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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1737/93

of 24 June 1993

**on the conclusion of the Agreement on fisheries and the marine environment
between the European Economic Community and the Republic of Iceland**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

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

Whereas the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Iceland concerning fisheries, signed on 2 May 1992, provides for the conclusion of a fisheries agreement as soon as possible and at all events before 31 December 1992;

Whereas the Community and the Republic of Iceland have negotiated and initialled an Agreement on fisheries relations;

Whereas it is in the interests of the Community to approve that Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The Agreement between the European Economic Community and the Government of the Republic of Iceland on fisheries and the marine environment is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Regulation.

Article 2

The President of the Council is hereby authorized to designate the person authorized to sign the Agreement in the form of an exchange of letters in order to bind the Community.

Article 3

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 Luxembourg, 24 June 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No C 150, 31. 5. 1993.

AGREEMENT ON FISHERIES AND THE MARINE ENVIRONMENT BETWEEN THE EUROPEAN ECONOMIC COMMUNITY AND THE REPUBLIC OF ICELAND

THE EUROPEAN ECONOMIC COMMUNITY (hereinafter referred to as 'the Community') of the one part,

and

THE REPUBLIC OF ICELAND (hereinafter referred to as 'Iceland') of the other part,

RECALLING the close relations between the Community and Iceland, which have been further strengthened by the conclusion of the Agreement on the European Economic Area;

CONSIDERING their common desire to ensure the conservation and rational management of the fishery resources of the waters within their respective fisheries jurisdiction, and their common awareness of the need in this context to protect the marine environment;

HAVING REGARD to the provisions of the United Nations Convention on the law of the Sea of which both Parties are signatories;

HAVING REGARD to the fact that Iceland has established an economic zone extending up to 200 nautical miles from its coast within which Iceland exercises sovereign rights for the purpose of exploring, exploiting, conserving and managing the living resources thereof and that the Community has agreed that the limits of the fishery zones of its Member States (hereinafter referred to as the area of fisheries jurisdiction of the Community) shall extend up to 200 nautical miles, fishing within these limits being subject to the common fisheries policy of the Community;

TAKING INTO ACCOUNT the fact that a part of the fishery resources of these areas consist of common stocks or highly interrelated stocks that extend beyond their respective fisheries zones and in which both Parties have a mutual interest, and that effective conservation and rational management of these stocks can only be achieved through cooperation between the Parties concerned; taking into account also that the North East Atlantic Fisheries Commission has been established to promote the conservation and optimal utilization of the fisheries resources in the North Atlantic area through international cooperation and consultation with respect to these resources;

CONSIDERING the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Iceland concerning fisheries, signed 2 May 1992, and in particular the provision to conclude a fisheries agreement under the terms set out therein;

RECOGNIZING the vital importance for Iceland of fisheries which constitute their essential economic activity;

DESIRING to establish the terms and conditions pertaining to fisheries of mutual interest to the Parties,

HAVE AGREED AS FOLLOWS

Article 1

1. The Parties shall cooperate, as appropriate, to ensure the conservation and rational management of the fish stocks occurring within the areas of fisheries jurisdiction of both Parties and in adjacent areas.

The Parties shall seek either directly or through appropriate regional bodies to reach agreement with third Parties on measures for the conservation and rational utilization of these stocks, including the total allowable catch and the allocation thereof.

2. In determining the total allowable catch for the stocks referred to in paragraph 1, the Parties shall take into account the best scientific advice available to them, the interdependence of stocks, the work of appropriate international organizations and other relevant factors.

Article 2

The Parties shall also facilitate the necessary scientific research, in particular with regard to stocks occurring in the areas of fisheries jurisdiction of both Parties and in adjacent areas.

Article 3

In the context of the conservation and rational agreement of the fisheries resources of the sea, the Parties shall consult, bilaterally or in the appropriate regional or international fora, on matters pertaining to the marine environment.

Article 4

1. The Parties shall consult annually on the allocations of fishing possibilities for each Party with a view to obtaining a mutually satisfactory balance in their relations in the fisheries field.

2. Each Party shall grant access to fishing vessels of the other Party to fish the allocations which may result from the consultations referred to in paragraph 1 of this Article.

Article 5

Each Party may require that fishing in its area of fisheries jurisdiction by fishing vessels of the other Party shall be subject to licence. The limits within which licences shall be issued shall be determined in consultations between the Parties and shall adequately reflect the quotas allocated. The competent authority of each Party shall, as appropriate, communicate in due time to the other Party the name, registration number, and other relevant particulars of the fishing vessels which shall be eligible to fish within the area of fisheries jurisdiction of the other Party. The second Party shall thereupon issue such licences within the agreed limits.

Article 6

1. Each Party shall take appropriate measures with a view to ensuring compliance by its vessels with any conservation measure agreed between the Parties pursuant to this Agreement.

2. Fishing vessels of one Party shall, when fishing within the areas of fisheries jurisdiction of the other Party, comply with the conservation and control measures, other terms and conditions and all rules and regulations governing fishing activities in that area. Each Party may require that an inspector from that Party be on board a fishing vessel, at the vessel's expense, while it is within its fisheries jurisdiction.

3. Each Party shall give appropriate notice to the other Party of any new measures or conditions governing fishing activities in the area under its fishery jurisdiction.

4. The measures to regulate fisheries taken by each Party for the purpose of conservation shall be based on objective and scientific criteria and shall not discriminate in fact or in law against the other Party.

5. Each Party may take within its area of fisheries jurisdiction such measures, in conformity with international law, as may be necessary to ensure compliance with the provisions of this Agreement by vessels of the other Party.

Article 7

1. The Parties shall consult on questions relating to the implementation and proper functioning of this Agreement.

2. Each Party shall supply to the other Party statistics concerning the catches by its vessels of the stocks referred to in Articles 1 and 4 at the intervals to be determined in consultations.

Article 8

Nothing contained in this Agreement shall affect or prejudice in any manner the views of either Contracting Party with respect to any question relating to the Law of the Sea.

Article 9

This Agreement shall not affect rights and obligations under any existing agreement on fisheries between a Member State of the Community and Iceland.

Article 10

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Economic Community is applied, under the conditions laid down in that Treaty, and, on the other hand, to the territory of the Republic of Iceland.

Article 11

This Agreement shall enter into force on the date on which the Parties notify each other of the completion of the procedures necessary for this purpose.

Article 12

1. This Agreement shall remain in force for an initial period of 10 years after the date of its entry into force. In the event of the Agreement not being terminated by either Party through notice of termination given at least nine months before the expiry of that period, it shall remain in force for additional periods of six years duration thereafter, provided that notice of termination has not been given at least nine months before the expiry of any such period.

2. Where the Agreement is terminated in accordance with the terms of the previous paragraph, the Parties shall enter into negotiations for a further agreement to give effect to the Agreement contained in the exchange of letters concerning fisheries signed on 2 May 1992.

*For the European
Economic Community*

*For the Republic
of Iceland*

COUNCIL REGULATION (EEC) No 1738/93

of 25 June 1993

for an action programme in the field of transport infrastructure with a view to
the completion of an integrated transport market

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the completion of an integrated transport market calls for a Community action programme aimed at the harmonious development of transport infrastructure in the Community;

Whereas a programme lasting two years is called for;

Whereas an amount of ECU 325 million is estimated to be necessary to implement this programme;

Whereas the amounts to be committed for the financing of the programme will have to fall within the Community financial framework in force;

Whereas the setting up of rapid and efficient links between all regions of the Community is an essential condition for reinforcing its economic and social cohesion;

Whereas it is necessary to take account of both the interests of users and the demands of environmental protection, safety and the rational use of energy;

Whereas Community action through the Structural Funds, the European Investment Bank (EIB) and the other financial instruments can contribute to the building of transport infrastructure works of Community interest;

Whereas specific financial support for infrastructure projects can provide an essential stimulus to the promotion and launching of projects of Community interest;

Whereas the intervention of private sector capital can contribute to the implementation of infrastructure projects and whereas the 'declaration of European interest' procedure would help to channel private-sector capital towards major projects of European interest;

Whereas it is necessary to ensure that the various projects are properly coordinated and their financing efficiently programmed;

Whereas it is important to define the scope of the action programme, in particular by its direct objectives and the projects to be carried out;

Whereas the value to the Community of the projects to be assisted ought to be established on the basis of objective criteria;

Whereas Community assistance is necessary to carry out the projects, especially in their launch phase;

Whereas, since the first multiannual financial support programme for infrastructure projects expired at the end of 1992 and the various Community networks remain incomplete, it is vital that a new programme be adopted;

Whereas, however, the new programme should not last for more than two years, to avoid prejudging decisions on trans-European networks;

Whereas, pending more comprehensive measures based on future decisions relating to trans-European networks, this Regulation should be transitional in nature;

Whereas implementation of this Regulation should cease if the Council adopts, before the date on which it expires, a new instrument relating to the financing of trans-European transport networks,

HAS ADOPTED THIS REGULATION:

Article 1

1. The purpose of this Regulation is to establish a Community action programme, hereinafter referred to as 'action programme', in the field of transport infrastructure applicable as from 1 January 1993. The action programme shall last two years.

⁽¹⁾ OJ No C 236, 15. 9. 1992, p. 3.

⁽²⁾ OJ No C 337, 21. 12. 1992, p. 287 and OJ No C 115, 26. 4. 1993.

⁽³⁾ OJ No C 19, 25. 1. 1993, p. 32.

2. The Community financial resources estimated to be necessary for the implementation of the action programme amounts to ECU 325 million and must fall within the Community financial framework in force.

3. The budget authority shall determine the appropriations available taking into account the principles of sound management referred to in Article 2 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽¹⁾.

Article 2

The Community shall identify transport infrastructure projects of Community interest within the framework of the action programme and aimed at:

1. the elimination of bottlenecks;
2. the construction of missing sections;
3. the integration of areas which, geographically, are either landlocked or situated on the periphery of the Community;
4. the reduction of costs associated with transit traffic in cooperation with any third countries concerned;
5. the improvement of links on land/sea routes and on combined transport routes;
6. the provision of high-quality links between the major urban centres, including high-speed rail links;
7. ensuring a high level of safety for the modes of transport covered by this Regulation.

Article 3

The Community contribution to the execution of the projects in the action programme may take the form in particular of:

- financial support using appropriations earmarked for the purpose in the general budget of the European Communities, within the framework of the financial perspective relating to the period covered by the action programme,
- financial support under other financial instruments, where these apply,
- a declaration of the European interest of the projects by the Commission, in compliance with the conditions set out in the Annex, following consultation with the Member States directly affected by the projects concerned. The Commission shall inform the European Parliament and the Council thereof. Decisions conferring the declaration of European interest

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

Article 4

Community action shall concern any study covering land transport infrastructure and the major projects listed below, it being understood that the specific individual projects to which reference is made in other Articles are components of these major projects:

1. contribution to the high-speed rail network:
 - links: Paris — London — Brussels — Amsterdam — Cologne and connecting lines to other Member States,
 - links:
 - (a) Madrid — Barcelona — Lyons — Turin — Milan — Venice and from there to Tarvisio and Trieste;
 - (b) Oporto — Lisbon — Madrid;
2. the Alpine transit route (Brenner route);
3. contribution to the combined transport network of Community interest;
4. the trans-Pyrenean road links;
5. the Scanlink;
6. the strengthening of land communications within and with Greece, Ireland and Portugal.

Article 5

The eligibility of an infrastructure project for financial support shall be assessed on the basis of the following criteria:

- (a) the benefit and greatest usefulness of the project to international Community traffic, assessed by its contribution to the objectives set out in Article 2. Among the factors which must be included are:
 - the importance of present or potential intra-Community international traffic,
 - the volume of trade between the Community and third countries on the route involved in the project,
 - the extent of the project's contribution to the creation of a homogeneous and balanced network within the Community framework, geared to existing and future transport needs;
- (b) the socio-economic return on the project;
- (c) the project's consistency with the other Community measures taken under the common transport policy or other Community policies and with the other national measures given priority in national transport infrastructure plans and programmes;

⁽¹⁾ OJ No L 356, 31. 12. 1977, p. 1. Financial Regulation as last amended by Regulation (Euratom, ECSC, EEC) No 610/90 (OJ No L 70, 16. 3. 1990, p. 1).

- (d) particular difficulties in raising finance ;
- (e) inability of national or regional authorities to carry out the project alone.

Article 6

1. Community financial support may be granted for feasibility studies or preparatory work for infrastructure projects, for related schemes and for a part or the whole of a project.
2. Community financial support specifically for transport infrastructure projects may take the form of subsidies or exceptionally, in duly justified cases, any other form appropriate to the financial requirements of the projects.
3. Where a specific project forming part of one of the major projects provided for in Article 4 is already being granted non-repayable support from the Community budget, that project may not be granted any other non-repayable support but only aid in the form of loans.
4. Non-repayable support from the Community budget may not exceed 25 % of the total cost of a project or of that part of a project granted assistance. This support may be increased to a maximum of 50 % in the case of studies prior to construction work.
5. A project may be granted Community financial support only if all the obligations under Community law concerning public procurement are complied with and if the provisions of Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment⁽¹⁾ are met in full.

Article 7

1. In respect of the specific financial support referred to in the first indent of the first subparagraph of Article 3, applications shall be sent to the Commission via the Member States.

Each application shall include the background information necessary and in particular :

- an itemized list of forecast expenditure,
- a schedule of work and financial commitments,
- information necessary for the evaluation of the Community interest of the project,
- a general summary of the environmental impact assessment carried out in accordance with Directive 85/337/EEC.

The Member States shall provide the Commission with any further information it considers necessary for assessing a project.

2. Where the financial instruments referred to in the second indent of the first subparagraph of Article 3 are used, the rules and the procedures proper to each shall be followed.

Article 8

1. Each year, the Commission shall send the European Parliament and the Community a communication describing the projects in respect of which applications have been received pursuant to Article 7 and which are eligible, under this action programme and in the light of the objectives laid down in Article 2, for financial support using the specific appropriations referred to in Article 3.
2. The communication referred to in paragraph 1 shall include at least the following background information :
 - the main ground for the eligibility of the projects under Articles 1, 4 and 5,
 - the size and nature of the financial support proposed,
 - the background information set out in the second subparagraph of Article 7 (1).

Article 9

The Commission shall decide on the grant of financial support in accordance with the procedure laid down in Article 10. Financial support shall be granted in accordance with Article 6 ; the amount shall take account of the assessment of projects using the criteria set out in Article 5.

Article 10

1. The Commission shall be assisted by the Committee on Transport Infrastructures set up by Article 4 of Decision 78/174/EEC⁽²⁾.
2. The representative of the Commission shall submit to the Community a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner described in that Article. The chairman shall not vote.

⁽¹⁾ OJ No L 175, 5. 7. 1985, p. 40.

⁽²⁾ OJ No L 54, 25. 2. 1978, p. 16.

3. (a) The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the Committee.

(b) If the measures envisaged are not in accordance with the opinion of the Committee, or if no opinion is delivered, the Commission shall, without delay, submit to the Community a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If the Council has not acted within three months of the matter being referred to it, the proposed measures shall be adopted by the Commission.

Article 11

1. Where a project which has received financial support has not been carried out as planned, or where the conditions imposed are not fulfilled, the financial support may be reduced or cancelled if the Commission so decides after considering the explanations given by the beneficiary.

Any sum paid incorrectly shall be repaid to the Community by the beneficiary within 12 months of the date of notification of the Commission's decision.

2. Without prejudice to checks carried out by the Member States in accordance with national laws, regulations or administrative provisions, and without prejudice to the auditing carried out by the Court of Auditors in accordance with Article 206a of the Treaty, on-the-spot checks or enquiries in respect of projects receiving financial support shall be carried out by the competent authorities of the Member State concerned and by officials appointed by the Commission, or other persons authorized for this purpose by the latter. The Commission shall determine deadlines for the performance of checks and inform the Member States in advance in order to receive all necessary assistance.

3. The purpose of the on-the-spot checks or enquiries referred to in paragraph 2 is to ascertain:

- (a) the conformity of administrative practices with Community rules;
- (b) the existence of supporting documents and whether they correspond to the projects receiving financial support;
- (c) the conditions under which operations are executed and checked;
- (d) the conformity of the projects carried out with the conditions subject to which financial support was granted.

4. The Commission may suspend payment of aid in respect of an operation if a check reveals irregularities or a substantial change in the nature or conditions of the project for which the Commission's approval has not been sought.

5. The Commission shall in due course, after the completion of projects that have received financial support, carry out detailed analyses of their consequences for transport and for the economy generally.

Article 12

This Regulation shall be the subject of review during the 1994 financial year in the light of decisions taken on the financing of infrastructures.

Article 13

Not later than 31 December of each year, the Commission shall submit to the European Parliament and to the Community a report on the experience gained in the implementation of this Regulation and Regulations (EEC) No 3600/82⁽¹⁾, (EEC) No 3620/84⁽²⁾, (EEC) No 4059/86⁽³⁾, (EEC) No 4070/87⁽⁴⁾, (EEC) No 4048/88⁽⁵⁾ and (EEC) No 3359/90⁽⁶⁾.

Article 14

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

It shall apply until 31 December 1994 or, if the Council adopts, before that date, rules on the financing of trans-European transport networks, until the date of entry into force of such rules.

⁽¹⁾ Council Regulation (EEC) No 3600/82 of 30 December 1982 on the granting of limited support in the field of transport infrastructure (OJ No L 376, 31. 12. 1982, p. 10), (financial year 1982).

⁽²⁾ Council Regulation (EEC) No 3620/84 of 19 December 1984 on a specific measure in the field of transport infrastructure (OJ No L 333, 21. 12. 1982, p. 58), (financial years 1983 and 1984).

⁽³⁾ Council Regulation (EEC) No 4059/86 of 22 December 1986 on the granting of financial support to transport infrastructure projects (OJ No L 378, 31. 12. 1986, p. 24), (financial year 1985).

⁽⁴⁾ Council Regulation (EEC) No 4070/87 of 22 December 1987 on the granting of support to transport infrastructure projects (OJ No L 380, 31. 12. 1987, p. 33), (financial years 1986 and 1987).

⁽⁵⁾ Council Regulation (EEC) No 4048/88 of 19 December 1988 on the granting of financial support to transport infrastructure project (OJ No L 356, 24. 12. 1988, p. 5), (financial years 1988 and 1989).

⁽⁶⁾ Council Regulation (EEC) No 3359/90 of 20 November 1990 for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market in 1992 (OJ No L 326, 24. 11. 1990, p. 1).

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

Done at Luxembourg, 25 June 1993.

For the Council

The President

J. SJURSEN

ANNEX

Conditions for conferral of the declaration of European interest

The conditions for conferring the 'declaration of European interest' are as follows:

- the project must be well defined; this implies that the results of feasibility studies are known and show that the project is viable,
 - the project will be submitted to the Commission either directly or through the intermediary of a Member State. Member States directly affected by the project will be consulted by the Commission,
 - the Commission will examine the project to ensure that it complies with the relevant Community policies. In particular the implementation procedure must comply with Community legislation, notably in competition, public procurement and environmental matters. The Commission will also ascertain that the project complies with Community rules and applicable in the fields concerned,
 - the project must draw to a large on private funding and comply with the objectives and criteria laid down by the Commission's programmes for the sectors concerned. The Commission will identify the advantages to the Community in the light of not only technical and financial but also socio-economic criteria. Among other things, an assessment will be provided of the impact of the project on Community competitiveness and of its effects, particularly in terms of employment and production levels, on the countries and regions concerned.
-

COMMISSION REGULATION (EEC) No 1739/93

of 1 July 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 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, and in particular Article 10 (5) and 11 (3) 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⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1680/93 ⁽³⁾ 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 30 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 1680/93 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 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1993.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 8.

ANNEX

to the Commission Regulation of 1 July 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	136,54 ^(?) ^(*)
0712 90 19	136,54 ^(?) ^(*)
1001 10 00	154,91 ^(*) ^(*)
1001 90 91	137,33
1001 90 99	137,33 ^(*)
1002 00 00	136,81 ^(*)
1003 00 10	126,05
1003 00 20	126,05
1003 00 80	126,05 ^(*)
1004 00 00	80,70
1005 10 90	136,54 ^(*) ^(*)
1005 90 00	136,54 ^(*) ^(*)
1007 00 90	142,33 ^(*)
1008 10 00	32,31 ^(*)
1008 20 00	83,01 ^(*)
1008 30 00	36,38 ^(*)
1008 90 10	^(*)
1008 90 90	36,38
1101 00 00	219,01 ^(*)
1102 10 00	220,54
1103 11 30	245,33
1103 11 50	245,33
1103 11 90	245,98
1107 10 11	255,33
1107 10 19	193,53
1107 10 91	235,25
1107 10 99	192,84
1107 20 00	222,94

^(*) 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 1740/93**of 1 July 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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽²⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93⁽³⁾;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 30 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 to be added to the levies fixed in advance for imports of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1993.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 1 July 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 30	0	0	0	0
1103 11 50	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1741/93**of 1 July 1993****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 28 and 29 June 1993 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 2 July 1993.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

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

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

(a) Lebanon : ECU 0,60 per 100 kg ;

(b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽³⁾ For imports of oil falling within this CN code :

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

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code :

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

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products⁽¹⁾

(ECU/100 kg)

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

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

COMMISSION REGULATION (EEC) No 1742/93
of 1 July 1993
fixing the import levies on frozen beef and veal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 125/93⁽²⁾, and in particular Article 12 (8) thereof,

Whereas, pursuant to Article 9 of Regulation (EEC) No 805/68, a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas, in respect of the types of frozen meat listed in section (b) of the Annex to the said Regulation under CN codes 0202 10 00 and 0202 20 10, the basic levy is determined on the basis of the difference between:

- the guide price multiplied by a coefficient representing the ratio existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of adult bovine animals, and
- the Community free-at-frontier offer price for frozen meat, plus the amount of the customs duty and a standard amount representing the specific costs of the import operations;

Whereas, by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of the levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff⁽³⁾, as last amended by Regulation (EEC) No 3661/92⁽⁴⁾, the abovementioned coefficient, calculated in accordance with the rules laid down in Article 11 (2) (a) of Regulation (EEC) No 805/68, has been fixed at 1,69 units of account and the standard amount referred to in Article 11 (2) (b) of the said Regulation has been fixed at ECU 6,65;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;

(c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;

(d) 0 % where the market price is more than 106 % of the guide price;

Whereas, if it is found that the price of adult bovine animals on representative Community markets is equal to or less than the guide price, the levy applicable equals the following percentage of the basic levy:

(a) 100 % where the market price is more than or equal to 98 % of the guide price;

(b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;

(c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;

(d) 114 % where the market price is less than 90 % of the guide price;

Whereas the guide prices for adult bovine animals for the 1993/94 marketing year have been fixed by Council Regulation (EEC) No 1563/93⁽⁵⁾;

Whereas Commission Regulation (EEC) No 1753/93⁽⁶⁾ determines certain prices fixed in ecus in the beef and veal sector as a result of the monetary realignments in the 1992/93 marketing year;

Whereas the Community free-at-frontier offer price for frozen meat is determined by reference to the world market price based on the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period preceding the fixing of the basic levy, taking into account in particular:

- foreseeable developments on the market in frozen meat,
- the most representative prices on third country markets for fresh and chilled meat of a category which is competitive with frozen meat,
- past experience;

Whereas the basic levy on the types of frozen meat listed in section (b) of the Annex to Regulation (EEC) No 805/68 under CN codes 0202 20 50, 0202 20 90, 0202 30 10, 0202 30 50 and 0202 30 90 is equal to the basic levy fixed for the products falling within CN codes 0202 10 00 and 0202 20 10, multiplied by a standard

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽⁵⁾ OJ No L 154, 25. 6. 1993, p. 35.

⁽⁶⁾ See page 44 of this Official Journal.

coefficient fixed for each of the products in question ; whereas these coefficients were fixed in Annex II to Regulation (EEC) No 586/77 ;

Whereas, for the purpose of fixing the free-at-frontier offer prices, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account ; whereas offer prices should also be excluded when the movement of prices in general or the information available gives reason to believe that they are unrepresentative of the true trend of prices in the country of origin ;

Whereas, where the free-at-frontier offer price for frozen meat differs by less than one unit of account per 100 kilograms from that previously used for the calculation of the levy, the latter price should be retained ;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State for the various categories of adult bovine animals or of meat from such animals, taking into account the size of each of these categories and the relative size of the bovine herd of each Member State ;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community ⁽¹⁾, as last amended by Regulation (EEC) No 1460/93 ⁽²⁾ ;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets ; for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day ; whereas in respect of Italy the price of each category and quality is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones ; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone ; whereas in respect of the United Kingdom the weighted average prices of adult

bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II ;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax', are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex ;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets, the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures ;

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas, for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas Council Regulation (EEC) No 715/90 ⁽³⁾, as amended by Regulation (EEC) No 297/91 ⁽⁴⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States ;

Whereas Council Regulations (EEC) No 518/92 ⁽⁵⁾, (EEC) No 519/92 ⁽⁶⁾ and (EEC) No 520/92 ⁽⁷⁾ 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 3589/92 ⁽⁸⁾ lays down detailed rules for applying the arrangements provided for in these agreements as regards beef and veal ;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽²⁾ OJ No L 143, 15. 6. 1993, p. 5.

⁽³⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁴⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽⁵⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁶⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁷⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁸⁾ OJ No L 364, 12. 12. 1992, p. 28.

Whereas declarations have been submitted by both the Czech Republic and the Slovak Republic informing the Communities that both the Czech Republic and the Slovak Republic continue to assume all the obligations deriving, *inter alia*, from the Interim Agreement between the Communities and the Czech and Slovak Federal Republic upon the dissolution of the latter on 31 December 1992 and in consequence the concessions provided in the Interim Agreement should be accorded without distinction to products originating in the Czech Republic or in the Slovak Republic;

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 the various cuts of frozen meat are defined in Regulation (EEC) No 586/77;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas the levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month; whereas these levies may be altered in

the period between two fixings where the basic levy is altered, or in these case of changes in the prices recorded on Community representative markets;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽²⁾ 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⁽³⁾;

Whereas, having regard to the provisions of the aforementioned Regulations, and in particular to the information and quotations known to the Commission, the levies on frozen beef and veal should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 5 July 1993.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 1 July 1993 fixing the import levies on frozen beef and veal ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Levy
	— Net weight —
0202 10 00	174,409 ⁽³⁾
0202 20 10	174,409 ⁽³⁾
0202 20 30	139,527 ⁽³⁾
0202 20 50	218,011 ⁽³⁾
0202 20 90	261,613 ⁽³⁾
0202 30 10	218,011 ⁽³⁾
0202 30 50	218,011 ⁽³⁾
0202 30 90	299,983 ⁽³⁾
0206 29 91	299,983

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

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

⁽³⁾ Products falling within this code, imported from Poland, the territories of the ex Czech and Slovak Federal Republic or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EEC) No 3589/92 (OJ No L 364, 12. 12. 1992, p. 28) have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 1743/93

of 1 July 1993

fixing the import levies on live cattle and on beef and veal other than frozen

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas, pursuant to Article 9 of Regulation (EEC) No 805/68, a levy is applicable to the products specified in Article 1 (1) (a) of that Regulation; whereas Article 12 fixes the amount of the levy applicable by reference to a percentage of the basic levy;

Whereas in respect of bovine animals the basic levy is determined on the basis of the difference between the guide price and the Community free-at-frontier offer price plus the amount of the customs duty; whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over a certain period for bovine animals and for the fresh or chilled meat specified in section (a) of the Annex to the said Regulation under CN codes 0201 10 00, 0201 10 90, 0201 20 20 to 0201 20 50, account being taken in particular of the position with respect to supply and demand, of world market prices for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas if it is found that the price of adult bovine animals on representative Community markets is higher than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 75 % where the market price is less than or equal to 102 % of the guide price;
- (b) 50 % where the market price is more than 102 % and less than or equal to 104 % of the guide price;
- (c) 25 % where the market price is more than 104 % and less than or equal to 106 % of the guide price;
- (d) 0 % where the market price is more than 106 % of the guide price;

Whereas if it is found that the price of adult bovine animals on representative Community markets is equal to

or less than the guide price, the levy applicable equals the following percentage of the basic levy:

- (a) 100 % where the market price is more than or equal to 98 % of the guide price;
- (b) 105 % where the market price is less than 98 % and more than or equal to 96 % of the guide price;
- (c) 110 % where the market price is less than 96 % and more than or equal to 90 % of the guide price;
- (d) 114 % where the market price is less than 90 % of the guide price;

Whereas pursuant to Article 10 (4) of Regulation (EEC) No 805/68 the basic levy on the meat specified in sections (a), (c) and (d) of the Annex hereto is equal to the basic levy determined for bovine animals, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed by Commission Regulation (EEC) No 586/77 of 18 March 1977 laying down rules for the application of levies on beef and veal and amending Regulation (EEC) No 950/68 on the Common Customs Tariff ⁽³⁾, as last amended by Regulation (EEC) No 3661/92 ⁽⁴⁾;

Whereas the guide prices for adult bovine animals for the 1993/94 marketing year were fixed by Council Regulation (EEC) No 1563/93 ⁽⁵⁾;

Whereas Commission Regulation (EEC) No 1753/93 ⁽⁶⁾ determines certain prices fixed in ecus in the beef and veal sector as a result of the monetary realignments in the 1992/93 marketing year;

Whereas Regulation (EEC) No 586/77 stipulates that the basic levy is to be calculated according to the method set out in its Article 3 and on the basis of all the representative free-at-frontier offer prices of the Community determined for the products of each of the categories and cuts specified in Article 2 and established principally by reference to the prices specified in the customs documents accompanying products imported from third countries or from other information concerning export prices obtaining in those third countries;

Whereas, however, offer prices that do not correspond to real purchasing possibilities or that relate to unrepresentative quantities should not be taken into account; whereas

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 75, 23. 3. 1977, p. 10.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 16.

⁽⁵⁾ OJ No L 154, 25. 6. 1993, p. 35.

⁽⁶⁾ See page 44 of this Official Journal.

offer prices should also be excluded when the movement of prices in general or the information available suggests that they are unrepresentative of the true trend of prices in the country of origin;

Whereas in cases where for one or more categories of bovine animals or cuts of meat a free-at-frontier offer price cannot be established, the most recent available price should be used for the calculation;

Whereas if the free-at-frontier offer price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used for the calculation of the levy, the latter price should be retained;

Whereas pursuant to Article 10 (3) of Regulation (EEC) No 805/68 a special basic levy is determined for certain third countries on the basis of the difference between the guide price and the average price recorded over a certain period plus the amount of the customs duty;

Whereas Commission Regulation (EEC) No 611/77⁽¹⁾, as last amended by Regulation (EEC) No 1049/92⁽²⁾, provides that the special levy on products originating in and coming from Austria, Sweden and Switzerland should be determined on the basis of the weighted average of the prices of adult bovine animals recorded on the representative markets of those third countries; whereas the weighting coefficients and representative markets are specified in the Annexes to Regulation (EEC) No 611/77;

Whereas Council Decision 92/232/EEC of 1 October 1991 on the conclusion of an Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Austria concerning the adjustment of the Community import arrangements applicable to certain beef and veal sector products originating in Austria⁽³⁾ lays down new provisions on preferential imports under a separate tariff quota; whereas this must be taken into account when the levies are fixed;

Whereas the average price is not to be used for calculating the special levy unless it is at least ECU 1,21 per 100 kilograms of live weight more than the free-at-frontier offer price determined in accordance with Article 10 (2) of Regulation (EEC) No 805/68;

Whereas if the average price differs by less than ECU 0,60 per 100 kilograms of live weight from that previously used to calculate the levy, the latter may be retained;

Whereas in cases where one or more of the abovementioned third countries adopt, for reasons of health for example, measures affecting the prices recorded on their markets, the Commission may use the latest prices recorded before the entry into force of such measures;

Whereas pursuant to Article 12 (6) of Regulation (EEC) No 805/68 the price of adult bovine animals on representative Community markets is the price established on the basis of prices recorded over a period to be determined on the representative market or markets of each Member State in respect of the various categories of adult bovine animals or of meat from such animals, after taking into account the size of each of these categories and the relative size of the bovine herd of each Member State;

Whereas the representative markets, categories and qualities of products and weighting coefficients are fixed in Annex II to Commission Regulation (EEC) No 610/77 of 18 March 1977 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community⁽⁴⁾, as last amended by Regulation (EEC) No 1460/93⁽⁵⁾;

Whereas, for Member States with several representative markets, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each of those markets; whereas, for representative markets held several times in one period of seven days, the price of each category and quality is equal to the arithmetic mean of the prices recorded on each market day; whereas in respect of Italy the price of each category and quantity is equal to the average, weighted by the special weighting coefficients fixed in Annex II to Regulation (EEC) No 610/77, of the prices recorded in the surplus and deficit zones; whereas the price recorded in the surplus zone is equal to the arithmetic mean of the prices recorded on each of the markets within that zone; whereas in respect of the United Kingdom the weighted average prices of adult bovine animals recorded on the representative markets of Great Britain on the one hand and Northern Ireland on the other are adjusted by the coefficient fixed in the abovementioned Annex II;

Whereas prices for the different categories and qualities not obtained from prices which are 'live weight excluding tax' are multiplied by the live weight conversion coefficients fixed in Annex II to the said Regulation and, in the case of Italy, are first increased or reduced by the corrective amounts fixed in the said Annex;

Whereas if one or more Member States, for veterinary or health reasons for example, adopt measures affecting the normal trend of prices recorded on their markets the Commission may disregard the prices recorded on the market or markets in question, or use the latest prices recorded on the market or markets in question before the entry into force of such measures;

⁽¹⁾ OJ No L 77, 25. 3. 1977, p. 14.

⁽²⁾ OJ No L 111, 29. 4. 1992, p. 7.

⁽³⁾ OJ No L 111, 29. 4. 1992, p. 16.

⁽⁴⁾ OJ No L 77, 25. 3. 1977, p. 1.

⁽⁵⁾ OJ No L 143, 15. 6. 1993, p. 5.

Whereas, in the absence of information, prices recorded on representative Community markets are determined mainly by reference to the most recently recorded prices ;

Whereas for such period as the price of adult bovine animals recorded on representative Community markets differs by less than ECU 0,24 per 100 kilograms of live weight from the price previously used, the latter is retained ;

Whereas the levies must be so fixed that obligations arising from international agreements concluded by the Community continue to be fulfilled ; whereas the levies fixed must be consistent with international agreements entered into by the Community ; whereas account should also be taken of Council Regulation (EEC) No 3953/92 of 21 December 1992 concerning the arrangements applicable to the import into the Community of products originating in the Republics of Bosnia-Herzegovina, Croatia and Slovenia and the territory of the former Yugoslav Republic of Macedonia⁽¹⁾, which provides for reductions in the levies on certain products of the beef and veal sector imported into the Community ; whereas Commission Regulation (EEC) No 185/93⁽²⁾ establishes detailed rules for the importation of these products ;

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⁽³⁾ ; whereas Regulation (EEC) No 1180/93⁽⁴⁾ lays down detailed rules for the application in 1993 of the import arrangements for these products originating in Sweden ;

Whereas declarations have been submitted by both the Czech Republic and the Slovak Republic informing the Communities that both the Czech Republic and the Slovak Republic continue to assume all the obligations deriving, *inter alia*, from the Interim Agreement between the Communities and the Czech and Slovak Federal Republic upon the dissolution of the latter on 31 December 1992 and in consequence the concession provided in the Interim Agreement should be accorded without distinction to products originating in the Czech Republic or in the Slovak Republic ;

Whereas Council Regulation (EEC) No 715/90⁽⁵⁾, as last amended by Regulation (EEC) No 297/91⁽⁶⁾, lays down the arrangements applicable on agricultural products and

certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States ;

Whereas Council Regulations (EEC) No 518/92⁽⁷⁾, (EEC) No 519/92⁽⁸⁾ and (EEC) No 520/92⁽⁹⁾ 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 3589/92⁽¹⁰⁾ lays down detailed rules for applying the arrangements provided for in these agreements as regards beef ;

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⁽¹¹⁾ no levies shall apply on imports of products originating in the overseas countries and territories ;

Whereas the various cuts of beef and veal are defined in Regulation (EEC) No 586/77 ;

Whereas, pursuant to Article 33 (2) of Regulation (EEC) No 805/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature ;

Whereas the levies and special levies are fixed before the 27th day of each month and are applicable from the first Monday of the following month ; whereas these levies may be altered in the period between two fixings where the basic levy or special basic levy is altered, or in the case of changes in the prices recorded on Community representative markets ;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹²⁾ 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⁽¹³⁾ ;

Whereas, having regard to the provisions of the aforementioned Regulation, and in particular to the information and quotations known to the Commission, the levies on live cattle and beef and veal other than frozen meat should be as set out in the Annex hereto,

⁽¹⁾ OJ No L 406, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 22, 30. 1. 1993, p. 70.

⁽³⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽⁴⁾ OJ No L 120, 15. 5. 1993, p. 14.

⁽⁵⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁶⁾ OJ No L 36, 8. 2. 1991, p. 9.

⁽⁷⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽⁸⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁹⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽¹⁰⁾ OJ No L 364, 12. 12. 1992, p. 28.

⁽¹¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽¹²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹³⁾ OJ No L 108, 1. 5. 1993, p. 106.

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live cattle and beef and veal other than frozen meat shall be as set out in the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 5 July 1993.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 1 July 1993 fixing the import levies on live cattle and on beef and veal other than frozen

(ECU/100 kg)

CN code	Croatia / Slovenia / Bosnia-Herzegovina / the territory of the former Yugoslav Republic of Macedonia ⁽²⁾	Austria ⁽⁴⁾	Sweden/Switzerland	Other third countries ⁽²⁾
— Live weight —				
0102 90 05	—	17,086	15,526	131,433 ⁽¹⁾
0102 90 21	—	17,086	15,526	131,433 ⁽¹⁾
0102 90 29	—	17,086	15,526	131,433 ⁽¹⁾
0102 90 41	—	17,086	15,526	131,433 ⁽¹⁾ ⁽⁵⁾
0102 90 49	—	17,086	15,526	131,433 ⁽¹⁾ ⁽⁵⁾
0102 90 51	23,058	17,086	15,526	131,433 ⁽¹⁾
0102 90 59	23,058	17,086	15,526	131,433 ⁽¹⁾
0102 90 61	—	17,086	15,526	131,433 ⁽¹⁾
0102 90 69	—	17,086	15,526	131,433 ⁽¹⁾
0102 90 71	23,058	17,086	15,526	131,433 ⁽¹⁾
0102 90 79	23,058	17,086	15,526	131,433 ⁽¹⁾
— Net weight —				
0201 10 00	43,811	32,464	29,499 ⁽⁷⁾	249,723 ⁽¹⁾ ⁽⁶⁾
0201 20 20	43,811	32,464	29,499 ⁽⁷⁾	249,723 ⁽¹⁾ ⁽⁶⁾
0201 20 30	35,049	25,971	23,599 ⁽⁷⁾	199,778 ⁽¹⁾ ⁽⁶⁾
0201 20 50	52,573	38,957	35,398 ⁽⁷⁾	299,667 ⁽¹⁾ ⁽⁶⁾
0201 20 90	—	48,696	44,248 ⁽⁷⁾	374,583 ⁽¹⁾ ⁽⁶⁾
0201 30 00	—	55,701	50,614 ⁽⁷⁾	428,471 ⁽¹⁾ ⁽⁶⁾
0206 10 95	—	55,701	50,614	428,471 ⁽¹⁾
0210 20 10	—	48,696	44,248	374,583
0210 20 90	—	55,701	50,614	428,471
0210 90 41	—	55,701	50,614	428,471
0210 90 90	—	55,701	50,614	428,471
1602 50 10	—	55,701	50,614	428,471
1602 90 61	—	55,701	50,614	428,471

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

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

⁽³⁾ This levy is applicable only to products complying with the provisions of Commission Regulation (EEC) No 185/93.

⁽⁴⁾ This levy is applicable only to products complying with the provisions of the Agreement between the EEC and Austria (OJ No L 111, 29. 4. 1992, p. 21).

⁽⁵⁾ Products falling within this code, imported from Poland, the territories of the ex Czech and Slovak Federal Republic or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EEC) No 3589/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽⁶⁾ Products falling within this code, imported from Poland, the territories of the ex Czech and Slovak Federal Republic or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EEC) No 247/93 (OJ No L 28, 5. 2. 1993, p. 39) have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽⁷⁾ The levy may be reduced in accordance with the Agreement between the Community and Sweden (OJ No L 109, 1. 5. 1993, p. 59) and Regulation (EEC) No 1180/93.

COMMISSION REGULATION (EEC) No 1744/93**of 1 July 1993****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1548/93 ⁽²⁾, and in particular Article 16 (8) thereof,

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93 ⁽⁴⁾;

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

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 30 June 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 2 July 1993.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 40.

ANNEX

to the Commission Regulation of 1 July 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	34,81 ⁽¹⁾
1701 11 90	34,81 ⁽¹⁾
1701 12 10	34,81 ⁽¹⁾
1701 12 90	34,81 ⁽¹⁾
1701 91 00	43,43
1701 99 10	43,43
1701 99 90	43,43 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 1745/93**of 1 July 1993****amending Regulation (EEC) No 846/93 introducing a countervailing charge on apples originating in Chile**

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 846/93⁽³⁾, as last amended by Regulation (EEC) No 1636/93⁽⁴⁾, introduced a countervailing charge on apples originating in Chile;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 846/93 'ECU 23,05' is hereby replaced by 'ECU 33,01'

Article 2

This Regulation shall enter into force on 2 July 1993.

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

Done at Brussels, 1 July 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 59, 12. 3. 1993, p. 25.

⁽⁴⁾ OJ No L 155, 26. 6. 1993, p. 71.

COMMISSION REGULATION (EEC) No 1746/93**of 1 July 1993****amending Regulation (EEC) No 1453/93 introducing a countervailing charge on fresh lemons originating in Argentina**

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1453/93⁽³⁾, as last amended by Regulation (EEC) No 1635/93⁽⁴⁾, introduced a countervailing charge on fresh lemons originating in Argentina;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1453/93 'ECU 15,71' is hereby replaced by 'ECU 21,91'.

Article 2

This Regulation shall enter into force on 2 July 1993.

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

Done at Brussels, 1 July 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 142, 12. 6. 1993, p. 49.

⁽⁴⁾ OJ No L 155, 26. 6. 1993, p. 70.

COMMISSION REGULATION (EEC) No 1747/93

of 1 July 1993

introducing a countervailing charge on apples originating in South Africa

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least ECU 0,6 below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least ECU 0,6 below the reference price;

Whereas Commission Regulation (EEC) No 1660/92 of 26 June 1992 fixing for the 1993/94 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of class I for the month of June 1993 at ECU 57,08 per 100 kilograms net;

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

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

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

Whereas for apples originating in South Africa the entry prices calculated in this way have for five consecutive market days been alternatively above and below the reference price; whereas one of these entry prices is at least ECU 0,6 below the reference prices; whereas a countervailing charge should therefore be introduced for these apples;

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 1,42 per 100 kilograms net is applied to apples (CN codes 0808 10 31, 0808 10 33, 0808 10 39, 0808 10 51, 0808 10 53, 0808 10 59, 0808 10 81, 0808 10 83 and 0808 10 89) originating in South Africa.

Article 2

This Regulation shall enter into force on 3 July 1993.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 28 June 1993.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 172, 27. 6. 1992, p. 57.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 28, 5. 2. 1993, p. 45.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1748/93
of 1 July 1993
fixing the aid for cotton

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 1554/93 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1699/93 ⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1699/93 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

— ECU 70,189 per 100 kilograms for the 1992/93 marketing year,

— ECU 64,273 per 100 kilograms for the 1993/94 marketing year.

2. However, the amount of the aid for 1993/94 shall be confirmed or replaced with effect from 2 July 1993 to take account of the consequences of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 2 July 1993.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 51.

COMMISSION REGULATION (EEC) No 1749/93**of 1 July 1993****fixing the export refunds on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 17 of Regulation (EEC) No 1418/76 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 Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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 a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽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 it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1993.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽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.

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

Done at Brussels, 1 July 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 1 July 1993 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	229,00	1006 30 65 100	01	287,00
1006 20 13 000	01	229,00		02	293,00
1006 20 15 000	01	229,00		03	298,00
1006 20 17 000	—	—		04	287,00
1006 20 92 000	01	229,00	1006 30 65 900	01	287,00
1006 20 94 000	01	229,00		04	287,00
1006 20 96 000	01	229,00	1006 30 67 100	—	—
1006 20 98 000	—	—	1006 30 67 900	—	—
1006 30 21 000	01	229,00	1006 30 92 100	01	287,00
1006 30 23 000	01	229,00		02	293,00
1006 30 25 000	01	229,00		03	298,00
1006 30 27 000	—	—		04	287,00
1006 30 42 000	01	229,00	1006 30 92 900	01	287,00
1006 30 44 000	01	229,00		04	287,00
1006 30 46 000	01	229,00	1006 30 94 100	01	287,00
1006 30 48 000	—	—		02	293,00
1006 30 61 100	01	287,00		03	298,00
	02	293,00		04	287,00
	03	298,00	1006 30 94 900	01	287,00
	04	287,00		04	287,00
1006 30 61 900	01	287,00	1006 30 96 100	01	287,00
	04	287,00		02	293,00
1006 30 63 100	01	287,00		03	298,00
	02	293,00		04	287,00
	03	298,00	1006 30 96 900	01	287,00
	04	287,00		04	287,00
1006 30 63 900	01	287,00	1006 30 98 100	—	—
	04	287,00	1006 30 98 900	—	—
			1006 40 00 000	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), as last amended by Regulation (EEC) No 1525/92 (OJ No L 160, 13. 6. 1992, p. 7).

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

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

COMMISSION REGULATION (EEC) No 1750/93**of 1 July 1993****fixing the corrective amount applicable to the refund on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas

the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

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 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 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1993.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 1 July 1993 fixing the corrective amount applicable to
the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (1)	Current 7	1st period 8	2nd period 9	3rd period 10
1006 20 11 000	01	0	0	0	0
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	01	0	0	0	0
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	01	0	0	0	0
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	01	0	0	0	0
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 61 900	01	0	0	0	0
	04	0	0	0	0
1006 30 63 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 63 900	01	0	0	0	0
	04	0	0	0	0
1006 30 65 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 65 900	01	0	0	0	0
	04	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 92 900	01	0	0	0	0
	04	0	0	0	0
1006 30 94 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 94 900	01	0	0	0	0
	04	0	0	0	0
1006 30 96 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0

(ECU/tonne)

Product code	Destination (1)	Current 7	1st period 8	2nd period 9	3rd period 10
1006 30 96 900	01	0	0	0	0
	04	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows :

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII c), Canada and zone VIII, except Suriname, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1.), as last amended by Regulation (EEC) No 1525/92 (OJ No L 160, 13. 6. 1992, p. 7).

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

COMMISSION REGULATION (EEC) No 1751/93

of 1 July 1993

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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,

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 in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of 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;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EEC) No 1533/93 ;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽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 detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 July 1993.

⁽¹⁾ OJ No L 181, 1. 7. 1992, 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.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 1 July 1993 fixing export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)			(ECU / tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 00 100	01	60,00
1001 10 00 400	—	—	1101 00 00 130	01	57,00
1001 90 91 000	—	—	1101 00 00 150	01	52,00
1001 90 99 000	04	25,00	1101 00 00 170	01	48,00
	05	17,00	1101 00 00 180	01	45,00
	02	15,00	1101 00 00 190	—	—
1002 00 00 000	03	25,00	1101 00 00 900	—	—
	02	15,00	1102 10 00 500	01	60,00
1003 00 10 000	06	42,00	1102 10 00 700	—	—
	02	—	1102 10 00 900	—	—
1003 00 20 000	04	25,00	1103 11 30 200	01	47,00
	02	15,00	1103 11 30 900	—	—
1003 00 80 000	04	25,00	1103 11 50 200	01	47,00
	02	15,00	1103 11 50 400	—	—
1004 00 00 200	—	—	1103 11 50 900	—	—
1004 00 00 400	—	—	1103 11 90 200	01	60,00
1005 10 90 000	—	—	1103 11 90 800	—	—
1005 90 00 000	04	90,00			
	02	0			

(1) The destinations are identified as follows :

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Zone I a) and Egypt,
- 06 Algeria.

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

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

COMMISSION REGULATION (EEC) No 1752/93
of 30 June 1993

amending Regulation (EEC) No 1107/68 on detailed rules of application for intervention on the market in Grana padano and Parmigiano-Reggiano cheeses

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 8 (5) thereof,

Whereas Article 3 of Commission Regulation (EEC) No 1107/68 ⁽³⁾, as last amended by Regulation (EEC) No 1526/90 ⁽⁴⁾, provides for quality inspection of cheeses after a period in storage; whereas rules should be laid down to deal with cases where the results are unfavourable, and specifically the storage costs payable by the seller should be set;

Whereas Articles 6 to 15 of the abovementioned Regulation (EEC) No 1107/68 contain provisions on the sale by tender of cheese held in public storage; whereas those provisions should be amended in the light of experience and in line with the provisions of the general Regulations in force, in particular Commission Regulation (EEC) No 2220/85 of 22 July 1985 laying down common detailed rules for the application of the system of securities for agricultural products ⁽⁵⁾, as last amended by Regulation (EEC) No 3745/89 ⁽⁶⁾;

Whereas Article 17 (1) of Regulation (EEC) No 1107/68 sets the private storage aid rates for Grana padano and Parmigiano-Reggiano cheeses; whereas these rates should be adjusted in the case of new storage contracts, in line with changes in the market situation for these cheeses;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1107/68 is hereby amended as follows:

1. The following paragraph 3 is added to Article 3:

'3. By his offer the seller undertakes, should inspection show that the cheese does not meet the requirements specified in paragraphs 1 and 2:

- to take the cheese back,
- to reimburse to the intervention agency the purchase price of the defective cheese,
- to pay storage costs for the quantity concerned from the day of entry into storage until the date of removal.

Those storage costs shall be set at the following rates per tonne:

- (a) ECU 40 in fixed costs;
- (b) ECU 0,94 per day of storage, for warehousing costs;
- (c) if payment has been made, the financial costs shall be calculated from the day of payment on the basis of the purchase price and a rate of interest determined in accordance with Commission Regulation (EEC) No 411/88 ⁽⁷⁾, plus 2 % points.

⁽⁷⁾ OJ No L 40, 13. 2. 1988, p. 25.

2. Articles 6 to 15 are hereby replaced by the following:

'Article 6

1. When a decision is taken to sell Grana padano or Parmigiano-Reggiano cheese from public storage by tender, a standing invitation to tender shall be published in the *Official Journal of the European Communities* at least eight days before the first time limit for the submission of tenders.

2. During the currency of the standing invitation to tender the intervention agency shall operate partial tendering procedures.

To that end it shall draw up a tendering notice giving the time limit and the place for the submission of tenders.

3. The tendering notice shall also specify:

- (a) the weight of each lot offered for sale;
- (b) its age;
- (c) the of the storage depot or depots where the lots are in store.

4. For the purposes of this Regulation "lot" shall mean a quantity of cheese put together to be sold.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 184, 29. 7. 1968, p. 29.

⁽⁴⁾ OJ No L 144, 7. 6. 1990, p. 17.

⁽⁵⁾ OJ No L 205, 3. 8. 1985, p. 5.

⁽⁶⁾ OJ No L 364, 14. 12. 1989, p. 54.

5. The time limit for the submission of tenders under each partial tendering procedure shall be the second and fourth Tuesday of the month at 12 noon, except for the fourth Tuesday of December. If Tuesday is a holiday, the time limit shall be extended to 12 noon on the first working day following.

Article 7

The intervention agency shall take the measures necessary to enable those concerned to inspect the cheeses put up for sale and to learn the results of inspections made by the intervention agency.

Article 8

1. Tenders shall take part in a partial tendering procedure either by sending a registered letter (or by lodging a written tender with the intervention agency against acknowledgement of receipt) or by using any form of written telecommunication.

Tenders shall be lodged with the intervention agency holding the cheeses concerned.

2. The tender shall specify:

- (a) the tenderer's name and address;
- (b) the number of the lot in question;
- (c) the price offered per 100 kilograms of cheese, excluding national taxes, ex-warehouse, in ecus;
- (d) any other information required under the terms of the tendering procedure.

3. Tenders shall not be valid unless:

- (a) made for an entire lot; a tender for several lots shall be considered to be made up of as many tenders as lots;
- (b) accompanied by a statement in which the tenderer agrees to forgo any claim as to the quality and characteristics of any cheese assigned to him;
- (c) evidence is supplied that the tenderer has lodged, before the time limit for submission of tenders, a tendering security for his offer as indicated in Article 9 (1).

4. Tenders may not be withdrawn after the time limit indicated in Article 6 (5).

Article 9

1. Maintenance of the tender after the time limit for submission of tenders and payment of the price within the period stated in Article 12 (2) shall constitute primary requirements, guaranteed by the lodging of a tendering security of ECU 30 per tonne.

2. The tendering security shall be lodged in the Member State in which the tender is submitted.

Article 10

1. In the light of the tenders received under each partial tendering procedure and in accordance with the procedure provided for by Article 30 of Regulation (EEC) No 804/68, a minimum selling price shall be set for each category of cheese.

A decision may be taken to accept none of the tenders submitted.

2. "Category of cheese" under this Regulation shall mean a quantity of cheeses in one or more lots displaying common characteristics.

Article 11

1. If the tender is for less than the minimum selling price fixed for the category in question, it shall be refused.

2. Without prejudice to paragraph 1, the contract for a given lot shall be awarded to the highest tender. When several tenders are made at the same price, the intervention agency shall

— either divide the lot in agreement with the tenderers concerned,

— or award it by drawing lots.

3. The rights and obligations deriving from the tendering procedure shall not be transferable.

Article 12

1. Each tenderer shall forthwith be informed by the intervention agency of the outcome of his participation in the partial tendering procedure.

2. Before removing the cheese and within the time limit indicated in Article 13 (2) the successful tenderer shall pay, for each quantity that he plans to withdraw, the amount corresponding to his tender.

3. Except in cases of *force majeure*, if the tenderer has not made the payment under paragraph 2 within the set time limit the tendering security referred to in Article 9 (1) shall be forfeit and the sale cancelled for the remaining quantities.

Article 13

1. When payment of the amount referred to in Article 12 (2) has been made, the intervention agency shall issue a removal voucher showing:

- (a) the numbers of the lots assigned;
- (b) the warehouse where they are stored;
- (c) the time limit for their removal.

2. Within 30 days of the closing date for submission of tenders the successful tenderer shall remove the cheese assigned to him. Removal may be effected in stages.

Except in cases of *force majeure*, if removal is not effected within the time limit indicated in the first subparagraph the cost of storing the cheese from the first day following its expiry shall be charged to the tenderer.

Article 14

If within three weeks following removal the tenderer informs the intervention agency that the cheese is unfit for consumption on account of a defect which was present when inspection was carried out prior to purchase but which could not reasonably have been found at that time, the intervention agency shall refund the purchase price in whole or in part to the tenderer, provided that the defect is confirmed by the competent authority and that the product concerned is restored in whole or in part to the competent intervention agency.

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

Done at Brussels, 30 June 1993.

Article 15

Member States shall notify the Commission, by Tuesday of each week at the latest, of the quantities of cheese removed from storage during the previous week.'

3. Article 17 (1) is replaced by the following:

'1. The aid rate for private storage shall be:

- (a) for Grana padano, ECU 2,18 per tonne per day;
- (b) for Parmigiano-Reggiano, ECU 2,32 per tonne per day.'

Article 2

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 1753/93

of 30 June 1993

determining certain prices fixed in ecus in the beef and veal sector as a result of the monetary realignments in the 1992/93 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽¹⁾, and in particular Article 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 as a result of monetary realignments ⁽²⁾, as last amended by Regulation (EEC) No 1330/93 ⁽³⁾, and in particular Article 2 thereof,

Whereas Regulation (EEC) No 3824/92 establishes the list of prices in the beef and veal sector affected by the coefficient of 1,013088 fixed by Commission Regulation (EEC) No 537/93 ⁽⁴⁾, as amended by Regulation (EEC) No 1331/93 ⁽⁵⁾, from 1 July 1993 under the arrangements for automatically dismantling negative monetary gaps; whereas Article 2 of Regulation (EEC) No 3824/92 provides that the resulting reduction in prices and amounts should be specified for each sector and the value of the reduced prices should be fixed;

Whereas, for the 1993/94 marketing year, the guide price in the beef and veal sector is set by Council Regulation

(EEC) No 1563/93 ⁽⁶⁾; whereas the intervention price for adult bovines for the period 1 July 1993 to 30 June 1994 is set by Council Regulation (EEC) No 2068/92 ⁽⁷⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The guide price fixed in ecus by the Council for the 1993/94 marketing year in the beef and veal sector and reduced in accordance with Article 1 of Regulation (EEC) No 3824/92 shall be ECU 197,42 per 100 kg live weight.

2. The intervention price fixed in ecus by the Council for R3 grade carcasses of male animals and reduced in accordance with Article 1 of Regulation (EEC) No 3824/92 shall be ECU 321,64 per 100 kg carcass weight.

Article 2

This Regulation shall enter into force on 5 July 1993.

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

Done at Brussels, 30 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 113.

⁽⁴⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁵⁾ OJ No L 132, 29. 5. 1993, p. 114.

⁽⁶⁾ OJ No L 154, 25. 6. 1993, p. 35.

⁽⁷⁾ OJ No L 215, 30. 7. 1992, p. 58.

COMMISSION REGULATION (EEC) No 1754/93

of 30 June 1993

amending Regulations (EEC) No 2630/81 and (EEC) No 2670/81 with regard to the export of sugar produced in excess of the quota

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1548/93⁽²⁾, and in particular Article 26 (3) thereof,

Whereas Article 1 (1) (a) of Commission Regulation (EEC) No 2670/81 of 14 September 1981 laying down detailed implementing rules in respect of sugar produced in excess of the quota⁽³⁾, as last amended by Regulation (EEC) No 67/93⁽⁴⁾, stipulates that C sugar and C isoglucose must be exported to third countries from the Member State on whose territory they are produced; whereas to that end Commission Regulation (EEC) No 2630/81⁽⁵⁾, as last amended by Regulation (EEC) No 1170/92⁽⁶⁾, provides that the export licence for C sugar or C isoglucose is only valid for export from the territory of the Member State in which they were produced;

Whereas as a result of the completion of the single market and in order to facilitate trade the above restrictions are no longer appropriate; whereas, however, abolition of the restrictions must not weaken controls; whereas, therefore, the changes needed as a result of this development should be limited to allowing the use of the corresponding licences for customs clearance from the territory of a Member State other than that in which the C sugar or C isoglucose was produced, without altering either the substitution rules or the rules which stipulate that the competent organization in the Member State of production is the sole body authorized to issue such licences, the sole recipient of the proof of export as defined in Article 2 of Regulation (EEC) No 2670/81 and the sole body competent to take all necessary measures resulting from *force majeure* circumstances claimed by an operator during the course of the export of C sugar or C isoglucose;

Whereas provision should be made for the rules abolishing the restrictions to apply from the 1993/94 marketing year, that is to say, for the first time to export licences for which an application is submitted on or after 1 July 1993;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2670/81 is hereby amended as follows:

1. points (a) and (b) in the first subparagraph of Article 1 (1) are replaced by the following:

'(a) without prejudice to the other provisions of this Regulation, the proof referred to in Article 2 is in the possession of the competent agency of the Member State of production whatever the Member State of export of the C sugar or the C isoglucose may have been';

'(b) the export declaration in question is accepted by the Member State of export before 1 January following the end of the marketing year during which the C sugar or the C isoglucose was produced';

2. in point (d) of the first subparagraph of 1 (1), 'from the Member State referred to under (a)' is deleted;

3. the following is added to the third subparagraph of Article 1 (1):

'Where the C sugar or the C isoglucose is exported from the territory of a Member State other than that in which it has been produced, these measures shall be taken after receiving the opinion, where appropriate, of the competent authority of that Member State.'

Article 2

Regulation (EEC) No 2630/81 is hereby amended as follows:

1. the second subparagraph of Article 3 (1) is deleted;
2. in the fourth subparagraph of Article 2 (1), 'licence valid only in (Member State)' is deleted from each indent.

Article 3

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

It shall apply for the first time to export licences in respect of which an application is submitted on or after 1 July 1993.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 262, 16. 9. 1981, p. 14.

⁽⁴⁾ OJ No L 10, 16. 1. 1993, p. 18.

⁽⁵⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽⁶⁾ OJ No L 122, 7. 5. 1992, p. 27.

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

Done at Brussels, 30 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1755/93**of 30 June 1993****establishing the prices fixed in ecus by the Council in the pigmeat sector and reduced as a result of monetary realignments during the 1992/93 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, and in particular Article 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⁽²⁾, as last amended by Regulation (EEC) No 1330/93⁽³⁾, and in particular Article 2 thereof,

Whereas Regulation (EEC) No 3824/92 establishes the list of prices and amounts fixed in ecus to be divided by a coefficient of 1,013088 fixed by Commission Regulation (EEC) No 537/93⁽⁴⁾, as amended by Regulation (EEC) No 1331/93⁽⁵⁾, for the period 1 July 1993 to 30 June 1994; whereas Article 2 of Regulation (EEC) No 3824/92 provides for the resulting reduction in prices and amounts to be specified for each sector and the value of those reduced prices and amounts to be fixed;

Whereas for the 1993/94 marketing year the basic price and the standard quality for pig carcasses are fixed by Council Regulation (EEC) No 1565/93⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic price fixed in ecus by the Council for the period 1 July 1993 to 30 June 1994 in the pigmeat sector and reduced pursuant to Article 1 of Regulation (EEC) No 3824/92 shall be ECU 1 872 per tonne.

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 from 1 July 1993.

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

Done at Brussels, 30 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 113.

⁽⁴⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁵⁾ OJ No L 132, 29. 5. 1993, p. 114.

⁽⁶⁾ OJ No L 154, 25. 6. 1993, p. 38.

COMMISSION REGULATION (EEC) No 1756/93

of 30 June 1993

fixing the operative events for the agricultural conversion rate applicable to 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 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, and in particular Article 6 (2) thereof,

Whereas Regulation (EEC) No 3813/92 introduces new agrimonetary arrangements from 1 January 1993; whereas, under these arrangements, Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽²⁾ establishes the operative events for the agricultural conversion rates applicable after the transitional measures provided for in Article 1 of Commission Regulation (EEC) No 3820/92⁽³⁾ without prejudice to any detailed rules to be laid down for the sectors concerned and in accordance with the criteria laid down in Article 6 of Regulation (EEC) No 3813/92; whereas, therefore, it is appropriate to fix the specific operative events for the agricultural conversion rates applicable after the transitional measures provided for in Article 1 of Commission Regulation (EEC) No 3820/92 in the milk and milk products sector without prejudice to the possibilities for advance fixing providing for in Articles 13 to 17 of Regulation (EEC) No 1068/93;

Whereas the principal criteria to be observed for fixing the operative events are, firstly, the attainment of the economic objective of the operation concerned and, secondly, the need to prevent distortions of competition and disturbance of the market; whereat it is possible, therefore, to fix operative events which stabilize the agricultural conversion rates for flat-rate aids and the amounts directly affecting milk producers which do not have a direct impact on the market price;

Whereas the provisions of Article 10 (1) of Regulation (EEC) No 1068/93 should be applied for the purchase and sales prices applicable to milk and milk products;

Whereas the operative event should be fixed as the first day of the month in which the first check is carried out

guaranteeing the planned use of products for which specific aid is granted for their use or processing pursuant to Article 10 (2) of Regulation (EEC) No 1068/93;

Whereas the operative event referred to in Article 10 (3) of Regulation (EEC) No 1068/93 should be applied for private storage aid;

Whereas the operative event for securities should be fixed as the day on which the security is lodged pursuant to Article 12 (4) of Regulation (EEC) No 1068/93;

Whereas certain definitions should be drawn up in order to guarantee the uniform application of the operative events established;

Whereas steps should be taken to repeal or amend, upon the entry into force of this Regulation, all existing provisions on the determination of the conversion rates applicable to milk and milk products, and in particular:

- the second subparagraph of Article 17 (3) of Regulation (EEC) No 1107/68 of the Commission of 27 July 1968 on detailed rules of application for intervention on the market in Grana padano and Parmigiano-Reggiano cheeses⁽⁴⁾, as last amended by Regulation (EEC) No 1526/90⁽⁵⁾,
- the second sentence of the second subparagraph of Article 6 (2) and the last subparagraph of Article 24 (3) of Regulation (EEC) No 685/69 of the Commission of 14 April 1969 on detailed rules of application for intervention on the market in butter and cream⁽⁶⁾, as last amended by Regulation (EEC) No 419/93⁽⁷⁾,
- Articles 3a (3) and 4b of Commission Regulation (EEC) No 2315/76 of 24 September 1976 on the sale of butter from public stocks⁽⁸⁾, as last amended by Regulation (EEC) No 3774/92⁽⁹⁾,
- Article 9a of Commission Regulation (EEC) No 368/77 of 23 February 1977 on the sale by tender of skimmed milk powder for use in feed for pigs and poultry⁽¹⁰⁾, as last amended by Regulation (EEC) No 222/88⁽¹¹⁾,

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 22.

⁽⁴⁾ OJ No L 184, 29. 7. 1968, p. 29.

⁽⁵⁾ OJ No L 144, 7. 6. 1990, p. 17.

⁽⁶⁾ OJ No L 90, 15. 4. 1969, p. 12.

⁽⁷⁾ OJ No L 48, 26. 2. 1993, p. 11.

⁽⁸⁾ OJ No L 261, 25. 9. 1976, p. 12.

⁽⁹⁾ OJ No L 383, 29. 12. 1992, p. 48.

⁽¹⁰⁾ OJ No L 52, 24. 2. 1977, p. 19.

⁽¹¹⁾ OJ No L 28, 1. 2. 1988, p. 1.

- Article 6 (3) of Commission Regulation (EEC) No 1844/77 of 10 August 1977 on the granting by tender of special aid for skimmed-milk powder intended as feed for animals other than young calves⁽¹⁾, as last amended by Regulation (EEC) No 222/88,
- the second subparagraph of Article 4 (1) of Commission Regulation (EEC) No 2496/78 of 26 October 1978 on detailed rules for the granting of private storage aid for Provolone cheese⁽²⁾, as last amended by Regulation (EEC) No 1063/93⁽³⁾,
- Article 2 (2) of Commission Regulation (EEC) No 2191/81 of 31 July 1981 on the granting of aid for the purchase of butter by non-profit-making institutions and organizations⁽⁴⁾, as last amended by Regulation (EEC) No 1497/91⁽⁵⁾,
- Article 2 (2) of Commission Regulation (EEC) No 2192/81 of 31 July 1981 on the granting of aid for the purchase of butter by the armies and similar forces of the Member States⁽⁶⁾, as last amended by Regulation (EEC) No 1699/89⁽⁷⁾,
- the first sentence of Article 4 (3) of Commission Regulation (EEC) No 2167/83 of 28 July 1983 laying down detailed rules for the supply of milk and certain milk products to schoolchildren⁽⁸⁾, as last amended by Regulation (EEC) No 706/92⁽⁹⁾,
- Article 2a (10) and Article 11 of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter⁽¹⁰⁾, as last amended by Regulation (EEC) No 3774/92⁽¹¹⁾,
- Article 21 (3) of Commission Regulation (EEC) No 2409/86 of 30 July 1986 on the sale of intervention butter intended for incorporation in compound feedingstuffs⁽¹²⁾, as last amended by Regulation (EEC) No 2724/88⁽¹³⁾,
- the second sentence of Article 4 (1) of Commission Regulation (EEC) No 1362/87 of 18 May 1987 laying down detailed rules for the application of Regulation (EEC) No 777/87 with respect to the buying-in and the granting of aid for private storage of skimmed-milk powder⁽¹⁴⁾, as last amended by Regulation (EEC) No 3493/88⁽¹⁵⁾,
- Article 11 of Commission Regulation (EEC) No 1589/87 of 15 June 1987 on the sale by tender of butter to intervention agencies⁽¹⁶⁾, as last amended by Regulation (EEC) No 3591/92⁽¹⁷⁾,
- Article 27 of Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the grant of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽¹⁸⁾, as last amended by Regulation (EEC) No 3774/92,
- Article 15 of Commission Regulation (EEC) No 429/90 of 20 February 1990 on the granting by invitation to tender of an aid for concentrated butter intended for direct consumption in the Community⁽¹⁹⁾, as last amended by Regulation (EEC) No 3774/92,
- Article 2 (4) of Commission Regulation (EEC) No 2921/90 of 10 October 1990 on aid for the production of casein and caseinates from skimmed milk⁽²⁰⁾, as last amended by Regulation (EEC) No 140/93⁽²¹⁾,
- Article 12 of Commission Regulation (EEC) No 1158/91 of 3 May 1991 on the buying in by tender of skimmed-milk powder to intervention agencies⁽²²⁾,
- Articles 7 (3) of Commission Regulation (EEC) No 3378/91 of 20 November 1991 laying down detailed rules for the sale of butter from intervention stocks for export and amending Regulation (EEC) No 569/88⁽²³⁾, as last amended by Regulation (EEC) No 227/93⁽²⁴⁾,
- Article 12 of Commission Regulation (EEC) No 3398/91 of 20 November 1991 on the sale by invitation to tender of skimmed-milk powder for the manufacture of compound feedingstuffs and amending Regulation (EEC) No 569/88⁽²⁵⁾, as last amended by Regulation (EEC) No 3774/92,

⁽¹⁾ OJ No L 205, 11. 8. 1977, p. 11.

⁽²⁾ OJ No L 300, 27. 10. 1978, p. 24.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 91.

⁽⁴⁾ OJ No L 213, 1. 8. 1981, p. 20.

⁽⁵⁾ OJ No L 140, 4. 6. 1991, p. 19.

⁽⁶⁾ OJ No L 213, 1. 8. 1981, p. 24.

⁽⁷⁾ OJ No L 166, 16. 6. 1989, p. 22.

⁽⁸⁾ OJ No L 206, 30. 7. 1983, p. 75.

⁽⁹⁾ OJ No L 75, 21. 3. 1993, p. 31.

⁽¹⁰⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽¹¹⁾ OJ No L 383, 29. 12. 1992, p. 48.

⁽¹²⁾ OJ No L 208, 31. 7. 1986, p. 29.

⁽¹³⁾ OJ No L 241, 1. 9. 1988, p. 97.

⁽¹⁴⁾ OJ No L 129, 19. 5. 1987, p. 9.

⁽¹⁵⁾ OJ No L 306, 11. 11. 1988, p. 22.

⁽¹⁶⁾ OJ No L 146, 6. 6. 1987, p. 27.

⁽¹⁷⁾ OJ No L 364, 12. 12. 1992, p. 47.

⁽¹⁸⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽¹⁹⁾ OJ No L 45, 21. 2. 1990, p. 8.

⁽²⁰⁾ OJ No L 279, 11. 10. 1990, p. 22.

⁽²¹⁾ OJ No L 19, 28. 1. 1993, p. 15.

⁽²²⁾ OJ No L 112, 4. 5. 1991, p. 65.

⁽²³⁾ OJ No L 319, 21. 11. 1991, p. 40.

⁽²⁴⁾ OJ No L 27, 4. 2. 1993, p. 15.

⁽²⁵⁾ OJ No L 320, 20. 11. 1991, p. 16.

- the last sentence of Article 4 (2) of Commission Regulation (EEC) No 2174/92 of 30 July 1992 laying down detailed rules governing the grant of private storage aid for São Jorge and Ilha cheese ⁽¹⁾,
- Article 1 (2) of Commission Regulation (EEC) No 2233/92 of 31 July 1992 laying down detailed rules for the application of the specific premium for the maintenance of dairy herds in the Azores ⁽²⁾,
- the last sentence of Article 1 (2) of Commission Regulation (EEC) No 2234/92 of 31 July 1992 laying down detailed rules for the application of the aid for the consumption of fresh milk products in Madeira ⁽³⁾,
- the last sentence of Article 1 (2) of Commission Regulation (EEC) No 2235/92 of 31 July 1992 laying down detailed rules for the application of the aid for the consumption of fresh milk products in the Canary Islands ⁽⁴⁾,
- Article 1 (4) of Commission Regulation (EEC) No 536/93 of 9 March 1993 laying down detailed rules on the application of the additional levy on milk and milk products ⁽⁵⁾,
- Article 4 (1) of Commission Regulation (EEC) No 1004/93 of 28 April 1993 laying down detailed rules for the granting of private storage aid for long-keeping cheeses ⁽⁶⁾,
- Article 4 (1) of Commission Regulation (EEC) No 1168/93 of 13 May 1993 laying down detailed rules governing the grant of private storage aid for Pecorino Romano cheese ⁽⁷⁾,
- Article 4 (2) of Commission Regulation (EEC) No 1089/93 of 4 May 1993 laying down detailed rules governing the grant of private storage aid for Kefalotyri and Kasseri cheeses ⁽⁸⁾;

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 agricultural conversion rate to be applied to the amounts fixed as part of the measures to assist the private storage of milk and milk products shall be that applying on the first day of storage under contract.
2. The agricultural conversion rate to be applied to the securities shall be that applying on the day on which the security is established.

⁽¹⁾ OJ No L 217, 31. 7. 1992, p. 64.
⁽²⁾ OJ No L 218, 1. 8. 1992, p. 100.
⁽³⁾ OJ No L 218, 1. 8. 1992, p. 102.
⁽⁴⁾ OJ No L 218, 1. 8. 1992, p. 105.
⁽⁵⁾ OJ No L 57, 10. 3. 1993, p. 12.
⁽⁶⁾ OJ No L 104, 29. 4. 1993, p. 31.
⁽⁷⁾ OJ No L 118, 14. 5. 1993, p. 19.
⁽⁸⁾ OJ No L 111, 5. 5. 1993, p. 6.

However, the agricultural conversion rate to be applied to the securities referred to:

- in Commission Regulation (EEC) No 585/93 ⁽⁹⁾ shall be that applying on 14 April 1993,
- in Commission Regulation (EEC) No 619/93 ⁽¹⁰⁾ shall be that applying on 15 May 1993.

3. The agricultural conversion rate to be applied to the other prices and amounts applicable to milk and milk products shall be as set out in the Annex to this Regulation.

Article 2

For the purposes of this Regulation:

1. taking over

(a) into intervention means

- the date which the first batch of the total quantity of the accepted offer enters the store of the intervention agency in the case of physical transfer,
- the date of acceptance of the offer in other cases,

(b) of products sold from intervention means

- the date on which the product in question leaves in store of the intervention agency in the case of physical transfer,
- the date of issue of the delivery order by the competent intervention agency in other cases.

Where the taking-over operation referred to in the first indent of point (b) concerns more than one batch, the agricultural conversion rate applicable to the first batch shall continue to apply to the total quantity of the transaction in question on condition that the first batch represents 20 % or more of the said total quantity;

2. Acceptance of the offer means the Commission decision accepting offers;
3. Payments means the forwarding of the payment order by the debtor.

Where the total amount of the transaction in question is paid in instalments, the agricultural conversion rate to be applied to the first instalment shall continue to apply to the total amount payable on condition that the first instalment represents 20 % or more of the said total amount.

⁽⁹⁾ OJ No L 61, 13. 3. 1993, p. 26.

⁽¹⁰⁾ OJ No L 66, 18. 3. 1993, p. 24.

Article 3

1. The following provision are hereby deleted :

- the second subparagraph of Article 17 (3) of Regulation (EEC) No 1107/68,
- the second sentence of the second subparagraph of Article 6 (2) and the last subparagraph of Article 24 (3) of Regulation (EEC) No 685/69,
- Articles 3a (3) and 4b of Commission Regulation (EEC) No 2315/76,
- Article 9a of Commission Regulation (EEC) No 368/77,
- Article 6 (3) of Commission Regulation (EEC) No 1844/77,
- the second subparagraph of Article 4 (1) of Commission Regulation (EEC) No 2496/78,
- Article 2 (2) of Commission Regulation (EEC) No 2191/81,
- Article 2 (2) of Commission Regulation (EEC) No 2192/81,
- Article 2a (10) and Article 11 of Commission Regulation (EEC) No 3143/85,
- Article 21 (3) of Commission Regulation (EEC) No 2409/86,
- the second sentence of Article 4 (1) of Commission Regulation (EEC) No 1362/87,
- Article 11 of Commission Regulation (EEC) No 1589/87,
- Article 27 of Commission Regulation (EEC) No 570/88,
- Article 15 of Commission Regulation (EEC) No 429/90,

- Article 2 (4) of Commission Regulation (EEC) No 2921/90,
- Article 12 of Commission Regulation (EEC) No 1158/91,
- Article 7 (3) of Commission Regulation (EEC) No 3378/91,
- Article 12 of Regulation (EEC) No 3398/91,
- the last sentence of Article 4 (2) of Regulation (EEC) No 2174/92,
- the last sentence of Article 1 (2) of Commission Regulation (EEC) No 2234/92,
- the last sentence of Article 1 (2) of Commission Regulation (EEC) No 2235/92,
- the last sentence of Article 4 (1) of Commission Regulation (EEC) No 1004/93,
- Article 4 (2) of Commission Regulation (EEC) No 1168/93,
- Article 4 (1) of Commission Regulation (EEC) No 1089/93.

2. Article 1 (2) of Regulation (EEC) No 2233/92 is hereby replaced by the following :

‘2. The amount of aid per cow shall be ECU 80,’

3. Article 1 (4) of Regulation (EEC) No 536/93 is replaced by the following :

‘4. The target price shall be that applying on the last day of the 12 month period concerned’.

4. In the first sentence of Article 4 (3) of Regulation (EEC) No 2167/83 the words ‘or in national currency’ are deleted.

Article 4

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, 30 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Regulation	Amounts concerned	Agricultural conversion rate to be applied
PART A: AMOUNTS APPLICABLE TO MILK PRODUCERS		
1. (EEC) No 3950/92	Additional levy referred to in the second paragraph of Article 1 (2)	Agricultural conversion rate applicable on the last day of the 12-month period concerned
2. (EEC) No 2233/92	Specific annual premium for the maintenance of dairy herds referred to in Article 1 (2)	Agricultural conversion rate applicable on the first day of the calendar month in which the premium application is submitted
3. (EEC) No 739/93	Aid per 100 kg of milk referred to in the second paragraph of Article 2 (1)	Agricultural conversion rate applicable on the first day of the calendar month in which the milk is delivered
4. (EEC) No 740/93	A. Compensation for definitive discontinuation of milk production referred to in Article 1 B. Community financing amount referred to in Article 5	Agricultural conversion rate applicable on 1 September 1993 Agricultural conversion rate applicable on 1 September 1993

PART B: BUTTER

<i>B.I. Intervention buying in</i>		
1. (EEC) No 685/69	A. Intervention buying-in price B. Price of the defective goods referred to in points (a) and (b) of the second paragraph of Article 6 (2)	Agricultural conversion rate applicable on the date of taking over into intervention Agricultural conversion rate applicable on the date of taking over into intervention
2. (EEC) No 1589/87	Tender price accepted referred to in Article 3 (3) (c)	Agricultural conversion rate applicable on the date of taking over into intervention
<i>B.II. Sales price</i>		
1. (EEC) No 1282/72	Reduced sales price referred to in Article 2	Agricultural conversion rate applicable on the date of taking over
2. (EEC) No 1717/72	Reduced sales price referred to in Article 3 (1)	Agricultural conversion rate applicable on the date of taking over
3. (EEC) No 2315/76	A. Sales price referred to in Article 2 (1) (a) B. Offer price for food aid pursuant to Article 3a C. Reduced sales price referred to in Article 4 (1) (a)	Agricultural conversion rate applicable on the date of payment Agricultural conversion rate applicable on the date of taking over Agricultural conversion rate applicable on the date of taking over
4. (EEC) No 3143/85	A. Reduced sales price referred to in Article 2 (1) B. Tender price accepted under the tendering procedure referred to in Article 2a (2) C. Minimum sales price referred to in the first paragraph of Article 2a (4)	Agricultural conversion rate applicable on the date of payment Agricultural conversion rate applicable on the date of payment Agricultural conversion rate applicable on the date of payment
5. (EEC) No 2409/86	A. Tender price accepted under the tendering procedure referred to in Article 19 (2) (a) B. Sales price determined referred to in Article 26 (2) (b) C. Sales price determined referred to in Article 27b (b)	Agricultural conversion rate applicable on the date of payment Agricultural conversion rate applicable on the date of payment Agricultural conversion rate applicable on the date of payment
6. (EEC) No 570/88	Tender price accepted under the tendering procedure referred to in Article 16 (2) (a)	Agricultural conversion rate applicable on the date of payment

Regulation	Amounts concerned	Agricultural conversion rate to be applied
7. (EEC) No 3378/91	Tender price accepted referred to in Article 5 (2) (d)	Agricultural conversion rate applicable on the date of payment
B.III. Aids		
1. (EEC) No 2191/81	Aid for the purchase of butter by non-profit-making institutions and organizations referred to in Article 2 (1)	Agricultural conversion rate applicable on the first day of the month for which the delivery order referred to in Article 3 is applicable
2. (EEC) No 2192/81	Aid for the purchase of butter by the armies and similar forces referred to in Article 2 (1)	Agricultural conversion rate applicable on the first day of the month for which the delivery order referred to in Article 3 is applicable
3. (EEC) No 2990/82	Amount of Community financial contribution referred to in Article 3	Agricultural conversion rate applicable at the beginning of the marketing year for milk and milk products
4. (EEC) No 570/88	A. Amount of aid accepted under the tendering procedure referred to in Article 16 (3) (d)	(i) Agricultural conversion rate applicable on the first day of the month in which the tracers referred to in Article 3 (a) are added (ii) Agricultural conversion rate applicable on the first day of the month in which the concentrated butter is manufactured in accordance with the first indent of Article 22 (3) (b) (iii) Agricultural conversion rate applicable on the first day of the month in which the butter without tracers has been incorporated in the intermediate or final products referred to in Article 3 (b)
	B. Amount of aid reduction referred to in the third paragraph of Article 22a (4)	Agricultural conversion rate applicable on the first day of the month in which the deadline imposed is exceeded
5. (EEC) No 429/90	Amount of aid for concentrated butter granted under the tendering procedure referred to in Article 8 (2) (a)	Agricultural conversion rate applicable on the first of the month in which the concentrated butter was manufactured and received tracers in accordance with Articles 8 and 9

PART C: MILK POWDER

C.I. Buying in		
1. (EEC) No 625/78	A. Buying-in price	Agricultural conversion rate applicable on the date of taking over into intervention
	B. Price of defective goods referred to in the second indent of Article 2 (6)	Agricultural conversion rate applicable on the date of taking over into intervention
2. (EEC) No 1158/91	Tender price accepted under the tendering procedure referred to in Article 3 (3) (c)	Agricultural conversion rate applicable on the date of taking over into intervention
C.II. Sales price		
1. (EEC) No 2213/76	Sales price referred to in Article 2 (1) (a)	Agricultural conversion rate applicable on the date of payment
2. (EEC) No 368/77	Tender price accepted under the tendering procedure referred to in Article 9 (2) (c)	Agricultural conversion rate applicable on the date of payment
3. (EEC) No 443/77	A. Instalment referred to in Article 5 (1)	Agricultural conversion rate applicable on the date of payment
	B. Balance of the sales price referred to in Article 5 (2) (a)	Agricultural conversion rate applicable on the date of payment
4. (EEC) No 2770/79	A. Instalment referred to in Article 5 (1)	Agricultural conversion rate applicable on the date of payment
	B. Balance of the sales price referred to in Article 5 (2) (a)	Agricultural conversion rate applicable on the date of payment
5. (EEC) No 3398/91	Offer price accepted under the tendering procedure referred to in Article 6 (2) (c)	Agricultural conversion rate applicable on the date of payment

Regulation	Amounts concerned	Agricultural conversion rate to be applied
C.III. Aids		
1. (EEC) No 1105/68	Amount of aid for skimmed milk for use in feeding-stuffs referred to in Article 1a (3)	Agricultural conversion rate applicable on : (i) the first day of the month in which the skimmed milk referred to in Article 2 is denatured (ii) the first day of the month for which the monthly statement is drawn up in respect of the use of skimmed milk pursuant to Article 5a (iii) the first day of the month in which butter or cream is produced for skimmed milk used pursuant to Articles 6 and 8a
2. (EEC) No 1844/77	Amount of the special aid accepted under the tendering procedure referred to in Article 4 (3) (b)	Agricultural conversion rate applicable on the first day of the month in which the denaturing operation referred to in Article 9 is carried out
3. (EEC) No 1634/85	Aid amounts for skimmed-milk and skimmed-milk powder for use in feedingstuffs referred to in Article 1	Agricultural conversion rate applicable on : (i) the first day of the month in which the skimmed-milk powder is denatured or processed into compound feed pursuant to Regulation (EEC) No 1725/79 (ii) the date of the endorsement shown in box A of the T 5 control copy referred to in Article 8 of Regulation (EEC) No 1624/76

PART D : OTHER PRODUCTS AND AMOUNTS

1. (EEC) No 1107/68	A. Intervention prices for Grana Padano and Parmigiano Reggiano cheeses B. Price of defective goods referred to in Article 3 (3) C. Additional transport costs referred to in Article 5 (2)	Agricultural conversion rate applicable on the date of taking over into intervention Agricultural conversion rate applicable on the date of taking over into intervention Agricultural conversion rate applicable on the date of taking over into intervention
2. (EEC) No 685/69	A. Storage costs referred to in points (a) and (b) of the second paragraph of Article 6 (2) B. Additional transport costs referred to in Article 8 (2)	Agricultural conversion rate applicable on the date of taking over within the meaning of Article 6 (1) Agricultural conversion rate applicable on the date of taking over within the meaning of Article 6 (1)
3. (EEC) No 625/78	A. Storage costs referred to in Article 2 (6) (a) and (b) B. Additional transport costs referred to in Article 5 (2)	Agricultural conversion rate applicable on the date of taking over of the goods concerned Agricultural conversion rate applicable on the date of taking over of the goods concerned
4. (EEC) No 2167/83	Amount of aid for school milk referred to in Article 4 (1)	Agricultural conversion rate applicable on the first day of the first month of the period for which the aid application referred to in Article 7 (3) is submitted
5. (EEC) No 2742/90	The amount due in accordance with Article 3 (3) of Regulation (EEC) No 2204/90 referred to in Article 4 (1)	Agricultural conversion rate applicable on the date of payment
6. (EEC) No 2921/90	Amount of aid for the manufacture of casein and caseinates referred to in Article 2 (1)	Agricultural conversion rate applicable on the first of the month in which the casein and caseinates are manufactured
7. (EEC) No 3763/91	Amount of aid for the consumption of fresh milk products referred to in Article 6	Agricultural conversion rate applicable on the first day of the month of use of the milk for the production of the fresh milk products concerned
8. (EEC) No 2164/92	Aid amounts referred to in Article 1 (2)	Agricultural conversion rate applicable on the date of charging of the licence referred to in Article 4 (1)

Regulation	Amounts concerned	Agricultural conversion rate to be applied
9. (EEC) No 2219/92	Aid amounts referred to in Article 1 (2)	Agricultural conversion rate applicable on the date of charging of the licence referred to in Article 3 (1)
10. (EEC) No 2234/92	Aid amount per 100 kg of milk referred to in Article 1 (2)	Agricultural conversion rate applicable on the first day of the month in which the milk is used pursuant to Article 2 (1) (a)
11. (EEC) No 2235/92	Aid amount per 100 kg of milk referred to in Article 1 (2)	Agricultural conversion rate applicable on the first day of the month in which the milk is used pursuant to Article 2 (1) (a)
12. (EEC) No 585/93	Tender price referred to in Article 4 (1) (d)	Agricultural conversion rate applicable on 14 April 1993
13. (EEC) No 619/93	Tender price referred to in Article 4 (1) (c)	Agricultural conversion rate applicable on 15 May 1993

COMMISSION REGULATION (EEC) No 1757/93

of 30 June 1993

amending Regulation (EEC) No 2179/92 laying down detailed rules for the application of the specific import measures for the Canary Islands as regards tobacco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, as amended by Commission Regulation (EEC) No 3714/92⁽²⁾, and in particular Article 6 (2) thereof,

Whereas Article 6 of Regulation (EEC) No 1601/92 provides for exemption from customs duties for direct imports into the Canary Islands of a maximum quantity of 20 000 tonnes of raw and semi-manufactured tobacco intended for the local manufacture of tobacco products;

Whereas, in Commission Regulation (EEC) No 2179/92 of 30 July 1992 laying down detailed rules for the application of the specific import measures for the Canary Islands as regards tobacco⁽³⁾, the product 'tobacco waste' was not considered even though CN code 2401 is mentioned in Article 6 of Regulation (EEC) No 1601/92; whereas, to remedy that situation for the periods 1 July 1992 to 30 June 1993 and 1 July 1993 to 30 June 1994, the quantities fixed as provided for in the second paragraph of Article 1 of Regulation (EEC) No 2179/92 should be revised at the request of the Spanish authorities;

Whereas, in the light of experience, there is no need to lodge a large security;

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

HAS ADOPTED THIS REGULATION:

Article 1

In the second indent of Article 3 (3) of Regulation (EEC) No 2179/92, 'ECU 0,7/kg' is replaced by 'ECU 0,2/kg'.

Article 2

In the Annex to Regulation (EEC) No 2179/92:

— the following line shall be added:

'2401 30 | Tobacco waste | 0,28 | 700',

— in the line 'ex 2403 91 00 | Homogenized or reconstituted tobacco, whether or not put up in sheets or strip', '400' is replaced by '600',

— in the line 'ex 2403 99 90 | Expanded tobacco', '1 500' is replaced by '1 300'.

Article 3

For the period 1 July 1993 to 30 June 1994, the Annex to Regulation (EEC) No 2179/92 shall be replaced by the Annex to this Regulation.

Article 4

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

It shall apply:

— as regards Article 2, for the period 1 July 1992 to 30 June 1993,

— as regards Articles 1 and 3, from 1 July 1993.

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

Done at Brussels, 30 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 217, 31. 7. 1992, p. 79.

ANNEX

**Products eligible for exemption from customs duties on direct imports into the Canary Islands
for the period 1 July 1993 to 30 June 1994**

CN code	Product description	Coefficient of equivalence	Maximum quantity (tonnes)
2401 10	Tobacco, not stemmed/stripped	0,72	27 780 ⁽¹⁾
2401 20	Tobacco, partly or wholly stemmed/stripped	1,00	20 000 ⁽¹⁾
2401 30	Tobacco waste	0,28	700
ex 2402 10 00	Unfinished cigars without wrapping	1,05	30
ex 2403 10 00	Final tobacco mixture used to manufacture cigarettes, cigars and cigarillos	1,05	500
ex 2403 91 00	Homogenized or reconstituted tobacco, whether or not put up in sheets or strip	1,05	600
ex 2403 99 90	Expanded tobacco	1,05	1 300
	Outer coverings for cigars presented on supports, in reels for the manufacture of tobacco ⁽²⁾	1,05	10

⁽¹⁾ Actual quantity to be determined on the basis of utilization of other headings (CN codes) pursuant to Article 3 (2).

⁽²⁾ Monitoring arrangements for this end-use are laid down in the relevant Community provisions.

COMMISSION REGULATION (EEC) No 1758/93

of 1 July 1993

amending Regulation (EEC) No 1998/78 laying down detailed rules for the offsetting of storage costs for sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1548/93 ⁽²⁾, and in particular Article 8 (5) thereof,

Whereas Commission Regulation (EEC) No 1998/78 of 18 August 1978 laying down detailed rules for the offsetting of storage costs for sugar ⁽³⁾, as last amended by Regulation (EEC) No 1714/88 ⁽⁴⁾, provides that the storage levy is due at the moment of disposal of the product in question and defines the concept of disposal for these purposes; whereas it provides that the transfer of property rights to the sugar without exit of the sugar from the approved warehouse of the manufacturer is nevertheless considered as disposal;

Whereas in the event of a merger, transfer or closure of a sugar-producing undertaking resulting in the transfer of the entire quota to another sugar-producing undertaking, the rights and obligations arising from the common organization of the market in sugar will also be transferred to the latter undertaking, in particular the obligation to pay the storage levy in respect of products in store; whereas, in order to simplify administration of the offsetting of storage costs, provision should be made in such cases for the transfer of ownership resulting from restructuring operations such as those defined in Article 2 (1) of Council Regulation (EEC) No 193/82 of 26 January 1982 laying down general rules for transfers of quotas in the sugar sector ⁽⁵⁾, not to be considered as disposal if the product remains in store in the approved warehouse of the manufacturer;

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

HAS ADOPTED THIS REGULATION:

Article 1

Point (c) of the second subparagraph of Article 12 of Regulation (EEC) No 1998/78 is hereby replaced by the following:

- (c) transfer of property rights to the sugar without exit of the sugar from the approved warehouse of the manufacturer.

However:

- an obligation contracted for the purposes of financing the sugar, and provided the party concerned retains his right to dispose of the quantity of sugar in question,

or

- a transfer of ownership resulting from a restructuring operation as referred to in Article 2 (1) of Regulation (EEC) No 193/82,

shall not be considered as disposal.

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, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 231, 23. 8. 1978, p. 5.

⁽⁴⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽⁵⁾ OJ No L 21, 29. 1. 1982, p. 3.

COMMISSION REGULATION (EEC) No 1759/93

of 1 July 1993

concerning the operative events determining the agricultural conversion rates to be applied in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽¹⁾, and in particular Article 6 (2) thereof,

Whereas Regulation (EEC) No 3813/92 introduces new agrimonetary arrangements as from 1 January 1993; whereas, under those arrangements, Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽²⁾, establishes the operative events for the agricultural conversion rates applicable after the transitional measures laid down in Article 1 of Commission Regulation (EEC) No 3820/92⁽³⁾, without prejudice to special rules or derogations to be laid down where appropriate under the rules in force in the sectors concerned on the basis of the criteria listed in Article 6 of Regulation (EEC) No 3813/92; whereas, therefore, the amendments to the operative events determining the agricultural conversion rates applicable in the beef and veal sector after the transitional measures laid down in Article 1 of Commission Regulation (EEC) No 3820/92 should be determined and brought together in a single Regulation;

Whereas the operative event provided for in the second indent of Article 10 (1) of Regulation (EEC) No 1068/93 entails the risk of deliveries of quantities awarded pursuant to Article 13 of Regulation (EEC) No 859/89⁽⁴⁾, as amended by Commission Regulation (EEC) No 3831/92⁽⁵⁾, being delayed by operators for speculative reasons; whereas, given that the meat is delivered fresh, such practices are likely to affect adversely the quality of the meat; whereas, therefore, provision should be made for a single operative event relating to the first day on which the products awarded can be taken over by the intervention agency under the terms of the invitation to tender concerned;

Whereas, in order to avoid unnecessary conversion operations, the prices offered under tender procedures as referred to in Commission Regulation (EEC) No 2173/79⁽⁶⁾, as amended by Regulation (EEC) No 1809/87⁽⁷⁾, should be expressed in ecus;

Whereas tenders subject to the provisions of Regulation (EEC) No 2173/79 are worded in such a way that products sold cannot be taken over by the acquirer until the tender price for the contract concerned has been paid; whereas, in order to specify the operative event applicable to this as provided for in the third indent of Article 10 (1) of Regulation (EEC) No 1068/93, the agricultural conversion rate in force on the date of the first payment should be chosen;

Whereas the purpose of each of the securities referred to in Regulation (EEC) No 2173/79 is to ensure compliance with all the obligations relating to the submission and execution of tenders; whereas, in that case, the conversion rate in force on the day on which the security takes effect would be applicable, according to the fourth indent of Article 10 (4) of Regulation (EEC) No 1068/93; whereas, so that the day in question can be identified without the possibility of ambiguity, this should be the day on which the security is lodged or proof of lodging is furnished; whereas, in order to simplify administration, the same rule should be applied to the securities referred to in Commission Regulations (EEC) No 2182/77⁽⁸⁾, as last amended by Regulation (EEC) No 3807/92⁽⁹⁾, (EEC) No 985/81⁽¹⁰⁾, as last amended by Regulation (EEC) No 3807/92, (EEC) No 2539/84⁽¹¹⁾ and (EEC) No 2848/89⁽¹²⁾;

Whereas the other operative events in force in the beef and veal sector do not need to be adjusted to the principles of the new agrimonetary arrangements; whereas, therefore, they should be confirmed on the basis of Article 6 (2) of Regulation (EEC) No 3813/92;

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

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 22.

⁽⁴⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 47.

⁽⁶⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁷⁾ OJ No L 170, 30. 6. 1987, p. 23.

⁽⁸⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁹⁾ OJ No L 384, 30. 12. 1992, p. 33.

⁽¹⁰⁾ OJ No L 99, 10. 4. 1981, p. 38.

⁽¹¹⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽¹²⁾ OJ No L 274, 23. 9. 1989, p. 9.

HAS ADOPTED THIS REGULATION:

Article 1

1. Article 16 of Regulation (EEC) No 859/89 is hereby replaced by the following:

'Article 16

The conversion rate to be applied to the amounts referred to in Article 12 shall be the rate valid on the date of entry into force of the Regulation fixing the maximum purchase price and the quantities of beef-meat bought into intervention in respect of the tender concerned.'

2. Article 8 of Regulation (EEC) No 3445/90 is hereby replaced by the following:

'Article 8

The conversion rate to be applied:

- to the amounts of aid shall be the agricultural conversion rate in force on the day referred to in Article 9 (2),
- to the amounts of securities shall be the agricultural conversion rate in force on the day on which the security is lodged with, or proof of it is furnished to, the intervention agency.'

3. Regulation (EEC) No 2173/79 is hereby amended as follows:

- (a) Article 2 (2) (c) is completed with 'and expressed in ecus';
- (b) Article 5 is replaced by the following:

'Article 5

The conversion rate to be applied to the sale prices fixed in advance shall be the agricultural conversion rate in force on the day on which the intervention agency receives the first payment relating to the contract in question'

- (c) Article 8 (2) (c) is replaced by the following:

'(c) the price offered per tonne, expressed in ecus';

- (d) Article 9 is replaced by the following:

'Article 9

In the light of the tenders received, minimum selling prices expressed in ecus shall be fixed for the products in question in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68.';

- (e) Article 12 is replaced by the following:

'Article 12

The conversion rate to be applied to convert tenders into national currency shall be the agricultural conversion rate in force on the day on which the interven-

tion agency receives the first payment relating to the contract in question.';

- (f) The following paragraph is added to Article 15:

'5. The conversion rate to be applied to the amounts of securities referred to in paragraph 1 shall be the agricultural conversion rate in force on the day on which the security is lodged with, or proof of it is furnished to, the intervention agency.'

4. Regulation (EEC) No 2182/77 is hereby amended as follows:

- (a) The following subparagraph is added to Article 4 (1):
- 'The conversion rate to be applied to the amount of the security referred to in this paragraph shall be the agricultural conversion rate in force on the day on which the security is lodged with, or proof of it is furnished to, the intervention agency.';

- (b) Article 8 is deleted.

5. The following subparagraph is added to Article 3 (2) of Regulation (EEC) No 985/81:

'The conversion rate to be applied to the amount of that security shall be the agricultural conversion rate in force on the day on which the security is lodged with, or proof of it is furnished to, the intervention agency.'

6. The following paragraph is added to Article 5 of Regulation (EEC) No 2539/84:

'4. The conversion rate to be applied to the amounts of the securities referred to in paragraph 2 and 3 shall be the agricultural conversion rate in force on the day on which the security is lodged with, or proof of it is furnished to, the intervention agency.'

7. The following subparagraph is added to Article 6 (2) of Regulation (EEC) No 2848/89:

'The conversion rate to be applied to the amount of this security shall be the agricultural conversion rate in force on the day on which the security is lodged with, or proof of it is furnished to, the intervention agency.'

Article 2

Provisions relating to those operative events for the agricultural conversion rates applicable in the beef and veal sector which are not referred to in Article 1 shall remain applicable.

Article 3

This Regulation shall enter into force on 5 July 1993.

Article 1 (1) shall apply from the first tender for buying into intervention opened during the 1993/94 marketing year. Article 1 (2) to (7) shall apply to operations connected with contracts concluded from 5 July 1993.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1760/93

of 1 July 1993

on the issuing of a standing invitation to tender for the resale on the internal market of 20 000 tonnes of breadmaking wheat held by the Danish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 1836/82 ⁽²⁾, as last amended by Regulation (EEC) No 966/93 ⁽³⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 20 000 tonnes of breadmaking wheat held by the Italian intervention agency should be issued;

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 Danish intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 20 000 tonnes of breadmaking wheat held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 8 July 1993.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 30 September 1993.
3. Tenders must be lodged with the Danish intervention agency:

EF — Direktoratet,
Nyrupsgade 26,
DK — 1602 København V,
telephone 3392 70 00,
fax 3392 69 48,
telex 15137.

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Danish intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽³⁾ OJ No L 98, 24. 4. 1993, p. 25.

COMMISSION REGULATION (EEC) No 1761/93

of 1 July 1993

amending Regulation (EEC) No 1609/88 as regards the latest date by which butter must have been taken into storage in order to be sold under Regulations (EEC) No 3143/85 and (EEC) No 570/88

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 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EEC) No 2045/91 ⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter ⁽⁵⁾, as last amended by Regulation (EEC) No 3774/92 ⁽⁶⁾, the butter put up for sale must have been taken into storage before a date to be determined; whereas the same applies to butter sold under the arrangements laid down in Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food stuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 3774/92;

Whereas, in view of butter stocks and quantities available, the dates in Article 1 of Commission Regulation (EEC)

No 1609/88 of 9 June 1988 setting the latest time of entry into storage for butter sold under Regulations (EEC) No 3143/85 and (EEC) No 570/88 ⁽⁸⁾, as last amended by Regulation (EEC) No 481/93 ⁽⁹⁾, should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EEC) No 1609/88 is hereby replaced by the following:

'Article 1

The butter referred to in Article 1 (1) of Regulation (EEC) No 3143/85 must have been taken into storage before 1 February 1991.

The butter referred to in Article 1 of Regulation (EEC) No 570/88 must have been taken into storage before 1 February 1991'

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, 1 July 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 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 187, 13. 7. 1991, p. 1.

⁽⁵⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁶⁾ OJ No L 383, 29. 12. 1992, p. 48.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 143, 10. 6. 1988, p. 23.

⁽⁹⁾ OJ No L 51, 3. 3. 1993, p. 15.

COMMISSION REGULATION (EEC) No 1762/93

of 1 July 1993

**amending Regulation (EEC) No 3378/91 laying down detailed rules for the sale of
butter from intervention stocks for export**

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 Regula-
tion (EEC) No 2071/92 ⁽²⁾, and in particular Article 6 (7)
thereof,

Whereas Commission Regulation (EEC) No 3378/91 ⁽³⁾,
as last amended by Regulation (EEC) No 227/93 ⁽⁴⁾,
provides for quantities of butter in public storage to be
made available to operators and invitations to tender to be
organized in order, *inter alia*, to determine the minimum
selling prices for butter intended for export either in the
unaltered state or after processing; whereas Article 1 of
the said Regulation stipulates that butter placed on sale
must have entered into storage before 1 December 1990;

Whereas, in view of the development of butter stocks and
of the quantities available, sales should be extended to
butter entering into storage before 1 February 1991;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 (1) of Regulation (EEC) No 3378/91, the date
'1 December 1990' is hereby replaced by '1 February
1991'.

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, 1 July 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 319, 21. 11. 1991, p. 40.

⁽⁴⁾ OJ No L 27, 4. 2. 1993, p. 15.

COMMISSION REGULATION (EEC) No 1763/93

of 1 July 1993

on the sale by tender of beef held by certain intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas the application of intervention measures in respect of beef has created large stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold by tender;

Whereas the sale should be made subject to the rules laid down by Commission Regulation (EEC) No 2173/79 ⁽³⁾, as amended by Regulation (EEC) No 1809/87 ⁽⁴⁾, subject to certain special exceptions which are necessary;

Whereas it seems appropriate to provide for derogations from provisions of Article 8 (2) (b) of Regulation (EEC) No 2173/79, taking into account the administrative difficulties which the application of this subparagraph raises in the Member States concerned;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The sale shall take place of:

- approximately 1 000 tonnes of bone-in beef held by the Irish intervention agency, and bought in before 1 April 1991 (of which 421 tonnes stored in the Netherlands),
- approximately 500 tonnes of boned beef held by the Irish intervention agency, bought in before 1 February 1991,
- approximately 2 000 tonnes of boned beef held by the United Kingdom intervention agency and bought in before 1 January 1991,
- approximately 100 tonnes of boned beef held by the Italian intervention agency and bought in before 1 July 1991.

Detailed information concerning quantities is given in Annex I.

2. The products referred to in paragraph 1 shall be sold in accordance with Regulation (EEC) No 2173/79, and in particular Articles 6 to 12 thereof, and this Regulation.

Article 2

1. The deadlines for submitting tenders, which must be made out in ecus, shall be 12 noon on 6 July 1993.

The intervention agencies concerned shall draw up a notice of invitation to tender which shall include the following:

- (a) the quantities of beef offered for sale; and
- (b) the deadline and place for submitting tenders.

2. The intervention agencies concerned shall sell first the meat which has been stored the longest.

3. Notwithstanding Articles 6 and 7 of Regulation (EEC) No 2173/79, the provisions of and the Annexes to this Regulation shall serve as a general notice of invitation to tender.

4. Interested parties may obtain the details of the quantities available and the places where the products are stored from the addresses listed in Annex II to this Regulation. The intervention agencies will, moreover, display the notice referred to in paragraph 1 at their head office and may also publish them elsewhere.

5. Notwithstanding Article 8 (2) (b) of Regulation (EEC) No 2173/79, tenders shall not indicate in which cold store or stores the products are held.

Article 3

After the offers received in respect of the invitation to tender have been examined a minimum selling price shall be fixed for each product or the sale will not be proceeded with.

Article 4

Notwithstanding Article 15 (1) of Regulation (EEC) No 2173/79 the security shall be ECU 100 per tonne.

Article 5

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁴⁾ OJ No L 170, 30. 6. 1987, p. 23.

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

Done at Brussels, 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)
UNITED KINGDOM	— Fillets — Striploins — Topsides — Silversides — Thick flanks — Rumps — Striploin flankedge	500 500 300 200 300 200 3
IRELAND	— Hindquarters (bone-in) — Forequarters (bone-in) — Cube-rolls	673 327 500
ITALIA	— Filetto	100

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

Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção

UNITED KINGDOM: Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302
Telefax (0734) 56 67 50

IRELAND: Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 678 90 11, ext. 2278 and ext. 3806
Telex 93 292 and 93 607
Telefax (01) 661 62 63, (01) 678 52 14 and (01) 662 01 98

ITALIA: Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91
Telex 61 30 03

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 14 June 1993

on a multiannual programme of Community measures to intensify the priority areas and to ensure the continuity and consolidation of policy for enterprise, in particular small and medium-sized enterprises, in the Community

(93/379/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Whereas on 28 July 1989 the Council adopted Decision 89/490/EEC on the improvement of the business environment and the promotion of the development of enterprises, and in particular small and medium-sized enterprises (SMEs), in the Community⁽³⁾, as revised by Council Decision 91/319/EEC⁽⁴⁾;

Whereas in its resolution of 17 June 1992 on Community action to support enterprises, in particular small and medium-sized enterprises, including craft-industry enterprises⁽⁵⁾, the Council confirmed its undertaking to support the consolidation of the action taken to help enterprises;

Whereas the Council recommended in that resolution that the Commission should press ahead, having regard to the principle of subsidiary, with the action necessary to create an environment favourable to the competitiveness of enterprises, in particular small and medium-sized enterprises, and to back up their integration into the internal market after 1992; whereas it also requested the Commission to submit before the end of 1992, in the light of the evaluations made, any proposals it deemed necessary to ensure continuity of the policy towards enterprises;

Whereas the opportunities afforded by the internal market will constitute the greatest business over the next few years, and SMEs must be provided with full information on this aspect of the Community;

Whereas independent experts have carried out, pursuant to Article 3 of Decision 91/319/EEC, an evaluation of the results achieved from all aspects of the existing programme; whereas the Commission has submitted the report, together with its comments, to the European Parliament and the Council;

Whereas the report confirms the appositeness, importance and quality of the enterprises policy the Community has carried out thus far, but makes interesting suggestions concerning the direction of certain measures;

Whereas the evolution of the economic situation calls for an initiative to relaunch growth, to the success of which SMEs have an essential contribution to make, and involves proposing the adoption of a programme of Community measures to assist SMEs which takes full account of this new priority;

⁽¹⁾ OJ No C 150, 31. 5. 1993.

⁽²⁾ OJ No C 161, 14. 6. 1993, p. 6.

⁽³⁾ OJ No L 239, 16. 8. 1989, p. 33.

⁽⁴⁾ OJ No L 175, 4. 7. 1991, p. 32.

⁽⁵⁾ OJ No C 178, 15. 7. 1992, p. 8.

Whereas the European Council meeting in Edinburgh on 11 and 12 December 1992 recognized 'the importance of SMEs for creating employment and stimulating growth'; whereas it agreed to reduce the burdens emanating from Community legislation, accelerate Community actions in favour of SMEs which have proven their worth at the Community level and take measures that encourage private investment, particularly by SMEs;

Whereas it is necessary to uphold the overall unity of enterprise policy by both strengthening its priority areas as part of the growth initiative and, at the same time, ensuring continuity in other aspects of enterprise policy;

Whereas the Commission has put before the Council a communication on enterprise policy for the Community, entitled 'The enterprises dimension essential to Community growth';

Whereas the Commission has submitted to the Council in the past two years a series of communications on measures for the benefit of SMEs (subcontracting, mutual guarantee systems, participation by SMEs in public contracts, etc.);

Whereas this Decision applies to all forms of enterprise, regardless of sector, size, legal structure (including co-operatives, mutual societies, associations and foundations) and geographical location, but is especially directed at SMEs and enterprise creators, including enterprises in commerce and the distributive trades, craft enterprises, family firms and young entrepreneurs;

Whereas when defining SMEs it is necessary to follow the guidelines laid down in the Commission communication on SMEs definitions used in the framework of Community actions (SEC(92) 351 final of 29 April 1992);

Whereas SMEs, particularly new enterprises, play an important role in economic activity in general and in regional development, and a fundamental role as regards dynamism, productivity, adaptability and innovation;

Whereas the development of a Community enterprise policy based on real competition assumes particular importance as regards marking the Community economy more competitive and as regards employment growth, economic and social cohesion in the Community and the continuation of the widening of the market after 1993;

Whereas this policy primarily involves the improvement of the administrative, legal and fiscal environment of enterprises, the intensification and wider distribution of Community information for enterprises, the stimulation of cooperation and partnership between enterprises, and

the promotion and coordination of Community instruments to assist enterprises, particularly SMEs;

Whereas the possibility offered to SMEs under the Structural Funds and Community research and development programmes and various other Community programmes such as those concerning public contracts should be improved and better used;

Whereas the effectiveness of the action programme could be increased by regular contacts between the Commission and employers' organizations; whereas in this context SMEs should be encouraged to improve their representation at European level;

Whereas, however, many measures to assist enterprises are carried out at Member State level, and Community measures should attempt to complement these;

Whereas in accordance with the principle of subsidiarity the Community, in the context of the action programme, shall take action only if the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore be better achieved by the Community;

Whereas the resources and measures implemented by the Community in the context of the action programme must be in proportion to the objective to be achieved;

Whereas it is therefore necessary to adopt a programme for a period up to 31 December 1996 and to endow it with sufficient financial resources to attain its objectives of growth stimulation, job creation and social and economic cohesion in the Community;

Whereas the Treaty does not provide, for the adoption of this Decision, powers other than those laid down in Article 235,

HAS DECIDED AS FOLLOWS:

Article 1

A programme to intensify the priority measures and to ensure the continuity of an enterprise policy is hereby adopted from 1 July 1993. This programme is aimed at all enterprises, especially small and medium-sized enterprises (SMEs).

Article 2

The programme referred to in Article 1, incorporating the measures specified in Annex I hereto, shall have the following objectives:

I. Intensifying the priority measures for enterprise policy in order to stimulate growth within the Community

- A. Improvement of the administrative and legal environment of enterprises *inter alia* in the area of indirect taxation in order to alleviate the burdens on SMEs arising from Community legislation
- B. Better access to Community information for enterprises
- C. Improving the business-partner-search network
- D. Continued development of instruments permitting direct contact between entrepreneurs and aimed at promoting transnational subcontracting
- E. Ensuring full consideration of the interests of SMEs in the various Community initiatives and policies

II. Ensuring the continuity and consolidation of enterprise policy in order to encourage the europeanization and internationalization of enterprises, especially SMEs,

- A. Encouraging SMEs, including craft-industry enterprises, to adapt to structural changes and to changes brought about by the internal market, in particular through information, exchange of experiences and transnational cooperation activities
- B. Promoting a better financial environment for enterprises
- C. Promoting better observation of the economic development of enterprises as part of the dynamic of effective implementation of the internal market
- D. Evaluation and development of enterprise policy.

Article 3

1. In order to achieve the objectives laid down in Article 1 and 2, in so far as they cannot be better achieved by the Member States, the Commission shall take the necessary measures to be taken at Community level, taking account of the findings of any evaluation reports.

2. The procedure laid down in Article 4 shall be followed for adopting measures relating to:

- the adoption, experimental implementation or extension of the necessary projects devised for the application of this Decision,
- the content and timetable of, and financial assistance for, measures and calls for proposals,
- periodic evaluation of the results of each project in accordance with the timetables laid down in specific programmes.

3. The committee referred to in Article 4 may examine any other matters concerning the programme.

4. The Commission shall every year submit to the committee a report on the implementation of this Decision concerning progress on all its aspects including administrative simplification and the following information on:

— Euro Info Centres:

- statistics on the number of enterprises which have consulted them,
- changes in organization, services provided and funding.

— Europartenariat and *Interprise*:

- statistics on the size and sector of the enterprises participating,
- follow-up to measures taken,
- changes in organization or funding of events.

Article 4

The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by a representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the EEC Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith. In that event the Commission shall defer application of the measures which it has decided for a period of three months from the date of communication.

The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the previous paragraph.

Article 5

The Commission shall submit to the European Parliament, the Council and the Economic and Social Committee, no later than the end of March 1996, an external evaluation report on the implementation of this decision, including a cost-effectiveness evaluation, and any proposals which it deems necessary in the light of the evaluations effected.

The Commission shall also submit to the European Parliament, the Council and the Economic and Social Committee, during the first half of 1995, reports on :

- the future operation of networks, particularly in terms of products, groups targeted and financing including an examination of the opportunities for self-financing, in the light of the recommendations of the most recent evaluation reports,
- coordination between the different Community programmes manifestly in the interests of SMEs and craft industries but not covered by this Decision and on the initiatives taken in pursuance of this Decision.

Article 6

1. This Decision shall enter into force on 1 July 1993 and shall cover the period up to 31 December 1996.
2. The budgetary authority shall determine the appropriations available for each financial year in accordance with the principles of good management referred to in

Article 2 of the Financial Regulation applicable to the general budget of the European Communities.

3. The total amount deemed necessary for implementation of this Decision as indicated in Annex II and in so far as that amount is covered by the medium-term financial perspectives, shall be ECU 112,2 million. That amount includes the existing budgetary amount for 1993 of ECU 24,8 million, and therefore also the amount necessary for completion of the existing SMEs programmes.

Article 7

Upon entry into force this Decision shall replace Council Decision 89/490/EEC.

Done at Luxembourg, 14 June 1993.

For the Council

The President

J. TRØJBORG

ANNEX I

MEASURES REFERRED TO IN ARTICLE 2

I. INTENSIFYING THE PRIORITY MEASURES FOR ENTERPRISE POLICY IN ORDER TO STIMULATE GROWTH WITHIN THE COMMUNITY

A. Improvement of the administrative and legal environment of enterprises including the area of indirect taxation

In particular further work on administrative simplification and promotion of follow-up measures in the Member States; assessment of the impact of Community legislation, consolidation of Community legislation, specific examination of aspects such as the transfer and creation of enterprises; regular and through consultation of organizations representing SMEs.

B. Better access to Community information for enterprises

Qualitative development, improved operation and adaptation of the Euro Info Centre network to the new requirements of SMEs, including advice to companies likely to take part in Community programmes (such as, for example, research, public contracts, improved environmental practices); stabilization of funding, in particular by concentrating efforts and developments on the existing network; extension of the network of liaison centres to the European Economic Area (EEA) and to the countries of central and eastern Europe (CCEE), as well as to the Mediterranean countries, in particular the Maghreb countries, in the context of specific measures to help those countries.

C. Improving the business-partner-search network

Qualitative improvement and gradual adaptation of the system of charges for the confidential business-partner-search network (BC-NET) with the aim of making the network self-financing, as far as possible; qualitative development of the non-confidential partner-search network (BCC).

D. Continued development of instruments permitting direct contact between entrepreneurs and aimed at promoting transnational subcontracting

In particular by improving the preparation, implementation and follow-up of actions carried out under the Europartenariat and Interprise programmes; improving knowledge of subcontracting markets, promotion of harmonized certification and standardization procedures and encouragement of cooperation between large and small enterprises.

E. Ensuring consideration of the interests of SMEs in the various Community initiatives and policies

Promotion of Community instruments which enable SMEs to participate fully in all Community actions and programmes, including enterprise-policy instruments, the Structural Funds, research programmes and programmes to develop technological potential, making it easier for SMEs to participate, *inter alia*, by simplifying the procedures involved.

II. ENSURING THE CONTINUITY AND CONSOLIDATION OF ENTERPRISE POLICY IN ORDER TO ENCOURAGE THE EUROPEANIZATION AND INTERNATIONALIZATION OF ENTERPRISES, ESPECIALLY SMEs

A. Encouraging SMEs to adapt to structural changes and to changes brought about by the internal market

Identification of the needs of SMEs and the development of projects, *inter alia* on the basis of pilot-projects, for enterprises, including small business and craft-industry enterprises, enterprises in commerce and the distributive trades, cooperatives, mutual societies and associations and foundations, as well as enterprise creators and young entrepreneurs, enabling them to adapt to structural changes, to have a better perception of the European dimension of their markets and to benefit from the opportunities offered by the internal market, in particular in the field of standardization, certification and public contracts.

B. Promoting a better financial environment for enterprises

Considering ways and means of facilitating SMEs access to sources of credit and guarantee, including mutual guarantee systems and risk capital activity; appreciation of the opportunity and feasibility of the development of secondary markets; facilitating SMEs' access to financial instruments provided by the Community, without involving financing of enterprises.

C. Promoting better observation of the economic development of enterprises as part of the dynamic of effective implementation of the internal market

European observatory for SMEs, improved statistics on SMEs without increasing the burden on enterprises.

D. Devaluation and development of enterprise policy

Evaluation of existing policy and actions, development of proposals for new Community measures in areas affecting enterprises.

ANNEX II

**THE ENTERPRISE DIMENSION ESSENTIAL TO EUROPEAN GROWTH
OPERATING APPROPRIATIONS 1993-1996**

SINGLE HEADING, INDICATIVE MONTHS IN MILLIONS OF ECUS

I. <i>Intensifying the priority measures for enterprise policy in order to stimulate growth within the Community</i>	
A. Improvement of the administrative and legal environment of enterprises, <i>inter alia</i> in the area of indirect taxation ⁽¹⁾	5,10
B. Better access to Community information for enterprises	33,25
C. Improving the business-partner-search network	3,90
D. Continued development of instruments permitting direct contact between entrepreneurs and aimed at promoting transnational subcontracting	28,85
E. Ensuring consideration of the interests of SMEs in the various Community initiatives and policies	13,90
Sub-total 1	85,00
II. <i>Ensuring the continuity and consolidation of enterprise policy in order to encourage the Europeanization and internationalization of enterprises, especially small and medium-sized enterprises</i>	
A. Encouraging SMEs to adapt to structural changes and to changes brought about by the internal market	
— Craft industry and small enterprises	5,50
— Enterprises in commerce and the distributive trades	7,60
— Cooperatives, mutual societies, associations and foundations	0,80
B. Promoting a better financial environment for enterprises	0,90
C. Promoting better observation of the economic development of enterprises as part of the dynamic of effective implementation of the internal market	
— European observatory for SMEs	5,30
— Improved statistics on SMEs	1,20
— Studies, publications, seminars, conferences	5,40
— Evaluation of policy and of existing projects	0,50
Sub-total 2	27,20
Total	112,20

⁽¹⁾ Including consultation of Member States and trade organizations (ex-item B54-324).