EEC) No 2423/88

An additional notice concerning exports by Nakajima All Co. Ltd. ('Nakajima') was published in the *Official Journal of the European Communities*⁽¹⁰⁾.

- (3) The Commission officially advised the producers in the exporting country and importers known to be concerned, the representatives of the exporting country, and the complainant. Parties directly concerned were given the opportunity to make their views known in writing and to request a hearing.
- (4) Representatives of several Japanese producers, complainant companies and importers made their views known in writing, and requested and were granted a hearing.
- (5) The Commission sought and verified all information it deemed necessary for the purposes of the investigation and carried out an investigation at the premises of the following producer in Japan :

— Nakajima All Co., Ltd, Tokyo, Japan.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 163, 22. 6. 1985, p. 1.

⁽³⁾ OJ No L 50, 24. 2. 1988, p. 5.

⁽⁴⁾ OJ No L 101, 20. 4. 1988, p. 4.

⁽⁵⁾ OJ No L 203, 28. 7. 1988, p. 1.

⁽⁶⁾ OJ No L 128, 21. 5. 1988, p. 39.

⁽⁷⁾ OJ No L 183, 14. 7. 1988, p. 39.

⁽⁸⁾ OJ No L 203, 28. 7. 1988, p. 25.

⁽⁹⁾ OJ No C 315, 14. 12. 1990, p. 6.

⁽¹⁰⁾ OJ No C 283, 30. 10. 1991, p. 13.

- (6) The Commission examined the economic situation of the Community industry in the period from 1 January 1987 to 31 December 1990.

- (7) The investigation overran the normal duration of one year provided for in Article 7 (9) (a) the basic Regulation due to the complexity of the investigation, in particular the assessment of the status of the Japanese and Community industry. Moreover, new developments occurring after the period investigated and affecting the Community industry, added to this delay (see recital (27)).

B. THE PRODUCT UNDER INVESTIGATION; LIKE PRODUCT

- (8) The product covered by the present anti-dumping proceeding are ETWs, whether or not incorporating calculating mechanisms, defined by Article 1 (5) of Regulation (EEC) No 1698/85 as:

'a machine which is steered by microprocessor(s) and which initiates, implements and/or controls its relevant functions by means of software programs. Its main application is printed of text derived from a keyboard, even if an electronic typewriter can be used for additional functions (e.g. computing, communication and storage).'

- (9) The above definition covers a variety of models and versions which, however, are considered to be one product. Indeed, all these models have identical physical characteristics and uses; no clear dividing lines exist between the different models. No comments on that subject were made by interested parties.
- (10) The complainants argued that certain newly developed word processors ('WP') should also be covered by this product definition, since they are covered by the above definition.

The Commission examined the complainants' arguments as well as those put forward by other parties concerned, but concluded that WPs have different physical characteristics and end uses from those of ETWs. Therefore, in accordance with Article 2 (12) of the basic Regulation, WPs are not covered by the proceeding.

C. COMMUNITY INDUSTRY

- (11) Apart from the complainants, AEG Olympia, Wilhelmshaven, Germany, ('Olympia') produces ETWs in the Community and has acted as an independent importer of ETWs originating in Japan. Furthermore, one Japanese producer, Brother Industries Ltd., Nagoya, Japan, ('Brother Japan') argued that its subsidiary which is located in the EC ('Brother UK') and which, Brother Japan claimed, was a producer of ETWs, should be considered part of the Community industry.
- (12) It is the consistent practice of the Community to decide on a case-by-case basis whether certain producers in the Community may be excluded from the term 'Community industry' according to the first indent of Article 4 (5) of the basic Regulation. The assessment whether such exclusion is reasonable and equitable takes into consideration all the legal and economic aspects involved. The Community has on several occasions, concluded that an exclusion is justified where the producers in the Community either participated in the dumping practices, were shielded from their effects, or benefit unduly from them.
- (13) In the present review investigation, the Commission notes that Olympia is not related in any way to producers in Japan and that its ETW production in the Community remained substantial in comparison with the quantities of Japanese ETWs which Olympia imported. The company's purchases of ETWs of Japanese origin completed the lower end of its ETW product range sold. Finally, the Commission notes that Olympia imported ETWs solely from a Japanese producer not covered by any anti-dumping duty.

Consequently, it can be concluded that Olympia has shown its status as a Community producer by carrying out a substantial part of its production in the Community. Furthermore, the Commission considers that the importing producer, Olympia, has not participated in any dumping practice, since independent importers are not involved in dumping practices in general, and that Olympia, would not stand to gain from a lapse of the anti-dumping measures imposed by Regulation (EEC) No 1698/85, because it imported ETWs solely from a Japanese producer not covered by any anti-dumping duty.

Therefore, and following consistent practice, the Commission considers that Olympia should not be excluded from the definition of the Community industry on the basis of Article 4 (5) of the basic Regulation.

- (14) On the other hand, Brother UK is subsidiary of Brother Japan, which was found in the initial investigation to have practised dumping. Furthermore, the Commission considers that Brother Japan still remains a potential producer and exporter of ETWs, with its head-office and R&D facilities remaining in Japan, and may be expected to resume exports and would thus benefit from the lapse of the anti-dumping measures imposed by Regulation (EEC) No 1698/85. Moreover, Brother UK would potentially be shielded from renewed dumped imports originating in Japan. Therefore, the Commission concludes that Brother UK should be excluded from the definition of 'Community industry' under Article 4 (5) of the basic Regulation.
- (15) On the basis of the above considerations, the Community producers which have requested the review represent more than 65 % of the output of the product concerned of 'Community industry' as defined by Article 4 (5) of the basic Regulation. Accordingly, the Commission considers that these producers constitute a major proportion of the Community industry.

D. INJURY

1. Community market

- (16) Total Community consumption of ETWs has increased from 2 million units in 1987 to around 2,3 million units in 1990.

2. Situation of the Community industry

- (17) With respect to the situation of the Community industry, the Commission established the following development:
- total unit production decreased from around 613 000 in 1987 to 600 000 in 1989 and 570 000 in 1990 (indexed from 100 in 1987 to 98 in 1989 and 93 in 1990),
 - sales measures in units decreased from a level of around 470 000 units in 1987 to 420 000 in 1989 and to around 400 000 in 1990 (indexed from 100 in 1987 to 89 in 1989 and 85 in 1990),
 - market share decreased from around 25 % in 1987 to 20 % in 1989 and to 17 % in 1990,

- production capacity was substantially reduced as part of a restructuring programme, especially after the initial anti-dumping investigation, and fall continuously by around 10 % in the period 1987 to 1990,
- capacity utilization remained constant in the period from 1987 to 1990,
- employment has decreased from around 7 000 people in 1987 to 4 800 in 1989 and 4 500 in 1990 (in index from 100 in 1987 to around 68 in 1989 and 65 in 1990).
- the financial situation of the Community industry developed positively for the industry as a whole, despite certain negative trends for individual companies and individual ETW models, with an average rate of return on turnover of around 8 %.

3. Conclusion

- (18) On balance, therefore, the Commission considers that despite a positive factor in the situation of the Community industry, in the form of the financial profits obtained on its Community sales, there remain substantial negative factors in the situation of the Community industry. The situation or while leads the Commission to conclude that the Community industry continues to show clear signs of economic weakness.

E. CAUSALITY

1. General

- (19) The Commission assessed whether the abovementioned economic weakness of the Community industry has been caused by imports from Japan or by other factors.

2. Japanese imports into the Community and relocation of production

- (20) Sales in the Community of ETWs originating in Japan, having decreased from a level of around 100 000 units in 1987 to around 95 000 units in 1988, increased again to 160 000 units in 1990. However, the ETWs imported in 1990 were almost all produced by one company which was not subject to anti-dumping duties imposed in the framework of this proceeding. In index form this development represents a decrease from 100 in 1987 to 95 in 1988 and an increase to 160 in 1990.

(21) Furthermore, the Commission took account of Eurostat import statistics in order to assess the level of Japanese ETW imports. This was considered necessary because not all Japanese producers named in the request for review responded to the Commission's questionnaire concerning import volumes. The Eurostat figures show an increase of imports from a level of around 215 000 units in 1988 to around 310 000 units in 1990. The absolute level of those import figures is higher than the data provided by the Japanese producers mentioned in recital (20), although the increase from 1988 to 1990 is lower in percentage terms. Although this discrepancy could be due to non cooperation by some of the Japanese producers concerned, the Commission concludes that it is highly likely that the discrepancy is due to the level of aggregation in the Eurostat figures, which do not include ETWs, as defined and covered by this proceeding, but include other electric, electronic and automatic typewriters ('TWs'). This conclusion is, moreover, supported by market research data which indicate substantial sales on the Community market of certain types of ETWs which were specifically excluded from the scope of the anti-dumping measures by (for example) Council Regulation (EEC) No 154/88⁽¹⁾, but which are included in the Eurostat import statistics.

(22) In respect of imports of ETWs originating in Japan, the Commission concluded in its investigation that the reduction in production, sales, market share, capacity and employment shown above may not be regarded as the result of the imports subject to the anti-dumping proceeding.

(23) On the other hand, strategic decisions have been taken by the Community industry to relocate its production capacity in countries outside the Community. The general trend of relocation of production started on a large scale after the imposition of the anti-dumping measures and has culminated with the strategic decisions mentioned in recital (27). Indeed, the negative trend in the situation of the Community industry with respect to the production and sale of Community-produced ETWs corresponds to increases in its production outside the Community and to its increased sales inside the Community of ETWs which are produced elsewhere.

3. Conclusion

(24) Therefore, the Commission concludes that any aspects of the situation of the Community industry which could be interpreted as negative are attributable to its own restructuring and not to imports of ETWs originating in Japan.

F. POSSIBLE EFFECTS OF THE EXPIRY OF THE EXISTING ANTI-DUMPING MEASURES REGARDING TREND AND IMPACT OF IMPORTS ORIGINATING IN JAPAN

1. General

(25) The present investigation being a review pursuant to Article 15 of the basic Regulation, the Commission had to assess in its investigation whether the expiry of the anti-dumping measures presently in force would lead again to injury or threat of injury. Such a recurrence of injury could be possible if there were a considerable production or production potential of ETW in Japan that could be directed to the Community in the near future.

2. Production potential in Japan

(26) As far as production and production potential of ETWs in Japan is concerned, the Commission assessed Japanese export statistics of finished ETWs and their parts to the EC and to third countries which do indicate an overall decrease in the years to 1990. Japanese export statistics were considered a reliable estimate of overall ETW production and production potential in Japan, since sales of ETW in Japan are negligible. No indication was given that in the meantime this downward trend had been reversed. Taking those findings into consideration, together with the relatively low level of imports into the Community of finished ETWs originating in Japan the great majority of which were exported by a Japanese producer whose ETW imports were not subject to the anti-dumping duties, the Commission considers that the likelihood of the Community industry being injured or being threatened with injury by dumped imports originating in Japan, should the anti-dumping measures presently in force lapse, is relatively small. Consequently, any recurrence of injury or threat of injury is considered to be neither foreseeable nor imminent.

⁽¹⁾ OJ No L 18, 22. 1. 1988, p. 4.

3. Developments after the period investigated

- (27) After the period investigated, namely 1987 to 1990, two companies which are part of the Community industry informed the Commission of recent strategic decisions. One company, while maintaining part of its ETW production in the Community, had decided to relocate a part of its ETW production in a third country and the other company stopped production of ETWs in the Community altogether.

4. Conclusion

- (28) The Commission concludes, on the basis of the findings concerning the absence of a causal link between the weak situation of the Community industry during the period from 1987 to 1990 and imports of ETWs originating in Japan, together with the findings relating to the likely effect of the expiry of the anti-dumping measures on the Community industry in the event of a repeal of the anti-dumping measures and the strategic decisions by the Community industry after 1990, that there is not sufficient evidence to suggest a recurrence of injury to the Community industry due to dumped imports from Japan.

G. DUMPING

- (29) In view of those conclusions, the Commission does not consider it necessary to investigate further any dumping issues.

H. TERMINATION OF THE INVESTIGATION

- (30) Accordingly, the Commission considers that the anti-dumping review concerning imports of ETWs originating in Japan should be terminated in accordance with Article 9 (1) of the basic Regulation. Consequently, the anti-dumping measures presently in force lapse in accordance with Article 15 (1) of the basic Regulation.

- (31) In reaching this conclusion, the Commission has taken into account the fact that, if the Community industry were to suffer material injury as a result of dumped imports made by Japanese producers in the Community market in the future, the Community industry could resort to the Commission to request that a new proceeding be opened.
- (32) Since the anti-dumping measures imposed with respect to certain ETWs assembled with in the Community (see recital (1)) are ancillary in nature to the anti-dumping measures with respect to imports of finished ETWs originating in Japan which will now lapse, those ancillary measures also expire.
- (33) No objections to these conclusions were raised in the Advisory Committee.
- (34) The complainants and the other interested parties concerned were informed of the essential facts and considerations on the basis of which the Commission intended to terminate the investigation, and did not dispute the arguments put forward above,

HAS DECIDED AS FOLLOWS:

Article 1

The anti-dumping review concerning imports of certain electronic typewriters originating in Japan is hereby terminated, with the result that the anti-dumping measures in force concerning those imports, and also electronic typewriters assembled in the Community, shall lapse.

Article 2

This Decision shall take effect on 30 June 1993.

Done at Brussels, 16 June 1993.

For the Commission

Leon BRITTAN

Member of the Commission