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93/423/EEC :

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2170/93**of 3 August 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 Article 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 2

August 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 (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 4 August 1993.

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

Done at Brussels, 3 August 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 3 August 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries (*)
0709 90 60	129,35 (*) (*)
0712 90 19	129,35 (*) (*)
1001 10 00	150,97 (*) (*)
1001 90 91	126,64
1001 90 99	126,64 (*)
1002 00 00	134,48 (*)
1003 00 10	124,82
1003 00 20	124,82
1003 00 80	124,82 (*)
1004 00 00	75,21
1005 10 90	129,35 (*) (*)
1005 90 00	129,35 (*) (*)
1007 00 90	136,01 (*)
1008 10 00	26,62 (*)
1008 20 00	78,74 (*)
1008 30 00	30,44 (*)
1008 90 10	(*)
1008 90 90	30,44
1101 00 00	204,04 (*)
1102 10 00	217,27
1103 11 30	239,22
1103 11 50	239,22
1103 11 90	231,01
1107 10 11	236,30
1107 10 19	179,31
1107 10 91	233,06
1107 10 99	176,89
1107 20 00	204,35

(*) 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 2171/93

of 3 August 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⁾ 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 2

August 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 the import in respect 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 4 August 1993.

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

Done at Brussels, 3 August 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 3 August 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 8	1st period 9	2nd period 10	3rd period 11
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

(ECU/tonne)

CN code	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
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 2172/93

of 30 July 1993

imposing provisional anti-dumping duties on imports of ethanolamine
originating in the United States of America

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,Having regard to Council Regulation (EEC) No 2423/88
of 11 July 1988 on protection against dumped or sub-
sidized imports from countries not members of the Euro-
pean Economic Community⁽¹⁾, and in particular
Article 11 thereof,After consultation with the Advisory Committee as
provided for under the above Regulation,

Whereas :

A. PROCEDURE

- (1) In March 1992, the Commission received a complaint lodged by the Conseil Européen des Fédérations des Industries Chimiques (Cefic) on behalf of the Community producers of ethanolamine, representing almost all Community production of the product concerned, concerning the import of ethanolamines originating in the United States of America, (hereinafter called 'the USA'). The complaint contained evidence, considered sufficient to justify the initiation of an anti-dumping proceeding, that the imports had been dumped and had caused material injury to the Community industry.
- (2) The Commission accordingly announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of such a proceeding concerning imports of ethanolamines originating in the USA, falling within CN codes 2922 11 00, 2922 12 00 and 2922 13 00, and commenced an investigation.
- (3) The Commission officially advised the exporters and importers known to be concerned, representatives of the exporting country and the complainants. Interested parties were given the opportunity to make known their views in writing and to request a hearing.
- (4) Representatives of the exporters, the related importers and the complainants made their views known in writing.
- (5) The Commission sought and verified all information it deemed to be necessary for the purposes of a preliminary determination of dumping and injury and carried out investigations at the premises of the following :
- (a) Community producers :
- BASF AG, Ludwigshafen, Germany,
 - Huels AG, Marl, Germany,
 - ICI Ltd, Middlesbrough, United Kingdom,
 - BP Chemicals Snc, Paris, France ;
- (b) Producers in the USA :
- Union Carbide Corporation, Danbury, Connecticut,
 - Oxychem, Dallas, Texas,
 - Dow Chemical Company, Midland, Michigan,
 - Texaco Chemical Company, Houston, Texas ;
- (c) Related importers :
- Dow Benelux NV, Rotterdam, Netherlands,
 - Dow International BV, Rotterdam, Netherlands,
 - Texaco Chemical UK, London, United Kingdom,
 - Union Carbide Benelux NV, Antwerpen, Belgium.
- Information was also requested and obtained from Dow Europe SA and Union Carbide Europe SA which are both situated in Switzerland and which carried out certain functions concerning the importation of the product into the Community.
- (6) The investigation of dumping covered the period from 1 July 1991 to 30 June 1992 ('the investigation period').
- (7) Description of the product

B. PRODUCT UNDER INVESTIGATION

Ethanolamine is a chemical product derived from a reaction of ethylene oxide and aqueous ammonia.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.⁽²⁾ OJ No C 201, 8. 8. 1992, p. 12.

There exist three main types of the product :

- monoethanolamine (MEA),
- diethanolamine (DEA),
- triethanolamine (TEA).

All types are chemically very similar. They are made on the same production facilities and have overlapping end-uses.

The main end-use of ethanolamines is as surfactants (in detergent formulations, personal care products, all-purpose cleaners, wax formulations and waterless hand-cleaners), gas purification, metals and textiles.

There did not exist any significant difference between the Community product and the imported product.

C. DUMPING

(8) Normal value

Normal value was established for each type of the product and each exporter in accordance with the provisions of Article 2 (3) (a) of Regulation (EEC) No 2423/88 (hereinafter referred to as 'the basic Regulation'), that is, on the basis of the comparable prices actually paid or payable in the ordinary course of trade (i. e. on the average price to independent customers) for the product intended for consumption in the country of origin. Captive use (i. e. use of the product by the producers themselves in the manufacture of other products, mainly ethylenediamines) and sales to associated companies were not considered to be made in the ordinary course of trade, on the grounds that the buyers were not free in their choice of suppliers and the price of these sales was influenced by the relationship between buyer and seller. These sales comprised, for each of the companies concerned, no more than 15 % of sales and, accordingly, the remaining sales on which normal value was based were considered representative.

(9) Export price

In all cases the imports of the product concerned were made by companies which were related to the US producers. It was, therefore, considered that the prices of the sales from the producing companies to the importing companies were unreliable, and for that reason, and in accordance with the provisions of Article 2 (8) (b) of the basic Regulation, the export prices were constructed on the basis of the price at which the imported product was first

resold to an independent buyer, with allowance being made for all costs incurred between importation and resale and for a profit margin of 5 % which was considered reasonable in the light of information obtained from interested parties as regards imports of the product concerned. These costs included certain sales costs which were incurred by companies associated to US producers, situated in a third country (Switzerland) and which normally would be borne by an importer in the Community.

(10) Comparison

The comparison of the normal value with the export prices on a transaction-by-transaction basis was made at an ex-factory level and at the same level of trade.

Adjustments were claimed for differences in salaries of salespersons, technical assistance and certain after sales services. Where justification was supplied by the US producers, the adjustments were granted in accordance with Article 2 (9) and (10) of the basic Regulation.

(11) Dumping margins

The comparison of normal values with export prices shows the existence of an average weighted dumping margin for the different US companies ranging from 62 to 91 %, as expressed as a percentage of the cif value.

D. INJURY

The development with regard to the volume and price of imports as well as the situation of the Community industry have shown a steady evolution between 1988 and the end of the investigation period, as is shown by the following findings :

I. Volume of dumped imports, their increase in particular in relation to production and consumption

- (12) It was established that imports of ethanolamine originating in the USA are made only by importers related to the US producers and according to the data provided by these importers, the imports of ethanolamine rose steadily from 41 000 tonnes in 1988 to 48 600 tonnes during the investigation period, an increase of more than 18 %, where Community production during the same period decreased by more than 8 % and Community consumption during this period only rose 4 % (see recitals 16 and 20).

- (13) The US producers increased their market share from 1988 to the investigation period from 31,1 to 35,5 %, an increase of 4,1 percentage points, which has to be compared with a fall in market share of the Community producers with 7,1 percentage points (see recital 20).

II. Prices of the imports, in particular in relation to prices of the Community products

- (14) Prices of the imports under investigation, ex-warehouse of the related importer at the Community border, decreased on a weighted average basis, from ECU 916 per tonne in 1988 to ECU 537 per tonne during the investigation period, a decrease of 41 %.
- (15) A comparison, at the same level of trade, of prices of imports ex related importer's warehouse with the prices ex works of the Community industry shows persistent price undercutting by these imports.

In absolute figures, the undercutting, by all the US producers concerned, increased, on average, from ECU 9 in 1988 to ECU 27 during the investigation period.

In percentage terms and on a weighted average basis, the price undercutting was found to be 6 % during the reference period.

III. Situation of the Community industry

(a) Production capacity utilization rate and stocks

- (16) Overall Community production of ethanolamine decreased from 141 700 tonnes in 1988 to 130 200 tonnes during the investigation period, a decrease of more than 8 %.
- (17) Capacity utilization by the different Community producers decreased over the same period from 98 to 79 %, a decrease of 19 %.
- (18) The level of stocks of the Community industry increased significantly from 4 939 tonnes in 1988 to 9 059 tonnes in 1989 and 6 335 tonnes in 1990 and returned to 5 342 tonnes during the investigation period, *inter alia* because the Community producers adjusted their production to their diminishing market share.

(b) Sales and market shares

- (19) Sales by the Community industry on the Community market decreased from 81 000 tonnes in 1988 to 75 000 tonnes during the investigation period, a decrease of 7,6 %.
- (20) While the apparent consumption showed an increase from 130 800 tonnes to 136 600 tonnes during the same period, an increase of 4,4 %, the market share held by the Community industry fell from 62 % in 1988 to 54,9 % during the investigation period, a decrease of 7,1 %.

(c) Prices

- (21) On a weighted average basis, average prices of the sales of the Community industry on the Community market, ex works, decreased from ECU 925 in 1988 to ECU 564 during the investigation period, a decrease of 39 %.

(d) Profitability

- (22) Profitability of the Community industry, expressed as a percentage of turnover, decreased, on a weighted average basis, from 18 % in 1988 to a loss of 22 % during the investigation period, a decrease of 40 percentage points.

These negative results were reached in spite of investments made by the Community industry in order to reduce costs, and a reduction of the workforce to the minimum levels necessary to keep the production process going on safely.

(e) Investment

- (23) The Community market for ethanolamines is expanding gradually, for which development the Community industry has prepared itself by making the necessary investment as regards the required production levels and the quality of the output.

IV. Conclusion as to injury

- (24) In a growing market, an increase in production and sales is normally anticipated. This development in the market has not had the expected impact for the Community industry. Indeed, contrary to the industry's expectations, sales, production and market share have decreased from 1988 to the end of the reference period, by which time the industry was unable to achieve a reasonable level of capacity utilization resulting in higher unit costs.

Additionally, the significant decrease in prices led to considerable losses which prevented the Community industry from keeping pace with required investments, impeded its growth and adversely affected its long term viability.

In these circumstances, it is concluded that the Community industry is suffering material injury characterized by sales suppression, price depression and resulting lack of profitability.

E. CAUSE OF INJURY

(a) *Effect of dumped imports*

(25) In its examination of the extent to which the material injury suffered by the Community was caused by the effects of the dumped imports, the Commission has found that the increase in volume and market share, and the decrease in the prices of the dumped imports coincided with the drop in the Community's industry's sales, loss of market share and serious loss of profitability.

(26) The Commission found, more particularly, that, as a result of the persistent undercutting of its prices by these imports, the Community industry was forced to reduce its prices in an attempt to maintain a reasonable capacity utilization and market share. This depression of prices led, in turn, to a general lack of profitability specifically demonstrated by the financial losses incurred since 1990.

(b) *Other factors*

(27) The Commission services have examined whether the injury suffered by the Community industry could have been caused by other factors than the dumped imports, in particular the evolution and impact of imports from third countries not covered by this proceeding and the trend of the apparent consumption in the Community market.

(28) Imports from other third countries (Sweden and countries of unspecified 'secret' origin) have increased their market share since 1988 from 4,7 to 8,4 %.

(29) In these circumstances, and in particular, given the market share (35,5 %) of the dumped imports, it has been provisionally concluded that, even if the imports from other third countries have had injurious effects, the price levels and volume of the imports under consideration, have, taken in isolation,

caused material injury to the Community industry.

(30) Furthermore, given the increase in consumption of the product concerned between 1988 and the end of the investigation period, the deterioration of the situation of the Community industry cannot be attributed to a decrease in demand.

F. COMMUNITY INTEREST

(31) When examining the Community interest, the Commission found that the Community industry has continuously been able to supply the Community market to a large extent, and is making continuous efforts to meet the increased demand on the Community market for ethanolamine from both a quantity and quality point of view.

A continuation of the negative effects of the dumped imports of ethanolamine originating in the USA would jeopardize the ability of this Community industry to continue to meet this demand without increasing unsustainable losses.

A halt to the Community production of ethanolamines would also entail negative effects on the profitability of the other products which stem from the same integrated production facilities as ethanolamine.

Furthermore, such losses would put at risk the continued viability of the Community industry with the consequent negative effects on employment, investment and competition.

(32) The Commission is aware of the effects of anti-dumping measures on the prices for end-users of the product concerned.

As to these consumer interests in the Community, any short-term price advantage from injurious dumping has to be seen against the background of the longer-term effect of not restoring fair competition. Indeed, to refrain from taking action would seriously threaten the viability of the Community industry, the disappearance of which would, in fact, reduce supply and competition to the ultimate detriment of consumers.

The Commission is furthermore of the opinion that possible negative effects of measures against the dumped imports of ethanolamine originating in the USA are fully offset by the need to preserve a sufficient number of suppliers of ethanolamine on the Community market who will compete with each other under fair conditions.

The available data on the US market show that, where only three suppliers serve the market, prices for end-users tend to be much higher than on the Community market.

- (33) Two Community purchasers of ethanolamine approached the Commission with a view to averting measures that would exclude the US producers completely from the Community market. In this context they referred to the lack of capacity of the Community producers to satisfy fully the demand on the Community market. The Commission shares the view that the Community producers cannot fully supply the market and that therefore access for non-Community producers should be maintained. However, it is also clearly in the interest of the end user in the Community market that a viable Community industry be maintained and that its substitution by a lesser number of third country suppliers be prevented.
- (34) In these circumstances, the Commission concludes that the adoption of measures aimed at re-establishing fair competitive conditions for ethanolamine in the Community market, while maintaining access for the US suppliers to this market, is in the interest of the Community.

G. PROVISIONAL DUTY

- (35) When considering the measures necessary to remove the injury caused by the dumped imports and to restore fair competitive conditions, the Commission had to consider that the Community industry as a whole is not profitable in the present circumstances. Accordingly, the Commission calculated the level of prices at which the Community industry would be able to cover its costs and to obtain a reasonable return on sales taking into account the price differentiation found in the market for the different types of ethanolamine.

In the present circumstances and given the requirements of this particular industry, it was found that 8 % could be regarded as an appropriate rate of return on turnover.

- (36) Given the determination of the US producers to defend their increased market shares and the possibilities for them to absorb to a large extent high anti-dumping duties, and given the vulnerability of the Community industry, the Commission considered it appropriate to establish minimum import prices which would permit the Community industry to raise its prices to a profitable level. Under existing customs monitoring procedures regarding transfer pricing in the case of related companies, the risk of circumvention of anti-

dumping duties by inappropriate invoicing by the companies concerned is minimized.

Given the cyclical low level of the prices of the imports of ethanolamine, on the basis of which the calculation of the necessary minimum prices is based, and given the high degree of competition, *inter alia* from producers in other third countries, there is no danger that the prices to the end-user will be kept unjustifiably high.

- (37) The Commission has found that since the minimum import price considered necessary to remove the injurious effects of the dumping did not exceed the normal value, the provisional anti-dumping duty, as provided for in Article 13 (3) of the basic Regulation should be set at this price.
- (38) A period should be fixed within which the parties known to be concerned may make their view known and request a hearing. A one-month period is considered appropriate for this purpose. Furthermore, it should be stated that all findings made for the purpose of this Regulation are provisional and may have to be reconsidered for the purpose of any definitive duty which the Commission may propose,

HAS ADOPTED THIS REGULATION :

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of ethanolamines falling within CN codes 2922 11 00, 2922 12 00 and 2922 13 00, originating in the United States of America.

2. The amount of the duty shall be the difference between the cif price Community frontier per tonne, exclusive of duty, when lower, and the following levels :

- (a) in the case of monoethanolamine, CN code 2922 11 00 : ECU 606
- (b) in the case of diethanolamine, CN code 2922 12 00 : ECU 584
- (c) in the case of triethanolamine, CN code 2922 13 00
- with a content of less than 99 %, (Taric code 2922 13 00 10) : ECU 609
 - with a content of 99 % or more, (Taric code 2922 13 00 90) : ECU 652.

3. The provisions in force concerning customs duties shall apply.

4. The release for free circulation in the Community of the products referred to in paragraph 1 shall be subject to the provision of a security, equivalent to the amount of the provisional duty.

Article 2

Without prejudice to Article 7 (4) (b) and (c) of Regulation (EEC) No 2423/88 the parties concerned may make known their views in writing and apply to be heard orally

by the Commission within one month of the date of entry into force of this Regulation.

Article 3

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

Subject to Articles 11, 12, and 13 of Regulation (EEC) No 2423/88, Article 1 of this Regulation shall apply for a period of four months, unless the Council adopts definitive measures before the expiry of that period.

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

Done at Brussels, 30 July 1993.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION REGULATION (EEC) No 2173/93**of 2 August 1993****laying down detailed rules for the free supply of beef pursuant to Council Regulation (EEC) No 330/92 on action for the supply of agricultural products to the people of Moscow**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 330/92 of 10 February 1992 on action for the supply of agricultural products to the people of Moscow and St Petersburg⁽¹⁾, and in particular Article 5 thereof,

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

Whereas Regulation (EEC) No 330/92 provides for the free supply of agricultural products to the people of Moscow and St Petersburg; whereas the delivery costs of these goods are to be paid by the European Community; whereas, with a view to implementing that measure, detailed rules of application should be laid down for the beef sector;

Whereas, in view of the size and location of the Community intervention stocks of beef it is appropriate to release 15 000 tonnes of forequarters and hindquarters stored in France and Germany for the purpose of this measure;

Whereas, in view of the experience gained and the evident difficulties previously encountered with the execution of operations of the same type, it is appropriate to provide that the award of the supply should not be determined systematically and uniquely on the basis of the lowest monetary offer, but may take into consideration other fundamental elements proposed for the execution of the supply which offer guarantees in particular for the proper conservation and hygienic condition of the products and for the terms of their transport to the destination laid down; whereas, for this purpose the offers must include all information necessary to evaluate the execution of the supply to the proposed requirements;

Whereas, all the complementary terms and conditions necessary to assure the proper execution of the operations and to define the obligations of the tenderer should be adopted;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 3002/92⁽³⁾, as last amended by Regulation (EEC) No 1938/93⁽⁴⁾; whereas, furthermore, proof that the beef concerned has been taken over by the Moscow authorities is to be provided by way of a special certificate;

Whereas, in order to minimize the transport costs, the goods should be removed from cold stores which are close to each other, and a minimum quantity to be removed from each cold store should be laid down;

Whereas, in application of Article 2 (5) of Regulation (EEC) No 330/92, no export refund shall be granted in respect of the meat which is the subject of the supply;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee provided for in Article 5 (2) of Council Regulation (EEC) No 598/91⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby opened for fixing the delivery costs of 15 000 tonnes of beef in three lots as set out in Annex I.
2. In order to ensure that this measure is applied at the lowest possible cost, the intervention agencies concerned shall organize for each lot referred to in Annex I the removal of a minimum of 500 tonnes of product from each cold store, selecting cold stores conveniently located with regard to the final destination. The list of cold stores and the respective quantities are indicated in Annex II.
3. The meat shall be delivered to the cold stores referred to in Annex III in accordance with Regulations (EEC) No 330/92, (EEC) No 3002/92 and the provisions of this Regulation.

⁽¹⁾ OJ No L 36, 13. 2. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁴⁾ OJ No L 176, 20. 7. 1993, p. 12.

⁽⁵⁾ OJ No L 67, 14. 3. 1991, p. 19.

Article 2

1. Tenders shall be presented in writing to the Commission before 12 noon (Brussels time) on 9 August 1993 at the following address:

Commission of the European Communities,
Division VI/D.2,
rue de la Loi 130 (Office 8/20),
B-1049 Brussels.

Tenders must be submitted in two sealed envelopes, one inside the other. The inner envelopes shall, in addition to indicating the abovementioned address, bear the words:

'Regulation (EEC) No 2173/73 — Tender from (name of firm) — This envelope must not be opened by the internal mail department'.

2. To be deemed valid for consideration the tender must:

- (a) specify the name and address of the tenderer;
- (b) relate to the total quantity of a lot referred to in Article 1 (1);
- (c) supply proof of the constitution of a security of ECU 100 per tonne in favour of the intervention agency;
- (d) be accompanied by a written undertaking from the tenderer to deliver to the cold stores referred to in Annex III, by, at the latest, the dates laid down for each lot, all of the lot taken over, in the same state as taken over from the intervention cold store;
- (e) specify the means of transport to be used indicating all technical details (capacity, type of refrigeration equipment, age, etc.);
- (f) indicate the names and addresses of all forwarding agents and sub-contractors to be used in the operation on national territory as well as in third countries;
- (g) specify the route to be followed, including the frontier posts to be crossed, and indicate the possible points of transfer from one means of transport to another;
- (h) include a detailed calculation showing the composition of the price offered;
- (i) specify the financial institution which will give the guarantee referred to at Article 4 (2);
- (j) specify the amount in ecus required for delivering the meat from loading bay of the Community stores to the cold stores concerned, delivered at the unloading bay of that cold store.

The amount in ecus referred to in Article 1 (1) shall include any veterinary charges directly related to the destocking operations as well as the handling costs for loading the transport means concerned.

3. The amounts in ecus referred to in paragraph 2, in Article 4 paragraph 2 and in Article 5 shall be converted into national currencies using the agricultural rate applicable on the final date for submission of tenders.

4. Except in cases of *force majeure* the successful tenderer shall bear all risk related to the transport and delivery of the lot in question, in particular in respect of loss and deterioration of the products.

Article 3

1. On the basis of the tenders forwarded, the Commission may decide for each lot:

- to make no award, or
- to award the supply on the basis of the price offered and the other elements of the offer which present the best guarantee of delivery in good technical and hygienic conditions and within the prescribed deadlines. The Commission shall inform the intervention agencies of the successful offers.

2. As soon as possible after the adoption of the Decision taken in accordance with paragraph 1, the Commission shall inform all tenderers, by written telecommunication if necessary, of the outcome of their participation in the tendering procedure, and shall notify the successful tenderers of the supply which has been awarded to them.

Article 4

1. The security referred to in Article 2 (2) (c) shall be released forthwith if the tender is not accepted. The primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽¹⁾ shall be:

- (a) a requirement not to withdraw the tender;
- (b) lodging of the delivery security referred to in paragraph 2 for the quantity provided for in Article 1 (1) of this Regulation for each lot for the stipulated period;
- (c) taking over of the quantity for which the security under (b) has been lodged.

2. Before the meat is taken over the successful tenderer shall lodge with the intervention agency and in respect of each quantity which he takes over, a security of an amount equal to ECU 3 000 per tonne.

The primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be the supply of all the meat in accordance with the prescribed terms.

3. The successful tenderer shall take over the goods in accordance with the rules of the intervention agency for release from storage.

4. The security specified at paragraph 2 and that provided for at Article 5 shall be released on presentation of proof that all the meat of a lot referred to in Article 1

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

(1) has been delivered in accordance with the terms of this Regulation to the cold stores mentioned in Article 1 (3) before 15 October 1993 in the same state as taken over from the intervention cold store. They shall be forfeited in proportion to the quantities for which proof of delivery has not been presented.

5. When delays in delivery occur, the security referred to in Article 5 shall be forfeited in respect of the quantities delivered late, at a rate of ECU 1 per tonne for each day of delay. From the 11th day of delay onwards, the amount forfeit shall be increased to ECU 1,5 per tonne for each additional day. These provisions shall apply where the delay in delivery is attributable to the successful tenderer.

6. The transport document, the certificate of conformity referred to at Article 6 (2) and the taking-over certificate in Annex IV duly completed, stamped and signed by a person representing the Moscow authorities, shall constitute the proof referred to in paragraph 4.

Article 5

The amount retained at Article 2 (2) (j) shall be paid to the successful tenderer on the date of take over of a total lot on presentation of proof of the constitution of a security for an equivalent amount in favour of the intervention agency.

Article 6

1. Successful tenderers shall undergo any verifications conducted by or on behalf of the intervention agency of

the Member State in which the place of storage is located. Such verification shall relate to the quantity, hygienic state, quality and identity of the meat.

On completion of verification, this agency shall issue a certificate of conformity.

2. Verification of conformity of the meat supplied as regards quantity, hygienic state, quality and identity shall be carried out in the country of destination by a control agency or company designated by the Commission. A certificate of conformity shall be issued on completion of such verification and shall be forwarded direct to the intervention agency.

3. In the case of transport by land, the agency referred to in paragraph 1 shall affix seals to the means of transport at the time of loading.

4. The costs of the inspection referred to in paragraph 1 shall be borne by the successful tenderer.

Article 7

The removal order referred to in Article 3 of Regulation (EEC) No 3002/92, the export declaration and any document issued for these purposes shall bear the following additional words:

'Action for Moscow. Intervention products on which no refund is payable. (Regulation (EEC) No 2173/93)'.

Article 8

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, 2 August 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

- Lot I: 5 000 tonnes (50 % hindquarters, 50 % forequarters)
Final date for taking over: 31 August 1993
Final date for delivery to Moscow: 10 September 1993.
- Lot II: 5 000 tonnes (50 % hindquarters, 50 % forequarters)
Date for taking over 27 August to 15 September 1993
Final date for delivery to Moscow: 29 September 1993.
- Lot III: 5 000 tonnes (50 % hindquarters, 50 % forequarters)
Date for taking over: 15 September – 30 September 1993
Final date for delivery to Moscow: 15 October 1993.

Addresses of intervention agencies

GERMANY Bundesanstalt für landwirtschaftliche Marktordnung
BALM, Abteilung 31
Adickesallee 40
D-60322 Frankfurt am Main;
Tel. (069) 15 64-772/773
Telefax (069) 15 64-790/791
Telex 411727.

FRANCE OFIVAL
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15;
Tel. 45 38 84 00
Telex 205476 F
Telefax 45 38 36 77.

ANNEX II

Cold stores referred to in Article 1 (2) and actual quantities to be taken over

GERMANY

Lot No I

<i>(in tonnes)</i>		
Cold stores referred to at Article 1 (2)	Forequarters	Hindquarters
Manfred Janßen GmbH 26180 Rastede-Liethe	250,0	250,0
Nordfrost Kühl- und Lagerhaus GmbH & Co. KG Im Gewerbegebiet Heidmühle 22 26419 Schortens	250,0	250,0
Kühlhaus Chemnitz GmbH Landgraben 09358 Wüstenbrand	250,0	250,0
Kühlhaus Kalthoff Uferstraße 73 — 101 45881 Gelsenkirchen	250,0	250,0
Vereinigte Molkereizentralen GmbH & Co. KG Goltzstraße 18 — 20 12307 Berlin	250,0	250,0
Frigotransit Gefrierhaus GmbH & Co. KG Magdeburger Str. 6 20457 Hamburg	250,0	250,0
Nordfrost Kühl- und Lagerhaus GmbH & Co. KG Thielebachstraße 6 24568 Kaltenkirchen	250,0	250,0
Nordfrost Kühl- und Lagerhaus Im Gewerbegebiet Heidmühle 22 34346 Hann. Münden-Volkmarshausen	250,0	250,0
Frigoscandia GmbH Beckerfelder Straße 96 47269 Duisburg (Großenbaum)	250,0	250,0
Frigoscandia GmbH Emscherstraße 43 45861 Gelsenkirchen-Buer	250,0	250,0
Total	2 500,0	2 500,0

Lot No II

<i>(in tonnes)</i>		
Cold stores referred to at Article 1 (2)	Forequarters	Hindquarters
Nordfrost Kühl- und Lagerhaus GmbH & Co. KG Im Gewerbegebiet Heidmühle 22 26419 Schortens	250,0	250,0
Frisch- u. Gefrierdienst GmbH Brachwitzer Straße 38 06118 Halle	250,0	250,0

(in tonnes)		
Cold stores referred to at Article 1 (2)	Forequarters	Hindquarters
Berliner Kühlhaus GmbH Frankfurt/Oder Schubertstraße 15234 Frankfurt/Oder	250,0	250,0
Nordfrost Kühl- und Lagerhaus GmbH & Co. KG Bredowstraße 21 22113 Hamburg	250,0	250,0
Kühl- und Lagerhaus Rüdiger Thomsen Bösterredder 23 24601 Wankendorf	250,0	250,0
Manfred Janßen GmbH 26180 Rastede-Liethe	250,0	250,0
Kühlhaus Bocholt Im Industriepark Ruenhorst 11 46395 Bocholt	250,0	250,0
Flensburger Kühl- und Lagerhaus H. Redlefsen GmbH & Co. KG Braueriweg 20 24939 Flensburg	250,0	250,0
Kühlhaus Kuhlke GmbH & Co. KG Werner-von-Siemens-Str. 5 24568 Kaltenkirchen	250,0	250,0
Kühlhaus Wittrock GmbH Albaxer Straße 42 37621 Hötter	250,0	250,0
Total	2 500,0	2 500,0

Lot No III

(in tonnes)		
Cold stores referred to at Article 1 (2)	Forequarters	Hindquarters
Thüringer Kühlhaus Erfurt Industriegebiet 99713 Ebeleben	252,2	247,8
Kühlhäuser GmbH Nord-Ost Neustrelitz 17109 Demmin	250,0	250,0
Nordfrost Kühl- und Lagerhaus GmbH & Co. KG Im Gewerbegebiet Heidmühle 22 26419 Schortens	223,9	276,1
Erwin Gooß GmbH & Co. KG Tiefkühlhäuser Cuxhavener Straße 36 - 40 21762 Otterndorf	266,6	233,4
Kühlhaus Bocholt Im Industriepark Ruenhorst 11 46395 Bocholt	—	500,0
Manfred Janßen GmbH 26180 Rastede-Liethe	500,0	—

<i>(in tonnes)</i>		
Cold stores referred to at Article 1 (2)	Forequarters	Hindquarters
MUK Kühlhaus GmbH & Co. KG Falderbaumstraße 37 34123 Kassel-Waldau	257,3	242,7
Kühltransit-AG Nehlsstraße 12 20457 Hamburg	250,0	250,0
KLM Kühl- und Lagerhaus Münsterland GmbH Emsdettener Straße 227 48484 Neuenkirchen	250,0	250,0
Markt- und Kühlhallen AG Kleyerstraße 82 60326 Frankfurt am Main	250,0	250,0
Total	2 500,0	2 500,0

FRANCE

Lot No I

<i>(in tonnes)</i>		
Cold stores referred to at Article (1) 2	Forequarters	Hindquarters
Quimperlé, Finistère (29)	220,0	280,0
Morlaix, Finistère (29)	200,0	300,0
Carhaix, Finistère (29)	—	500,0
Concarneau EFN, Finistère (29)	320,0	180,0
Bédée, Ille-et-Vilaine (35)	180,0	320,0
Lorient, Morbihan (56)	180,0	320,0
Laval, Mayenne (53)	100,0	400,0
Nantes CEFO, Loire-Atlantique (44)	300,0	200,0
La Rochelle, Charente-Maritime (17)	500,0	—
Saint-Lô, Manche (50)	500,0	—
Total	2 500,0	2 500,0

Lot No II

<i>(in tonnes)</i>		
Cold stores referred to at Article 1 (2)	Forequarters	Hindquarters
Guingamp, Côtes-d'Armor (22)	500,0	—
Saint-Brieuc, Côtes-d'Armor (22)	—	500,0
Saint-Malo, Entrepôts frigorifiques, Ille-et-Vilaine (35)	—	500,0
Pontivy, Morbihan (56)	500,0	—
La Roche-sur-Yon, Vendée (85)	500,0	—
Loudéac, Côtes-d'Armor (22)	—	500,0
Concarneau Nicot, Finistère (29)	—	500,0
Lanvallay, Côtes-d'Armor (22)	200,0	300,0
Saint-Nazaire, Loire-Atlantique (44)	500,0	—
Saint-Méloir-des-Ondes, Ille-et-Vilaine (35)	300,0	200,0
Total	2 500,0	2 500,0

Lot No III

<i>(in tonnes)</i>		
Cold stores referred to at Article 1 (2)	Forequarters	Hindquarters
Paris Marne-la-Vallée, Seine-et-Marne (77)	—	500,0
Paris Plaine-Saint-Denis, Seine-Saint-Denis (93)	340,0	160,0
Bar-le-Duc, Meuse (55)	160,0	340,0
Strasbourg, Bas-Rhin (67)	500,0	—
Fougères, Ille-et-Vilaine (35)	500,0	—
Les Sables-d'Olonne, Vendée (85)	—	500,0
Chamalières, Puy-de-Dôme (63)	500,0	—
Dun-le-Palestel, Creuse (23)	500,0	—
Brest, Finistère (29)	—	500,0
Poullaouen, Finistère (29)	—	500,0
Total	2 500,0	2 500,0

ANNEX III

Cold stores situated in Moscow and quantities to be delivered

1. Cold stores :

- No 7 = Khoroshevskoye Shosse 25, Moscow.
- No 9 = Ogorodny proezd 16, Moscow.
- No 12 = Otkrytoye Shosse 1/3, Moscow.
- No 14 = Riabinskaya ulitsa 47, Moscow.
- No 15 = Izhorskaya ulitsa 3, Moscow.

2. The quantities to be delivered in respect of each lot are 1 000 tonnes per coldstore.

ANNEX IV

TAKEOVER CERTIFICATE

I, the undersigned,
(name, first name, position of authority)

acting on behalf of

hereby certify that the following goods have been taken over :

Product :	
Packaging :	
Total quantity in tonnes (net) :	
Place and date of takeover :	
Rail wagon numbers / name of boat / registration numbers of heavy goods vehicles (!) :	
Name and address of transport company :	

Name of monitoring agency :

.....
.....

Name and signature of its on-the-spot representative :

.....
.....

Observations or reservations :

.....
.....
.....
.....
.....

Signature
(Stamp)

(!) Delete where inapplicable.

COMMISSION REGULATION (EEC) No 2174/93

of 2 August 1993

concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Regulation (EEC) No 1969/93⁽²⁾, and in particular Article 9 thereof,

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

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

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

Whereas it is appropriate that, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 6 of Commission Regulation (EEC)

No 3796/90⁽³⁾, as amended by Regulation (EEC) No 2674/92⁽⁴⁾, by the holder thereof during a certain period if such holder has concluded a contract as referred to in point (a) or (b) of the second subparagraph of Article 14 (3) of Council Regulation (EEC) No 1715/90⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 6 of Regulation (EEC) No 3796/90 by the holder thereof during a period of 60 days from the date of application of this Regulation if such holder has concluded a contract referred to in points (a) or (b) of the second subparagraph of Article 14 of Regulation (EEC) No 1715/90.

Article 3

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 2 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 9.

⁽³⁾ OJ No L 365, 28. 12. 1990, p. 17.

⁽⁴⁾ OJ No L 271, 16. 9. 1992, p. 5.

⁽⁵⁾ OJ No L 160, 26. 6. 1990, p. 1.

ANNEX

Description of goods	Classification CN code	Reasons
(1)	(2)	(3)
Multiple (folded) yarn, bleached, of synthetic staple fibres (100 % polyester), with a final Z twist, dressed, put up on a support, of a weight, including support, of 1 200 grams	5509 22 10	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature, by Notes 4 and 5 to Section XI, and by the wording of CN codes 5509, 5509 22 and 5509 22 10. See also the Explanatory Notes to the Harmonized System, Section XI, General, part I.B.4, and to heading No 55.08. The yarn cannot be classified in CN code 5508 because the definition in Note 5 to Section XI also applies to the expression 'sewing thread' in the text of CN code 5509

COMMISSION REGULATION (EEC) No 2175/93

of 2 August 1993

specifying the operative event for the agricultural conversion rate applicable to Community withdrawal prices and other amounts for fishery products for the 1993 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 6 (2) thereof,

Whereas the third indent of the second paragraph of Article 23 of Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates ⁽²⁾ states that the operative events laid down there shall not apply to fishery products until 1 January 1994; whereas, however, in the absence of the specific operative event in the existing rules on the market organization for fishery products for withdrawal prices and other associated amounts, an operative event must be laid down for the 1993 fisheries marketing year notwithstanding the third indent of the second paragraph of Article 23 of that Regulation;

Whereas the use of the operative event provided for in Article 10 of Regulation (EEC) No 1068/93 is inappropriate in view of the working hours on the markets for fishery products and the distribution of those markets;

whereas the second day of the month should therefore be established as the operative event notwithstanding the fourth indent of the first subparagraph of Article 10 (1) of that Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding Articles 10 and 23 of Regulation (EEC) No 1068/93, the operative event for the agricultural conversion rate for the prices and amounts shown in the Annex shall be, for the 1993 fisheries marketing year, the second day of the month in which the operation took place.

Article 2

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, 2 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

1. The Community withdrawal price referred to in Article 11 of Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products ⁽¹⁾.
 2. The Community selling price referred to in Article 13 of Regulation (EEC) No 3759/92.
 3. The standard value to be deducted from the financial compensation referred to in Article 12 (5) of Regulation (EEC) No 3759/92.
 4. The unit amount of the Community carry-over aid referred to in Article 14 of Regulation (EEC) No 3759/92.
 5. The unit amount of the autonomous flat-rate carry-over aid referred to in Article 15 (4) of Regulation (EEC) No 3759/92.
-

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 2176/93

of 2 August 1993

re-establishing the levying of customs duties on products falling within CN code 2929 90 00, originating in Brazil, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

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

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, extended for 1993 by Regulation (EEC) No 3917/92⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Article 1 of that Regulation, customs duties on certain products originating in each of the countries or territories listed in Annex III shall be totally suspended and the products as such shall, as a general rule, be subject to statistical surveillance every three months on the reference base referred to in Article 8;

Whereas, as provided for in Article 8, where the increase of preferential imports of these products, originating in one or more beneficiary countries, threatens to cause economic difficulties in the Community or in a region of the Community, the levying of customs duties may be re-established, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered shall be, as a general rule, 6,615 % of the highest maximum amount valid for 1988;

Whereas, in the case of the products falling within CN code 2929 90 00, originating in Brazil, the reference base was fixed at ECU 628 000;

Whereas on 6 May 1993 imports of these products into the Community, originating in Brazil, reached the reference base in question after being charged there-

against whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference threatens to cause economic difficulties in a region of the Community;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 7 August 1993, the levying of customs duties, suspended for 1993 pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products, originating in Brazil:

CN code	Description
2929	Compounds with other nitrogen function:
2929 10 00	— Isocyanates
2929 90 00	— Other

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, 2 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 2177/93

of 3 August 1993

on the issuing of a standing invitation to tender for the resale on the internal market of 300 000 tonnes of maize held by the French 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 2131/93⁽²⁾ 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 300 000 tonnes of maize held by the French intervention agency should be issued;

Whereas in the current situation it would be appropriate to reduce the minimum resale price to be observed to ECU 164,18 per tonne;

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 French intervention agency shall issue a standing invitation to tender for the resale on the internal market of 300 000 tonnes of maize held by it in accordance with Regulation (EEC) No 2131/93.

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

Done at Brussels, 3 August 1993.

For the Commission

René STEICHEN

*Member of the Commission**Article 2*

1. The final date for the submission of tenders for the first partial invitation to tender shall be 11 August 1993.

2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 15 September 1993.

3. Tenders must be lodged with the French intervention agency:

Office National Interprofessionnel des Céréales,
21, avenue Bosquet,
F-75326 Paris Cedex 07,
(Telex OFIBLE A 200490F).

Article 3

Notwithstanding Article 5 (3) of Regulation (EEC) No 2131/93, in no case may successful tenders be lower than ECU 164,18 per tonne.

Article 4

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

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 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 191, 31. 7. 1993, p. 76.

COMMISSION REGULATION (EEC) No 2178/93

of 3 August 1993

opening a standing invitation to tender in Belgium, Germany, Greece, Spain,
France and Italy for the free supply of common wheat flour to Albania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 3106/92
of 26 October 1992 on emergency action for the supply
of agricultural products to the people of Albania⁽¹⁾,

Having regard to Council Regulation (EEC) No 1766/92
of 30 June 1992 on the common organization of the
market in cereals⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 309/93 of
10 February 1993 laying down detailed rules for the free
supply of agricultural products held in intervention stocks
to the people of Albania pursuant to Council Regulation
(EEC) No 3106/92⁽³⁾, provides for allocation of the supply
of cereals pursuant to Council Regulation (EEC)
No 3106/92 to be made by invitation to tender; whereas
the invitations to tender for the free supply of processed
products cover the quantities of basic products to be
taken from intervention stocks as payment in kind for
these supplies and for the processing, transport and other
related costs;

Whereas a standing invitation to tender should be opened
urgently in six Member States for the supply of 30 000
tonnes of common wheat flour;

Whereas tenders may relate to common wheat and durum
wheat; whereas criteria must therefore be laid down to
determine which is the most favourable tender; whereas
to that end tenders should be compared on the basis of
the value of the quantity of the basic product requested as
payment in kind;

Whereas experience has shown the need to be sure that
the scheduling of deliveries is respected; whereas, there-
fore an amount should be deducted from the performance
guarantee in certain cases of delayed delivery;

Whereas the common wheat flour for this emergency
operation must arrive within the deadline which has been
set; whereas, therefore, the basic product awarded in
return should not be made available to the successful
tenderer until the takeover certificate has been presented;

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

Under the conditions laid down in Regulation (EEC)
No 309/93, the Belgian, German, Greek, Spanish, French,
and Italian intervention agencies shall open a standing
invitation to tender for the supply of 30 000 tonnes of
common wheat flour as set out in Annex I and in accor-
dance with the provisions of this Regulation.

Article 2

Tenders shall be for the quantity, in metric tonnes, of
common wheat or of durum wheat necessary to cover the
supply, transport and other costs, up to the delivery stage
provided for, of the entire lot indicated in the notice of
invitation to tender as provided for in Article 15 of Regu-
lation (EEC) No 309/93.

The quantity of wheat awarded as payment in kind for the
supply shall be made available, at the successful tenderer's
choice, from the intervention stocks designated for this
purpose in the abovementioned notice of invitation to
tender.

The tender security shall be set at ECU 15 per tonne.

Article 3

1. For possible late deliveries Article 13 (4) of Regula-
tion (EEC) No 309/93 applies.
2. Notwithstanding Article 11 (3) of Regulation (EEC)
No 309/93, the basic product awarded will not be made
available until the original of the takeover certificate
referred to in Article 10 (2) of Regulation (EEC)
No 309/93 has been presented.

Article 4

1. The time limit for submission of tenders for the first
invitation to tender shall be 3 p.m. on 11 August 1993
(Brussels time).
2. The time limit for submission of tenders for the
following partial invitation to tender shall expire at 3
p.m. each Wednesday (Brussels time).

⁽¹⁾ OJ No L 312, 29. 10. 1992, p. 2.

⁽²⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽³⁾ OJ No L 36, 12. 2. 1993, p. 30.

3. The time limit for submission of tenders of the last partial invitation to tender shall expire at 3 p.m. on 25 August 1993 (Brussels time).

4. The intervention agency concerned shall publish an invitation to tender at least three days before the date laid down for the first partial invitation to tender.

Article 5

Tenders shall be submitted to the intervention agency concerned. The intervention agencies concerned shall forward the tenders to the Commission in accordance with the schedule specified in Annex II.

Article 6

A specimen of the takeover certificate referred to in Article 10 (2) of Regulation (EEC) No 309/93 shall be issued after the goods have been taken over.

Article 7

1. The successful tenderer shall undertake to provide the Albanian authorities with the documents required for the purposes of the supply which shall be specified in the invitation to tender issued by the intervention agency concerned.

2. The successful tenderer shall regularly inform the Albanian authorities, the intervention agency holding the products involved and the Commission of the progress of the supply operation as far as the takeover stage.

Article 8

For the purposes of booking the expenditure by the European Agricultural Guidance and Guarantee Fund

(EAGGF), the book value of the products concerned shall be:

- common wheat: ECU 52/tonne,
- durum wheat: ECU 65/tonne.

Article 9

When scrutinizing tenders, the Commission departments shall determine the value of the quantities of basic products requested as payment in kind on the basis of the intervention price applicable in the month of the last day for submission of tenders. The tender offering the lowest value for the quantity of the basic product requested as payment in kind shall be selected.

Article 10

The Member States concerned shall take all appropriate measures to ensure that no refund is applied within the framework of the supply, in particular by specifying this on the export licence.

Article 11

1. The Member States concerned shall adopt all additional provisions necessary for implementation of this Regulation.

2. The Member States concerned shall send to the Commission all information on the carrying out of the supply, in particular relating to the award of the contract, delivery times and the actual date of takeover by the Albanian authorities.

Article 12

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, 3 August 1993.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***1. Common wheat flour — Albania****1.1. Number of lots : six**

Lot No 1 : 5 000 tonnes to be delivered to Durres (in bags — slung)

Lot No 2 : 5 000 tonnes to be delivered to Durres (in bags — slung)

Lot No 3 : 5 000 tonnes to be delivered to Durres (in bags — slung)

Lot No 4 : 5 000 tonnes to be delivered to Durres (in bags — slung)

Lot No 5 : 5 000 tonnes to be delivered to Durres (in bags — slung)

Lot No 6 : 5 000 tonnes to be delivered to Durres (in bags — slung)

1.2. Characteristics and quality of the goods⁽¹⁾ : OJ No C 114, 29. 4. 1991 (point II.B.1 (a))**1.3. Packaging : OJ No C 114, 29. 4. 1991 (point II.B.2 (d))⁽²⁾****1.4. Marking :**

(a) European flag : OJ No C 114, 29. 4. 1991 (Annex I)

(b) and inscriptions in Albanian

‘COMMON WHEAT FLOUR / EUROPEAN COMMUNITY’

2. Conditions of supply**2.1. Mobilization of the product : domestic market of the Community****2.2. Method of transport : by sea (rigged-up vessel) ;****2.3. Stage of delivery : cif (ex-ship) port of landing ;****2.4. Deadlines for delivery :**

Lot No 1 : 7 September 1993

Lot No 2 : 17 September 1993

Lot No 3 : 28 September 1993

Lot No 4 : 8 October 1993

Lot No 5 : 19 October 1993

Lot No 6 : 29 October 1993

If no tender is accepted on 11 August 1993 all the above dates are deferred by seven days. This shall also apply if there is no acceptance on 18 August 1993.

2.5. The wheat shall be delivered by sea in regular instalments in line with a timetable to be agreed with the Albanian authorities. The final date for completion of deliveries shall be 30 October 1993.

⁽¹⁾ The successful tenderer shall submit to the beneficiary a certificate issued by an official authority certifying that, for the product to be supplied, the standards relating to radioactivity levels have been complied with in the Member State concerned. The radioactivity certificate must specify the caesium-134 and -137 and iodine-131 contents.

⁽²⁾ With a view to possible re-bagging, the successful tenderer shall supply 2 % of empty bags of the same quality as those containing the goods, bearing the inscription followed by a capital ‘R’. (Point II.B.2(d), amended by OJ No C 135, 26. 5. 1992, p. 20).

*ANNEX II***Standing invitation to tender for the free supply of the common wheat flour to Albania**

(Regulation (EEC) No 2178/93)

Tenderer's No	Number of the lot as referred to in point 1.1 of Annex I	Quantity of common wheat required as payment in kind (tonnes)	Quantity of durum wheat required as payment in kind (tonnes)
1	2	3	4
1			
2			
3			
4			
etc.			

COMMISSION REGULATION (EEC) No 2179/93

of 3 August 1993

amending Regulations (EEC) No 1192/93, (EEC) No 1193/93, (EEC) No 1194/93, (EEC) No 1195/93, (EEC) No 1196/93, (EEC) No 1197/93, (EEC) No 1198/93, (EEC) No 1513/93, (EEC) No 1514/93, (EEC) No 1515/93, (EEC) No 1516/93 and (EEC) No 1517/93 opening standing invitations to tender for the export of cereals held by the 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 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 2131/93⁽²⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;

Whereas, in view of allowing the execution of exports, both the period for completion of customs export formalities and the final date of validity of export licences provided for in Commission Regulations (EEC) No 1192/93⁽³⁾, (EEC) No 1193/93⁽⁴⁾, (EEC) No 1194/93⁽⁵⁾, (EEC) No 1195/93⁽⁶⁾, (EEC) No 1196/93⁽⁷⁾, (EEC) No 1197/93⁽⁸⁾, (EEC) No 1198/93⁽⁹⁾, (EEC) No 1513/93⁽¹⁰⁾, (EEC) No 1514/93⁽¹¹⁾, (EEC) No 1515/93⁽¹²⁾, (EEC) No 1516/93⁽¹³⁾ and (EEC) No 1517/93⁽¹⁴⁾ should be amended;

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

In Article 2 (1) of Regulations (EEC) No 1192/93, (EEC) No 1193/93, (EEC) No 1194/93, (EEC) No 1195/93,

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽³⁾ OJ No L 122, 18. 5. 1993, p. 5.

⁽⁴⁾ OJ No L 122, 18. 5. 1993, p. 8.

⁽⁵⁾ OJ No L 122, 18. 5. 1993, p. 11.

⁽⁶⁾ OJ No L 122, 18. 5. 1993, p. 14.

⁽⁷⁾ OJ No L 122, 18. 5. 1993, p. 17.

⁽⁸⁾ OJ No L 122, 18. 5. 1993, p. 20.

⁽⁹⁾ OJ No L 122, 18. 5. 1993, p. 23.

⁽¹⁰⁾ OJ No L 150, 22. 6. 1993, p. 15.

⁽¹¹⁾ OJ No L 150, 22. 6. 1993, p. 18.

⁽¹²⁾ OJ No L 150, 22. 6. 1993, p. 21.

⁽¹³⁾ OJ No L 150, 22. 6. 1993, p. 24.

⁽¹⁴⁾ OJ No L 150, 22. 6. 1993, p. 27.

(EEC) No 1196/93, (EEC) No 1197/93, (EEC) No 1198/93, (EEC) No 1513/93, (EEC) No 1514/93, (EEC) No 1515/93, (EEC) No 1516/93 and (EEC) No 1517/93, the second sentence is hereby replaced by the following:

'The customs export formalities must be completed during the period from 1 July to 30 November 1993.'

Article 2

In Article 3 of Regulations (EEC) No 1192/93, (EEC) No 1193/93, (EEC) No 1194/93, (EEC) No 1195/93, (EEC) No 1196/93, (EEC) No 1197/93, (EEC) No 1198/93, (EEC) No 1513/93, (EEC) No 1514/93, (EEC) No 1515/93, (EEC) No 1516/93 and (EEC) No 1517/93 'the date 31 October 1993' is replaced by '30 November 1993'.

Article 3

Article 6 of Regulations (EEC) No 1192/93, (EEC) No 1193/93, (EEC) No 1194/93, (EEC) No 1195/93, (EEC) No 1196/93, (EEC) No 1197/93, (EEC) No 1198/93, (EEC) No 1513/93, (EEC) No 1514/93, (EEC) No 1515/93, (EEC) No 1516/93 and (EEC) No 1517/93 is hereby replaced by the following:

Article 6

Notwithstanding Article 17 (3) of Regulation (EEC) No 1836/82, the security referred to in the second indent of Article 17 (2) of the said Regulation shall not be released until proof is furnished that the customs export formalities have taken place during the period from 1 July to 30 November 1993.'

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, 3 August 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 2180/93

of 3 August 1993

amending Regulation (EEC) No 1198/93 increasing to 3 000 000 tonnes the quantity of bread-making wheat held by the French intervention agency for which a standing invitation to tender for export has been opened

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,

Having regard to Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽²⁾,

Whereas Commission Regulation (EEC) No 1198/93⁽³⁾, as last amended by Regulation (EEC) No 2179/93⁽⁴⁾, opened a standing invitation to tender for the export of 2 000 000 tonnes of bread-making wheat held by the French intervention agency; whereas, in a communication of 22 July 1993, France informed the Commission of the intention of its intervention agency to increase by 1 000 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 3 000 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1198/93 must therefore be amended;

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

Article 2 of Regulation (EEC) No 1198/93 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 3 000 000 tonnes of bread-making wheat to be exported to all third countries. Customs export formalities must be completed during the period 1 July to 30 November 1993.

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

Article 2

Annex I to Regulation (EEC) No 1198/93 is replaced by the Annex hereto.

Article 3

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, 3 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽³⁾ OJ No L 122, 18. 5. 1993, p. 23.

⁽⁴⁾ See page 30 of this Official Journal.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Amiens	163 000
Bordeaux	55 000
Clermont-Ferrand	10 000
Châlons-sur-Marne	504 000
Dijon	71 000
Lille	337 000
Lyon	18 000
Nancy	55 000
Nantes	95 000
Orléans	790 000
Paris	205 000
Poitiers	275 000
Rennes	75 000
Rouen	298 000
Toulouse	49 000'

COMMISSION REGULATION (EEC) No 2181/93

of 3 August 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⁾, as last amended by Regulation (EEC) No 2167/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1695/93 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 2 August 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 4 August 1993.

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

Done at Brussels, 3 August 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.⁽⁵⁾ OJ No L 194, 3. 8. 1993, p. 22.

ANNEX

to the Commission Regulation of 3 August 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	35,44 ⁽¹⁾
1701 11 90	35,44 ⁽¹⁾
1701 12 10	35,44 ⁽¹⁾
1701 12 90	35,44 ⁽¹⁾
1701 91 00	42,37
1701 99 10	42,37
1701 99 90	42,37 ⁽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 2182/93**of 3 August 1993****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

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 syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 2117/93 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2117/93 to the infor-

mation known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 2 August 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EEC) No 2117/93 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 August 1993.

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

Done at Brussels, 3 August 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. 18.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 191, 31. 7. 1993, p. 44.

ANNEX

to the Commission Regulation of 3 August 1993 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question (1)	Amount of levy per 100 kg of dry matter (1)
1702 20 10	0,4237	—
1702 20 90	0,4237	—
1702 30 10	—	53,10
1702 40 10	—	53,10
1702 60 10	—	53,10
1702 60 90	0,4237	—
1702 90 30	—	53,10
1702 90 60	0,4237	—
1702 90 71	0,4237	—
1702 90 90	0,4237	—
2106 90 30	—	53,10
2106 90 59	0,4237	—

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

COMMISSION REGULATION (EEC) No 2183/93

of 3 August 1993

amending Regulation (EEC) No 1832/93 introducing a countervailing charge on pears 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 Commission Regulation (EEC) No 1832/93⁽³⁾, as last amended by Regulation (EEC) No 2075/93⁽⁴⁾, introduced a countervailing charge on pears originating in South Africa;

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 pears originating in South Africa must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1832/93 'ECU 24,66' is hereby replaced by 'ECU 22,18'.

Article 2

This Regulation shall enter into force on 4 August 1993.

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

Done at Brussels, 3 August 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 167, 9. 7. 1993, p. 23.

⁽⁴⁾ OJ No L 187, 29. 7. 1993, p. 48.

**COMMISSION REGULATION (EEC) No 2184/93
of 3 August 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 1882/93 ⁽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 46,08'
is hereby replaced by 'ECU 12,82'.

Article 2

This Regulation shall enter into force on 4 August 1993.

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

Done at Brussels, 3 August 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 171, 14. 7. 1993, p. 23.

COMMISSION REGULATION (EEC) No 2185/93
of 3 August 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 2120/93⁽⁴⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2120/93 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 63,782 per 100 kilograms.
2. However, the amount of the aid shall be confirmed or replaced with effect from 4 August 1993 to take account of the consequences of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 4 August 1993.

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

Done at Brussels, 3 August 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 191, 31. 7. 1993, p. 50.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 19 July 1993

on the provisional application of the Additional Protocols to 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 certain third countries, of the other part, and to the Europe Agreements between the European Communities and their Member States and the same countries

(93/421/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the conclusions of the European Council which took place in Copenhagen on 21 and 22 June 1993,

Having regard to the proposal from the Commission,

Whereas the Commission has negotiated on behalf of the Communities Additional Protocols to the Interim Agreements on trade and trade-related matters and to the Europe Agreements with Hungary and Poland, and an Additional Protocol to the Interim Agreement on trade and trade-related matters with the Czech Republic and the Slovak Republic;

Whereas these Additional Protocols should be applied, with regard to products concerned by the Treaty establishing the European Economic Community, on a provisional basis from 1 July 1993, pending the completion of procedures required for their conclusion,

HAS DECIDED AS FOLLOWS:

Sole Article

The following Additional Protocols shall be applied on a provisional basis from 1 July 1993, pending their formal conclusion:

- the Additional Protocol to the Interim Agreement 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 Hungary, of the other part⁽¹⁾, and to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part, with the exception of Article 7 of the said Additional Protocol,

- the Additional Protocol to the Interim Agreement 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, of the other part⁽²⁾, and to the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part, with the exception of Article 6 of the said Additional Protocol,
- the Additional Protocols to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part⁽³⁾, with the exception of Article 6 of the said Additional Protocols.

The texts of the initialled Additional Protocols are attached to this Decision.

Done at Brussels, 19 July 1993.

For the Council

The President

W. CLAES

⁽¹⁾ OJ No L 116, 30. 4. 1992, p. 2.

⁽²⁾ OJ No L 114, 30. 4. 1992, p. 2.

⁽³⁾ OJ No L 115, 30. 4. 1992, p. 2.

ADDITIONAL PROTOCOL

to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community and the Republic of Hungary and to the Europe Agreement between the European Communities and their Member States and the Republic of Hungary

THE EUROPEAN ECONOMIC COMMUNITY AND THE EUROPEAN COAL AND STEEL COMMUNITY, hereinafter referred to as 'the Community',

of the one part and,

THE REPUBLIC OF HUNGARY, hereinafter referred to as 'Hungary',

of the other part,

Whereas the Europe Agreement establishing an association between the European Communities and their Member States and the Republic of Hungary was signed in Brussels on 16 December 1991 (hereinafter referred to as 'the Europe Agreement') and has not yet entered into force;

Whereas pending the entry into force of the Europe Agreement provisions thereof on trade and trade-related matters have been put into force since 1 March 1992 by the Interim Agreement 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 Hungary of the other part, signed in Brussels on 16 December 1991 (hereinafter called 'the Interim Agreement'), as last amended by an exchange of letters signed on 17 December 1992;

Recognizing the crucial importance of trade in the transition to a market economy;

BEARING IN MIND the willingness of the Community to accelerate its efforts to open up its markets for products of Hungarian origin;

BEARING IN MIND the objectives of the Europe Agreement and, in particular, those referred to in Article 1 thereof;

HAVING REGARD to the Interim Agreement, and in particular Article 1 thereof,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries:

THE EUROPEAN ECONOMIC COMMUNITY:

THE EUROPEAN COAL AND STEEL COMMUNITY:

THE REPUBLIC OF HUNGARY:

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Article 3 (2), second subparagraph, of the Interim Agreement and Article 9 (2), second subparagraph, of the Europe Agreement are replaced by the following text:

'Customs duties on imports applicable in the Community to products originating in Hungary listed in Annex II b shall be reduced, on the date of entry into force of this Agreement by 20 % of the basic duty and one year thereafter by a further 20 % of the basic duty. Duties shall be totally abolished by the end of the second year after the entry into force of the Agreement.'

Article 2

Article 3 (3), second subparagraph, of the Interim Agreement and Article 9 (3), second subparagraph, of the Europe Agreement are replaced by the following text:

'At the same time customs duties on imports applicable to import quantities in excess of the quotas or ceilings provided for above shall be progressively abolished so as to arrive at a complete abolition of customs duties on imports of the products concerned at the end of the third year at the latest.'

Article 3

Footnote ⁽³⁾ of Annex III to the Interim Agreement and of Annex III to the Europe Agreement is replaced by the following text:

- ⁽³⁾ These amounts will be increased:
- by 15 % at the entry into force of the Agreement,
 - by a further 15 % on 1 January 1993,
 - by a further 10 % on 1 July 1993,
 - by a further 25 % on 1 January 1994.

Article 4

Footnote ⁽⁵⁾ of Annex III to the Interim Agreement and of Annex III to the Europe Agreement is replaced by the following text:

- ⁽⁵⁾ Customs duties applicable to imports exceeding the tariff quotas and ceilings listed in this Annex will gradually be reduced to 90 % of the basic duty when the Agreement enters into force, 80 % one year after the date of entry into force, and 70 % two years after the date of entry into force. Any remaining customs duties will be abolished at the end of the third year.

Article 5

1. The introductory paragraph of Annex X b to the Interim Agreement and Annex X b to the Europe Agreement shall be replaced by the following text:

'The quantities imported under the CN codes referred to in this Annex, with the exception of codes 0104 and 0204, will be subject to levy and duty reductions of 20 % from 1 March 1992, 40 % from 1 January 1993 and 60 % from 1 July 1993.'

2. An introductory paragraph shall be added to Annex X c to the Interim Agreement and to Annex X c to the Europe Agreement as follows:

'The duty rates set out for year 3, year 4 and year 5 respectively, shall be applicable from 1 July 1993, 1 July 1994 and 1 July 1995 respectively.'

3. A second introductory paragraph shall be added to Annexes VIII a, X b and X c to the Interim Agreement and to Annexes VIII a, X b and X c to the Europe Agreement as follows:

'The quantities in tonnes set out for year 3 shall be applicable from 1 July 1993 to 30 June 1994. The

amounts imported prior to 1 July 1993 in excess of 50 % of the amount for year 2 shall be deducted from the amount applicable for year 3.

The quantities in tonnes set out for year 4 and year 5 respectively shall be applicable from 1 July 1994 to 30 June 1995 and from 1 July 1995 to 30 June 1996 respectively.'

Article 6

The last two indents of Article 3 (1) of Protocol 1 on textile and clothing products to the Interim Agreement and Protocol 1 on textile and clothing products to the Europe Agreement are replaced by the following text:

- '— at the start of the sixth year the remaining duties shall be eliminated.'

Article 7

Article 2, point 2, of Protocol 2 on ECSC products to the Interim Agreement and Protocol 2 on ECSC products to the Europe Agreement is replaced by the following text:

- '2. further reductions to 60, 40, 20 and 0 % of the basic duty shall be made at the beginning of the second, third, fourth and fifth years respectively after the entry into force of the Agreement.'

Article 8

This Protocol shall form an integral part of the Interim Agreement and of the Europe Agreement.

Article 9

This Protocol shall enter into force on the first day of the month following the date upon which the Parties notify each other of the completion of the procedures necessary for that purpose. This Protocol shall apply from 1 July 1993 with the exception of Article 7.

Article 10

This Protocol shall be drawn up in four copies in the Danish, Dutch, English, French, Greek, Italian, Portuguese, Spanish and Hungarian languages, each of these texts being equally authentic.

Done at Brussels on

ADDITIONAL PROTOCOL

to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community and the Republic of Poland and to the Europe Agreement between the European Communities and their Member States and the Republic of Poland

THE EUROPEAN ECONOMIC COMMUNITY AND THE EUROPEAN COAL AND STEEL COMMUNITY, referred to as 'the Community',

of the one part and,

THE REPUBLIC OF POLAND, hereinafter referred to as 'Poland',

of the other part,

Whereas the Europe Agreement establishing an association between the European Communities and their Member States and the Republic of Poland was signed in Brussels on 16 December 1991 (hereinafter referred to as 'the Europe Agreement') and has not yet entered into force;

Whereas pending the entry into force of the Europe Agreement provisions thereof on trade and trade-related matters have been put into force since 1 March 1992 by the Interim Agreement 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 of the other part, signed in Brussels on 16 December 1991 (hereinafter called 'the Interim Agreement'), as last amended by an exchange of letters signed on 21 December 1992;

Recognizing the crucial importance of trade in the transition to a market economy;

BEARING IN MIND the willingness of the Community to accelerate its efforts to open up its markets for products of Polish origin;

BEARING IN MIND the objectives of the Europe Agreement and, in particular, those referred to in Article 1 thereof;

HAVING REGARD to the Interim Agreement, and in particular to Article 1 thereof,

HAVE DECIDED to conclude this Protocol and to this and have designated as their plenipotentiaries:

THE EUROPEAN ECONOMIC COMMUNITY:

THE EUROPEAN COAL AND STEEL COMMUNITY:

THE REPUBLIC OF POLAND:

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Article 3 (2), second subparagraph, of the Interim Agreement and Article 9 (2), second subparagraph, of the Europe Agreement are replaced by the following text:

'Customs duties on imports applicable in the Community to products originating in Poland listed in Annex II b shall be reduced, on the date of entry into force of this Agreement by 20 % of the basic duty and one year thereafter by a further 20 % of the basic duty. Duties shall be totally abolished by the end of the second year after the entry into force of the Agreement.'

Article 2

Article 3 (3) of the Interim Agreement and Article 9 (3) of the Europe Agreement are replaced by the following text:

'3. The products of Polish origin listed in Annex III shall benefit from a suspension of customs duties on imports within the limits of annual Community tariff quotas or ceilings increasing progressively in accordance with the conditions defined in that Annex so as to arrive at a complete abolition of customs duties on imports of the products concerned by the end of the third year after the date of entry into force of the Agreement.'

At the same time customs duties on imports applicable to import quantities in excess of the quotas or ceilings provided for above shall be progressively dismantled from the entry into force of the Agreement by annual reductions of 15 %. By the end of the third year, remaining duties shall be abolished.'

Article 3

Footnote (3) of Annex III to the Interim Agreement and of Annex III to the Europe Agreement replaced by the following text:

'(3) These amounts will be increased:

- by 20 % at the entry into force of the Agreement,
- by a further 20 % on 1 January 1993,
- by a further 10 % on 1 July 1993,
- by a further 30 % on 1 January 1994.'

Article 4

1. The introductory paragraph of Annex X b to the Interim Agreement and Annex X b to the Europe Agreement shall be replaced by the following text:

'The quantities imported under the CN codes referred to in this Annex, with the exception of codes 0104 and 0204, will be subject to levy and duty reductions of 20 % from 1 March 1992, 40 % from 1 January 1993 and 60 % from 1 July 1993.'

2. An introductory paragraph shall be added to Annex X c of the Interim Agreement and to Annex X c of the Europe Agreement as follows:

'The duty rates set out for year 3, year 4 and year 5 respectively, shall be applicable from 1 July 1993, 1 July 1994 and 1 July 1995 respectively.'

3. A second introductory paragraph shall be added to Annexes VIII a, X b and X c to the Interim Agreement and to Annexes VIII a, X b and X c to the Europe Agreement as follows:

'The quantities in tonnes set out for the year 3 shall be applicable from 1 July 1993 to 30 June 1994. The amounts imported prior to 1 July 1993 in excess of 50 % of the amount for year 2 shall be deducted from the amount applicable for year.

The quantities in tonnes set out for year 4 and year 5 respectively shall be applicable from 1 July 1994 to 30

June 1995 and from 1 July 1995 to 30 June 1996 respectively.'

Article 5

The last two indents of Article 2 (1) of Protocol 1 on textile and clothing products to the Interim Agreement and Protocol 1 on textile and clothing products to the Europe Agreement are replaced by the following text:

'— at the start of the sixth year the remaining duties shall be eliminated.'

Article 6

Article 2, point 2, of Protocol 2 on ECSC products to the Interim Agreement and Protocol 2 on ECSC products to the Europe Agreement is replaced by the following text:

'2. further reductions to 60, 40, 20 and 0 % of the basic duty shall be made at the beginning of the second, third, fourth and fifth years respectively after the entry into force of the Agreement.'

Article 7

This Protocol shall form an integral part of the Interim Agreement and of the Europe Agreement.

Article 8

This Protocol shall enter into force on the first day of the month following the date upon which the Parties notify each other of the completion of the procedures necessary for that purpose. This Protocol shall apply from 1 July 1993 with the exception of Article 6.

Article 9

This Protocol shall be drawn up in four copies in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Polish languages, each of these texts being equally authentic.

ADDITIONAL PROTOCOL

to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community and the Czech and Slovak Republic Federal Republic

THE EUROPEAN ECONOMIC COMMUNITY AND THE EUROPEAN COAL AND STEEL COMMUNITY, hereinafter referred to as 'the Community',

of the one part and,

THE CZECH REPUBLIC,

of the other part,

Whereas an Interim Agreement on trade and trade related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Czech and Slovak Federal Republic of the other part, was signed in Brussels on 16 December 1991 (hereinafter called 'the Interim Agreement'), entered into force on 1 March 1992, and was amended by an exchange of letters signed on 15 December 1992;

Whereas the Czech Republic and the Slovak Republic have declared to the Community that, as successor States to the Czech and Slovak Republic they continue to assume all the obligations deriving from all agreements between the Czech and Slovak Federal Republic and the European Communities and, in particular, the Interim Agreement;

Recognizing the crucial importance of trade in the transition to a market economy;

BEARING IN MIND the willingness of the Community to accelerate its efforts to open up its markets;

HAVING REGARD to the Interim Agreement and in particular to Article 1 thereof,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries:

THE EUROPEAN ECONOMIC COMMUNITY:

THE EUROPEAN COAL AND STEEL COMMUNITY:

THE CZECH REPUBLIC:

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Article 3 (2), second subparagraph, of the Interim Agreement is replaced by the following text:

'Customs duties on imports applicable in the Community to products originating in the Czech or Slovak Republics listed in Annex II b shall be reduced, on the date of entry into force of this Agreement by 20 % of the basic duty and one year thereafter by a further 20 % of the basic duty. Duties shall be totally abolished by the end of the second year after the entry into force of the Agreement.'

Article 2

Article 3 (3) of the Interim Agreement is replaced by the following text:

'3. The products of Czech or Slovak origin listed in Annex III shall benefit from a suspension of customs duties on imports within the limits of annual Community tariff quotas or ceilings increasing progressively in accordance with the conditions defined in that Annex so as to arrive at a complete abolition of customs duties on imports of the products concerned by the end of the third year after the date of entry into force of the Agreement.'

At the same time customs duties on imports applicable to import quantities in excess of the quotas or ceilings provided for above shall be progressively dismantled from the entry into force of the Agreement by annual reductions of 15 %. By the end of the third year, remaining duties shall be abolished.'

Article 3

Footnote (3) of Annex III to the Interim Agreement is replaced by the following text:

'(3) These amounts will be increased:

- by 20 % at the entry into force of the Agreement,
- by a further 20 % on 1 January 1993,
- by a further 10 % on 1 July 1993,
- by a further 30 % on 1 January 1994.'

Article 4

1. The introductory paragraph of Annex XIII b to the Interim Agreement shall be replaced by the following text:

'The quantities imported under the CN codes referred to in this Annex, with the exception of codes 0104 and 0204, will be subject to levy and duty reductions of 20 % from 1 March 1992, 40 % from 1 January 1993 and 60 % from 1 July 1993.'

2. A second introductory paragraph shall be added to Annexes XI a and XIII b to the Interim Agreement as follows:

'The quantities in tonnes set out for year 3 shall be applicable from 1 July 1993 to 30 June 1994. The amounts imported prior to 1 July 1993 in excess of 50 % of the amount for year 2 shall be deducted from the amount applicable for year 3.

The quantities in tonnes set out for year 4 and year 5 respectively shall be applicable from 1 July 1994 to 30

June 1995 and from 1 July 1995 to 30 June 1996 respectively.'

Article 5

The last two indents of Article 2 (b) of Protocol 1 on textile and clothing products to the Interim Agreement are replaced by the following text:

'— at the start of the sixth year the remaining duties shall be eliminated.'

Article 6

Article 2, point 2, of Protocol 2 on ECSC products to the Interim Agreement is replaced by the following text:

'2. further reductions to 60, 40, 20 and 0 % of the basic duty shall be made at the beginning of the second, third, fourth and fifth years respectively after the entry into force of the Agreement.'

Article 7

This Protocol shall form an integral part of the Interim Agreement.

Article 8

This Protocol shall enter into force on the first day of the month following the date upon which the Parties notify each other of the completion of the procedures necessary for that purpose. This Protocol shall apply from 1 July 1993 with the exception of Article 6.

Article 9

This Protocol shall be drawn up in four copies in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Czech languages, each of these texts being equally authentic.

Done at Brussels on

ADDITIONAL PROTOCOL

to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community and the Czech and Slovak Federal Republic

THE EUROPEAN ECONOMIC COMMUNITY AND THE EUROPEAN COAL AND STEEL COMMUNITY, hereinafter referred to as 'the Community',

of the one part and,

THE SLOVAK REPUBLIC,

of the other part,

Whereas an Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community of the one part and the Czech and Slovak Federal Republic of the other part, was signed in Brussels on 16 December 1991 (hereinafter called 'the Interim Agreement'), entered into force on 1 March 1992, and was amended by an exchange of letters signed on 15 December 1992;

Whereas the Czech Republic and the Slovak Republic have declared to the Community that, as successor States to the Czech and Slovak Federal Republic they continue to assume all the obligations deriving from all agreements between the Czech and Slovak Federal Republic and the European Communities and, in particular, the Interim Agreement;

Recognizing the crucial importance of trade in the transition to a market economy;

BEARING IN MIND the willingness of the Community to accelerate its efforts to open up its markets;

HAVING REGARD to the Interim Agreement and in particular to Article 1 thereof,

HAVE DECIDED to conclude this Protocol and to this end have designated as their plenipotentiaries:

THE EUROPEAN ECONOMIC COMMUNITY:

THE EUROPEAN COAL AND STEEL COMMUNITY:

THE SLOVAK REPUBLIC:

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS:

Article 1

Article 3 (2), second subparagraph, of the Interim Agreement is replaced by the following text:

'Customs duties on imports applicable in the Community to products originating in the Czech or Slovak Republics listed in Annex II b shall be reduced, on the date of entry into force of this Agreement by 20 % of the basic duty and one year thereafter by a further 20 % of the basic duty. Duties

shall be totally abolished by the end of the second year after the entry into force of the Agreement.'

Article 2

Article 3 (3), of the Interim Agreement is replaced by the following text:

'3. The products of Czech or Slovak origin listed in Annex III shall benefit from a suspension of customs duties on imports within the limits of annual

Community tariff quotas or ceilings increasing progressively in accordance with the conditions defined in that Annex so as to arrive at a complete abolition of customs duties on imports of the products concerned by the end of the third year after the date of entry into force of the Agreement.

At the same time customs duties on imports applicable to import quantities in excess of the quotas or ceilings provided for above shall be progressively dismantled from the entry into force of the Agreement by annual reductions of 15 %. By the end of the third year, remaining duties shall be abolished.'

Article 3

Footnote⁽³⁾ of Annex III to the Interim Agreement is replaced by the following text:

'⁽³⁾ These amounts will be increased:

- by 20 % at the entry into force of the Agreement,
- by a further 20 % on 1 January 1993,
- by a further 10 % on 1 July 1993,
- by a further 30 % on 1 January 1994.'

Article 4

1. The introductory paragraph of Annex XIII b to the Interim Agreement shall be replaced by the following text:

'The quantities imported under the CN codes referred to in this Annex, with the exception of codes 0104 and 0204, will be subject to levy and duty reductions of 20 % from 1 March 1992, 40 % from 1 January 1993 and 60 % from 1 July 1993.'

2. A second introductory paragraph shall be added to Annexes XI a and XIII b to the Interim Agreement as follows:

'The quantities in tonnes set out for year 3 shall be applicable from 1 July 1993 to 30 June 1994. The amounts imported prior to 1 July 1993 in excess of 50 % of the amount for year 2 shall be deducted from the amount applicable for year 3.

The quantities in tonnes set out for year 4 and year 5 respectively shall be applicable from 1 July 1994 to 30

June 1995 and from 1 July 1995 to 30 June 1996 respectively.'

Article 5

The last two indents of Article 2 (1) of Protocol 1 on textile and clothing products to the Interim Agreement is replaced by the following text:

'— at the start of the sixth year the remaining duties shall be eliminated.'

Article 6

Article 2, point 2, of Protocol 2 on ECSC products to the Interim Agreement is replaced by the following text:

'2. further reductions to 60, 40, 20 and 0 % of the basic duty shall be made at the beginning of the second, third, fourth and fifth years respectively after the entry into force of the Agreement.'

Article 7

This Protocol shall form an integral part of the Interim Agreement.

Article 8

This Protocol shall enter into force on the first day of the month following the date upon which the Parties notify each other of the completion of the procedures necessary for that purpose. This Protocol shall apply from 1 July 1993 with the exception of Article 6.

Article 9

This Protocol shall be drawn up in four copies in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Slovak languages, each of these texts being equally authentic.

Done at Brussels on

COMMISSION

COMMISSION DECISION

of 22 June 1993

authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of kiln dried coniferous wood, originating in Canada, and establishing the details of the indicator system to be applied to the kiln dried wood

(93/422/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Directive 93/19/EEC⁽²⁾, and in particular Article 14 (3), third indent thereof,

Having regard to the requests made by the Member States,

Whereas under the provisions of Directive 77/93/EEC, because of the risk of introducing harmful organisms, wood of conifers (Coniferales), except that of *Thuja L.*, other than wood in the form of:

- chips, particles, wood waste, or scrap obtained in whole or part from these conifers,
- packing cases, crates or drums,
- pallets, box pallets or other load boards,
- dunnage, spacers and bearers,

but including that which has not kept its natural round surface, originating in Canada, China, Japan, Korea, Taiwan and the United States of America, may not be introduced into the Community, unless it has undergone an appropriate heat treatment to achieve a minimum wood core temperature of 56 °C for 30 minutes and if accompanied by the certificates prescribed in Articles 7 or 8 of the said Directive;

Whereas wood of conifers originating in Canada is currently introduced into the Community; whereas in this case, phytosanitary certificates are not generally

issued in that country; whereas the details of the indicator system to be applied to the wood, to confirm that the wood has undergone the required heat treatment achieving minimum 56 °C for 30 minutes in the wood core should be established;

Whereas, in respect of Canada, the Commission has established, on the basis of the information supplied by Canada, that an officially approved and monitored kiln dried lumber programme has been set up to ensure that lumber is kiln dried over a period of time sufficient to achieve thermal death of the harmful organisms concerned (*Bursaphelenchus xylophilus* and its vectors); whereas the risk of spreading harmful organisms is reduced provided that the wood is accompanied by a 'Heat treatment certificate using kiln facility' issued under that programme;

Whereas the Commission will ensure that Canada makes available all technical information necessary to assess the functioning of the said programme;

Whereas this authorization shall be reviewed by 1 April 1995 at the latest;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The Member States are hereby authorized to provide under the conditions laid down in paragraph 2 for a derogation from Articles 7 (2) and 12 (1) (b) of Directive 77/93/EEC, for coniferous wood, having undergone the proper heat treatment, originating in Canada.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 96, 22. 4. 1993, p. 33.

2. The following conditions shall be satisfied :

- (a) the wood shall be manufactured at sawmills or treated at appropriate premises approved and qualified by Agriculture Canada to participate in the kiln dried lumber programme ;
- (b) the wood shall be kiln dried over a period of time sufficient to achieve a minimum core temperature of 56 °C for 30 minutes in a kiln tested and approved for this purpose by an official grading agency approved for the purpose by Agriculture Canada ; in the case of the use of a schedule where the dry-bulb temperature does not reach 56 °C, the kiln drying process shall include a condition period at the end of the drying cycle, where the kiln temperature will reach 60 °C for at least one hour ;
- (c) upon satisfaction of the conditions laid down under (b), a standardized mark shall be affixed to each bundle, or on their wrappers, by, or under the supervision of, the designated officer of the mill referred to in (a) ;
- (d) a checking system to ensure that the conditions laid down under (b) and (c) are satisfied shall be set up by the official grading agencies, qualified and authorized for that purpose under a programme approved and controlled by Agriculture Canada ;
- (e) a checking system shall provide for inspectors of Agriculture Canada, monitoring at the qualified mills referred to in (a) and undertaking occasional pre-shipment inspections ;
- (f) the wood shall be accompanied by a 'Heat treatment certificate using kiln facility' which is standardized under the programme mentioned under (a), and complies with the specimen given in the Annex to

this Decision, and which is issued by an authorized person on behalf of mills to participate in that programme approved by Agriculture Canada.

Article 2

Without prejudice to the provisions laid down in Article 14 (5) of Directive 77/93/EEC, the Member States shall notify the Commission and the other Member States of all cases of consignments introduced pursuant to this Decision which do not comply with the conditions laid down under Article 1 (2) (c) and (f).

Article 3

The authorization granted in Article 1 shall apply from 1 June 1993. It shall be revoked if it is established that the conditions laid down under Article 1 (2) are not sufficient to prevent the introduction of harmful organisms or have not been complied with. This authorization shall be reviewed by 1 April 1995 at the latest.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 22 June 1993.

For the Commission

René STEICHEN

Member of the Commission

**HEAT TREATMENT CERTIFICATE
— USING KILN FACILITY**
**CERTIFICAT DE TRAITEMENT À LA CHALEUR
— AVEC SÉCHOIR**

Exporter (Name and address) Exportateur (nom et adresse)		Import entry reference Référence d'entrée aux douanes	Certificate No / N° de certificat	
			Date (of / d'inspection/certification)	
Consignee (Name and address) Destinataire (nom et adresse)		Buyer Contract No N° du contrat de l'acheteur	Lot No / N° du lot	
			Mill No (agency logo / no) N° de scierie (logo de l'organisme / n°)	
Ship name / Nom du navire		Country of origin / Pays d'origine CANADA	Country of destination / Pays destinataire	
Point of loading / Lieu de chargement	Port of exit / Port de départ		Port of destination / Port destinataire	
Description of consignment / Description du chargement				
This document has been issued under the programme officially approved by Agriculture Canada, Plant Protection Division, and the products covered by this document are subject to occasional pre-shipment inspection by that agency, without financial liability to it or its officers. Ce document a été délivré en vertu du programme officiellement approuvé par la division de la protection des végétaux d'Agriculture Canada. Les produits indiqués sur ce document peuvent être inspectés à l'occasion par cet organisme avant l'expédition sans qu'aucune responsabilité financière ne soit imputée à l'organisme ou à ses agents. The coniferous lumber to which this certificate applies has been dried in a kiln, and during the process, has achieved thermal death times for Pinewood Nematode (PWN) and its vector. Le bois de conifères débité qui est visé par le présent certificat a été séché au four pendant une durée mortelle pour le nématode du pin et son vecteur.				
Authorized person responsible for certification - Personne autorisée responsable du certificat au nom de la scierie/de l'expéditeur				
Print / En majuscules		and / et		Signature date

USE OF CERTIFICATE

● Shall only be issued by grading agencies, mills or shippers approved by Agriculture Canada.

● Shaded areas are for optional use of mill, agency or shipper, exporter or importing country.

Exporter - for optional use of exporter.

Consignee - for optional use of exporter.

Import entry reference - for use by country to which document is directed.

Contract No - the buyer contract number.

Certificate No - refers to a number to be assigned by the authorized issuing mill/shipper/ agency. Each certificate must bear an individual number so as to clearly identify each individual certificate. This is required by Agriculture Canada.

Date of inspection/certification - refers to the date on which the inspection and certification occurred.

Lot No - refers to the mill lot number of the lumber.

Mill - refers to the mill name or division and provides the address. This information may be pre-printed on to the certificate.

Mill No (or Shipper No) - refers to an approval number assigned by Agriculture Canada to approved participants in the program. To avoid confusion the number may correspond to mill numbers as provided by grading agencies. Only mill/shippers/agencies listed with and approved by Agriculture Canada may participate in the program. The mill number may be pre-printed on to the certificate. It consists of two parts, a grading agency logo and a number.

Ship name - for optional use of exporter.

Point of loading - for optional use of exporter.

Port of exit - for optional use of exporter.

Port of destination - for optional use of exporter.

Country of origin - Canada.

Country of destination - these certificates may only be used for lumber destined for countries who have approved their use.

Description of consignment - must include information on the species, marks, grades, numbers of packages, lot or bundle numbers, volume and other appropriate descriptors. If space on the form is insufficient, attach additional pages, and indicate on face of certificate, in the 'Description of consignment' block the number of supplementary pages appended. These additional pages must bear the mill number, certificate number and signature.

If an aggregated consignment is based on numerous certificates, list individual certificate numbers (i.e. mill numbers, certificate numbers and dates) on the single certificate describing the aggregated consignment. The individual certificates need not accompany the goods. This single certificate constitutes a re-certification.

Name and signature - the person responsible for the certificate programme at the mill or for the shipper or the agency, shall print, or legibly write or type his/her name beside the signature block. The authorized accountable person for the mill/shipper/agency should sign the certificate. The signature indicates the lumber has been properly heat treated, inspected and meets the importing country's requirements.

Disposition of certificate - the original certificate must be presented to the competent authorities in the importing country when the lumber is landed. Issuers must retain copies for their records and for auditing purposes by Agriculture Canada.

Production/printing of certificate - approved participants must print their certificates as the standard format illustrates. They may be printed electronically. The approved mill number may be pre-printed on the documents.

USAGE DU CERTIFICAT

● Ne doit être émis que par les organismes de classements, scieries ou expéditeurs approuvés et répertoriés par Agriculture Canada.

● Tous les espaces ombragés sont réservés à l'usage facultatif de la scierie, de l'organisme de l'expéditeur, de l'exportateur ou du pays importateur.

Exportateur - À l'usage facultatif de l'exportateur.

Destinataire - À l'usage facultatif de l'exportateur.

Référence d'entrée aux douanes - À l'usage facultatif du pays de destination du certificat.

Numéro du contrat - Numéro du contrat de l'acheteur.

Numéro du certificat - Se réfère à un numéro devant être assigné par la scierie ou l'expéditeur approuvé. Chaque certificat doit avoir un numéro individuel qui l'identifie. C'est une exigence d'Agriculture Canada.

Date d'inspection/certification - Date à laquelle l'inspection et la certification du bois scié ont eu lieu.

Numéro du lot - Numéro du lot du bois débité assigné par la scierie.

Scierie - Le nom de la scierie ou de la division, y compris l'adresse. Ces renseignements peuvent être imprimés à l'avance sur le certificat.

Numéro de la scierie (ou numéro de l'expéditeur) - Numéro d'approbation assigné par Agriculture Canada aux participants au programme. Afin d'éviter toute confusion, le numéro peut correspondre au numéro de scierie assigné par les organismes de classement. Seuls les scieries et les expéditeurs répertoriés et approuvés par Agriculture Canada peuvent participer au programme. Le numéro de scierie peut être imprimé à l'avance sur le certificat. Il est composé de deux parties, le logo de l'organisme et un chiffre.

Nom du navire - À l'usage facultatif de l'exportateur.

Lieu de chargement - À l'usage facultatif de l'exportateur.

Port de départ - À l'usage facultatif de l'exportateur.

Port destinataire - À l'usage facultatif de l'exportateur.

Pays d'origine - Canada.

Pays destinataire - Ces certificats ne peuvent être utilisés que pour le bois débité destiné aux pays qui ont approuvé leur usage.

Description du chargement - Doit inclure les renseignements au sujet des espèces, marques, catégories, nombre de paquets, numéros de lot, volume et autres descriptions appropriées. Si l'espace sur la formule n'est pas suffisant, ajouter des pages supplémentaires et indiquer sur le certificat dans la case « Description du chargement » le nombre de pages que vous avez ajoutées. Ces dernières doivent porter le numéro de la scierie, le numéro du certificat et la signature.

Si le chargement est constitué de plusieurs chargements accompagnés de certificats individuels, inscrire les numéros des certificats (c.-à-d. les numéros de la scierie et les numéros des certificats et dates) sur le certificat qui décrit l'ensemble du chargement. Il n'est pas nécessaire d'envoyer les certificats individuels, car cela constituerait une deuxième certification.

Nom et signature - La personne responsable du programme de certificat à la scierie ou le représentant de l'expéditeur ou l'organisme de classement doit imprimer, écrire lisiblement ou dactylographier son nom à côté de la case réservée à la signature. Elle doit également signer le certificat, à titre de personne autorisée au nom de la scierie ou de l'expéditeur. La signature indique que le bois a été traité à la chaleur convenablement, qu'il a été inspecté et qu'il satisfait aux exigences du pays importateur.

Destination du certificat - Le certificat original doit être présenté aux autorités compétentes d'un pays importateur quand le bois est déchargé dans le pays. Les émetteurs des certificats doivent eux-mêmes en garder une copie pour leurs dossiers et aux fins de vérification par Agriculture Canada.

Production et impression des certificats - Les scieries et les expéditeurs doivent assurer la reproduction des certificats, à partir du certificat normalisé. Il est permis de les imprimer électroniquement. Il est également permis d'imprimer à l'avance le numéro approuvé de la scierie.

COMMISSION DECISION

of 22 June 1993

authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of kiln dried coniferous wood, originating in the United States of America, and establishing the details of the indicator system to be applied to the kiln dried wood

(93/423/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Directive 93/19/EEC⁽²⁾, and in particular Article 14 (3), third indent thereof,

Having regard to the requests made by the Member States,

Whereas under the provisions of Directive 77/93/EEC, because of the risk of introducing harmful organisms, wood of conifers (Coniferales), except that of *Thuja* L., other than wood in the form of:

- chips, particles, wood waste, or scrap obtained in whole or part from these conifers,
- packing cases, crates or drums,
- pallets, box pallets or other load boards,
- dunnage, spacers and bearers,

but including that which has not kept its natural round surface, originating in Canada, China, Japan, Korea, Taiwan and the United States of America, may not be introduced into the Community, unless it has undergone an appropriate heat treatment to achieve a minimum wood core temperature of 56 °C for 30 minutes and if accompanied by the certificates prescribed in Articles 7 or 8 of the said Directive;

Whereas wood of conifers originating in the United States of America is currently introduced into the Community; whereas in this case, phytosanitary certificates are not generally issued in that country; whereas the details of the indicator system to be applied to the wood, to confirm that the wood has undergone the required heat

treatment achieving minimum 56 °C for 30 minutes in the wood core should be established;

Whereas, in respect of the United States of America, the Commission has established, on the basis of the information supplied by the United States of America, that an officially approved and monitored kiln dried lumber programme has been set up to ensure that lumber is kiln dried over a period of time sufficient to achieve thermal death of the harmful organisms concerned (*Bursaphelenchus xylophilus* and its vectors); whereas the risk of spreading harmful organisms is reduced provided that the wood is accompanied by a 'Heat treatment certificate using kiln facility' issued under that programme;

Whereas the Commission will ensure that the United States of America makes available all technical information necessary to assess the functioning of the said programme;

Whereas this authorization shall be reviewed by 1 April 1995 at the latest;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The Member States are hereby authorized to provide under the conditions laid down in paragraph 2 for a derogation from Articles 7 (2) and 12 (1) (b) of Directive 77/93/EEC, for coniferous wood, having undergone the proper heat treatment, originating in the United States of America.

2. The following conditions shall be satisfied:

- (a) the wood shall be manufactured at sawmills or treated at appropriate premises approved and qualified by the Animal and Plant Health Inspection Service, US Department of Agriculture to participate in the kiln dried lumber programme;

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 96, 22. 4. 1993, p. 33.

- (b) the wood shall be kiln dried over a period of time sufficient to achieve a minimum core temperature of 56 °C for 30 minutes in a kiln tested and approved for this purpose by an official grading/inspection bureau approved for this purpose by the Animal and Plant Health Inspection Service, US Department of Agriculture; in the case of the use of a schedule where the dry-bulb temperature does not reach 56 °C, the kiln drying process shall include a condition period at the end of the drying cycle, where the kiln temperature will reach 60 °C for at least one hour;
- (c) upon satisfaction of the conditions laid down under (b), a standardized mark shall be affixed to each bundle, or on their wrappers, by, or under the supervision of, the designated officer of the mill referred to in (a);
- (d) a checking system to ensure that the conditions laid down under (b) and (c) are satisfied shall be set up by the official grading agencies, qualified and authorized for that purpose under a programme approved and controlled by the Animal and Plant Health Inspection Service, US Department of Agriculture;
- (e) a checking system shall provide for inspectors of the Animal and Plant Health Inspection Service, US Department of Agriculture, monitoring at the qualified mills referred to in (a) and undertaking occasional pre-shipment inspections;
- (f) the wood shall be accompanied by a 'Heat treatment certificate using kiln facility' which is standardized under the programme mentioned under (a), and complies with the specimen given in the Annex to this Decision, and which is issued by an authorized person on behalf of mills to participate in that

programme approved by the Animal and Plant Health Inspection Service, US Department of Agriculture.

Article 2

Without prejudice to the provisions laid down in Article 14 (5) of Directive 77/93/EEC, the Member States shall notify the Commission and the other Member States of all cases of consignments introduced pursuant to this Decision which do not comply with the conditions laid down under Article 1 (2) (c) and (f).

Article 3

The authorization granted in Article 1 shall apply from 1 June 1993. It shall be revoked if it is established that the conditions laid down under Article 1 (2) are not sufficient to prevent the introduction of harmful organisms or have not been complied with. This authorization shall be reviewed by 1 April 1995 at the latest.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 22 June 1993.

For the Commission

René STEICHEN

Member of the Commission

**HEAT TREATMENT CERTIFICATION
USING A KILN FACILITY****Issued in the U.S.A.**

CERTIFICATE NUMBER

NAME AND ADDRESS OF SUPPLYING MILL (or as indicated in DESCRIPTION OF
CONSIGNMENT)

NAME AND ADDRESS OF CONSIGNEE

The lumber described below is certified to have undergone an appropriate heat treatment to achieve a minimum wood core temperature of 56 degrees C for 30 minutes.

DESCRIPTION OF CONSIGNMENT**VOLUME**INDICATE SPECIES, GRADE MARKS, OR OTHER IDENTIFYING MARKS. ALSO, INDICATE NUMBER OF PACKAGES AND BOARD
FEET/CUBIC METERS BY LOT.

This document is issued under a programme officially approved by the Animal and Plant Health Inspection Service, U.S. Department of Agriculture. The products covered by this document are subject to preshipment inspection by that Agency. No financial liability shall be attached to the U.S. Department of Agriculture or to any officer or representative of the Department with respect to this certificate.

AUTHORIZED PERSON RESPONSIBLE FOR CERTIFICATION

NAME (Print)	SIGNATURE	TITLE	DATE

AGENCY VALIDATION

AUTHORIZED SIGNATURE	TITLE	DATE