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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2207/93**of 5 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⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1680/93 ⁽⁴⁾ and subsequent amending Regulations ;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 4

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 6 August 1993.

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

Done at Brussels, 5 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 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 8.

ANNEX

to the Commission Regulation of 5 August 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries (*)
0709 90 60	130,52 ⁽²⁾ ⁽³⁾
0712 90 19	130,52 ⁽²⁾ ⁽³⁾
1001 10 00	152,44 ⁽¹⁾ ⁽³⁾
1001 90 91	128,28
1001 90 99	128,28 ^(*)
1002 00 00	135,60 ^(*)
1003 00 10	126,09
1003 00 20	126,09
1003 00 80	126,09 ^(*)
1004 00 00	78,25
1005 10 90	130,52 ⁽²⁾ ⁽³⁾
1005 90 00	130,52 ⁽²⁾ ⁽³⁾
1007 00 90	137,14 ^(*)
1008 10 00	28,73 ^(*)
1008 20 00	80,33 ^(*)
1008 30 00	32,64 ^(*)
1008 90 10	⁽⁷⁾
1008 90 90	32,64
1101 00 00	206,34 ^(*)
1102 10 00	218,49
1103 11 30	241,50
1103 11 50	241,50
1103 11 90	233,31
1107 10 11	239,22
1107 10 19	181,49
1107 10 91	235,32
1107 10 99	178,58
1107 20 00	206,32

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

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

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

(4) Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

(5) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(6) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

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

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

(9) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 2208/93**of 5 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⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, 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⁽³⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 4

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 6 August 1993.

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

Done at Brussels, 5 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 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 5 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	1st period	2nd period	3rd period
	8	9	10	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	1st period	2nd period	3rd period	4th period
	8	9	10	11	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 2209/93

of 5 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 2 and 3 August 1993 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

HAS ADOPTED THIS REGULATION :

Article 2

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

Article 1

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

Article 3

This Regulation shall enter into force on 6 August 1993.

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

Done at Brussels, 5 August 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil⁽¹⁾

(ECU/100 kg)

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

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products⁽¹⁾

(ECU/100 kg)

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

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

COMMISSION REGULATION (EEC) No 2210/93**of 26 July 1993****on the communication of information for the purposes of the common organization of the market in fishery and aquaculture products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as amended by Regulation (EEC) No 697/93⁽²⁾, and in particular Articles 8 (5), 10 (3), 14 (5), 15 (8), 17 (6), 23 (5) and 30 thereof,

Whereas the Commission has to be able to monitor the price stabilization activities of the producers' organizations and the way in which they apply the systems of financial compensation and carry-over premiums;

Whereas the Community intervention arrangements pursuant to Regulation (EEC) No 3759/92 require information to be available on the prices recorded on the wholesale markets and in representative ports of the Community;

Whereas the markets and ports of the Member States to be considered representative for a given product have to be established;

Whereas it is also necessary to stipulate how frequently the market prices are to be recorded and related notifications made;

Whereas improved organization has led to an increase in the number of notifications relating to the application and monitoring of Community intervention arrangements in the common organization of the markets;

Whereas the provisions relating to the communication of data are laid down in Commission Regulation (EEC) No 1106/90 of 18 April 1990 concerning the communication of information for the purposes of the common organization of the market in fishery products⁽³⁾, as last amended by Regulation (EEC) No 1672/92⁽⁴⁾; whereas experience has shown the need to simplify, standardize and rearrange the data transmitted; whereas it is also necessary to take account of the contents of Regulation (EEC) No 3759/92; whereas it is therefore necessary to draw up a new regulation and to repeal Regulation (EEC) No 1106/90;

Whereas it is necessary to have certain data available in order to establish the flat-rate aid; whereas the communi-

cation of this data is provided for in Commission Regulation (EEC) No 4176/88 of 28 December 1988 setting down detailed rules of application for the granting of flat-rate aid for certain fishery products⁽⁵⁾; whereas, since various provisions of that Regulation have been regrouped in this Regulation, Article 15 thereof should be repealed;

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:

TITLE I**Application of withdrawal and selling prices by producers' organizations***Article 1*

1. Member States shall communicate the information specified in Article 8 (4) of Regulation (EEC) No 3759/92, hereinafter referred to as 'the basic Regulation', to the Commission within two months of commencement of the fishing year in which the withdrawal and selling prices apply.

Where the withdrawal and selling prices are fixed by an association grouping two or more producers' organizations, each producers' organization intending to apply the arrangements communicated must be named.

2. Member States shall, without delay, notify the Commission of any change in the information referred to in paragraph 1.

TITLE II**Products listed in Annex I (A), (D) and (E) to the basic Regulation***Article 2*

The notifications specified in Article 10 (1) of the basic Regulation shall comprise, for each of the products listed in Annex I (A), (D) and (E) to that Regulation and for each representative market or port:

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 76, 30. 3. 1993, p. 12.

⁽³⁾ OJ No L 111, 1. 5. 1990, p. 50.

⁽⁴⁾ OJ No L 176, 30. 6. 1992, p. 6.

⁽⁵⁾ OJ No L 367, 31. 12. 1988, p. 63.

1. the following monthly data for each product :
 - (a) the average market price weighted according to the quantity marketed ;
 - (b) the total quantity marketed ;
 - (c) the total quantity withdrawn from the market ;
2. the following six-monthly data for each product category :
 - (a) the average six-monthly market price ;
 - (b) the quantities marketed ;
3. moreover, if the market in a product slumps or undergoes disturbance or is threatened with such, the data shall be communicated at least weekly, with separate figures for each market day.

Article 3

1. In respect of each product listed in Annex I (A), (D) and (E) to the basic Regulation, Member States shall notify the Commission every six months of :

- (a) the quantities withdrawn from a remaining unsold on the market at, as appropriate :
 - the Community withdrawal and selling prices and, where applicable, the regionalized withdrawal price,
 - the autonomous withdrawal price.

The categories of each product withdrawn must be specified ;

- (b) the average price obtained and the quantities disposed of broken down by manner of disposal referred to in Article 1 of Regulation (EEC) No 1501/83⁽¹⁾ and by product ;
- (c) the quantity of each product benefiting from the carry-over premium broken down by category, the type of processing carried out and the average wholesale selling price of the processed products.

2. After the fishing year has ended, producers' organizations shall communicate to the Member State to which they belong, in respect of the products listed in Annex I (A), (D) and (E) of the basic Regulation, the quantities of products sold by the organization and the quantities for which financial compensation or carry-over premiums, as provided for in Articles 12 and 14 of the basic Regulation, have been granted.

Article 4

Member States shall communicate to the Commission by 15 September each year the amount of technical costs in respect of freezing, storage, filleting, salting and drying, cooking and keeping live in tanks.

⁽¹⁾ OJ No L 152, 10. 6. 1983, p. 22.

The communications shall refer to the data of the previous year and shall relate to the products listed in Annex I (A), (D) and (E) of the basic Regulation.

TITLE III

Notifications concerning the products listed in Annexes II and III to the basic Regulation

Article 5

Member States shall communicate to the Commission the information referred to in Article 10 (1) of the basic Regulation, which shall comprise, for each product listed in Annex II to that Regulation selected for the fixing of the guide, price and for each representative market or port :

- the average monthly market price, weighted according to the quantities marketed,
- the total of the quantities sold during that month.

Article 6

Member States shall communicate to the Commission the information referred to in Article 17 (4) of the basic Regulation, which shall comprise, for each species and commercial presentation specified in Annex III to that Regulation, and for each representative market or port :

- the average monthly market price, weighted according to the quantities marketed,
- the total of the quantities marketed during that month.

Figures shall be given separately for fresh and chilled products on the one hand and frozen products on the other.

Article 7

1. For products referred to in Annexes II and III of the basic Regulation, producers' organizations shall communicate to the relevant authorities of the Member States concerned at least the following monthly data for each species and commercial presentation :

- (a) for products referred to in Annex II :
 - the quantity landed by their members,
 - the quantity sold and the average selling price,
 - the quantity unsold and intended to be put into cold storage,
 - the quantity put back on the market following storage ;

(b) for products referred to in Annex III:

- the quantity sold and delivered to the processing industry and the average selling price.

The Member States shall forward these communications to the Commission monthly.

2. Should it be found that selling prices are lower than the level specified in Article 16 (2) of the basic Regulation and are likely to remain so, the producers' organizations shall communicate the information referred to in paragraph 1 of this Article to the Member State weekly, with separate figures for each market day. The Member State shall transmit this information to the Commission immediately.

TITLE IV

Notifications concerning certain products of Annex IV (A) to the basic Regulation

Article 8

Member States shall communicate to the Commission, every year before 1 November, the average monthly production prices recorded in the representative production zones and the quantities marketed for products with defined commercial characteristics. Each notification shall cover the three years preceding fixing of the reference prices.

'Product with defined commercial characteristics' means:

- for carp: live carp of a minimum weight of 800 grams,
- for salmon: whole Atlantic salmon of a minimum weight of 900 grams.

'Production price' means the producer's selling price to the wholesaler.

TITLE V

Notifications concerning communication regarding products listed in Annex VI to the basic Regulation

Article 9

Member States shall communicate to the Commission for each of the products listed in Annex VI to the basic Regulation:

- (a) the standard value deduction, broken down in accordance with Article 7 of Regulation (EEC) No 4176/88, within one month of the beginning of each fishing year at the latest;

(b) a table giving details, by product and product category, of the average prices observed and the quantities marketed through the wholesale markets or representative ports, within one month of the end of each half-year;

(c) the average product price (all categories) and total landings in the Member State concerned during the preceding fishing year within five months of the end of each fishing year.

TITLE VI

General provisions

Article 10

1. The representative wholesale markets and ports referred to in Articles 10 (2) and 17 (4) of the basic Regulation shall be those listed in Annex I hereto for the products indicated.

2. The average market price shall be the average price at the stage of first sale, weighted by the quantities marketed, no account being taken of any withdrawn.

Article 11

1. All notifications referred to in this Regulation shall be transmitted to the Commission by telex, fax or direct computer link (electronic mail) in the form set out in Annexes II to XIII hereto.

2. Save as otherwise provided, communications to the Commission shall be transmitted by the following dates:

- in the case of monthly communications, by the final day of the following month,
- in the case of six-monthly communications, by 31 August for the first half-year, and before 1 March of the following year, for the second half-year.

Article 12

Regulation (EEC) No 1106/90 is repealed.

Article 13

Article 15 of Regulation (EEC) No 4176/88 is deleted.

Article 14

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 26 July 1993.

For the Commission
Yannis PALEOKRASSAS
Member of the Commission

ANNEX I

REPRESENTATIVE WHOLESALE MARKETS AND PORTS FOR FISHERY PRODUCTS

I. Products listed in Annex I (A) to Regulation (EEC) No 3759/92

- | | | |
|--|-------------------------|---------------------------------|
| 1. Herrings (<i>Clupea harengus</i>) | | Boulogne-sur-Mer |
| | the combined markets of | Fehmarn/Kiel/Maasholm |
| | the combined markets of | Hirtshals/Skagen |
| | | Killybegs |
| | | Lerwick |
| | the combined markets of | Mallaig/Oban/Ullapool/Stornoway |
| | | Rossaveal |
| | the combined markets of | Scheveningen/IJmuiden |
| 2. Sardines (<i>Sardina pilchardus</i>) | | |
| (a) Atlantic | | La Turballe |
| | | Saint-Guénolé |
| | | Sada |
| | | Vigo |
| | | Arrecife |
| | | Matosinhos |
| | | Peniche |
| | | Figueira da Foz |
| | | Olhão |
| | | Portimão |
| (b) Mediterranean | | |
| | the combined markets of | Ancona/Cesenatico |
| | the combined markets of | Chioggia/Porto Garibaldi |
| | the combined markets of | Martigues |
| | | Port-Vendres |
| | | Sète |
| | | Kavala |
| | | Piraeus |
| | | Salonique |
| | | Castellón |
| | | Tarragona |
| 3. Spur dogfish (<i>Squalus acanthias</i>) | | |
| | | Burtonport |
| | | Grimsby |
| | | Aberdeen/Peterhead |
| | | Mallaig |
| | | Concarneau |
| | | Cherbourg |
| | | Lorient |
| 4. Spotted dogfish (<i>Scyliorhinus</i> spp.) | | |
| | | Concarneau |
| | | Cherbourg |
| | | Lorient |
| | | Oostend |
| 5. Redfish (<i>Sebastes</i> spp.) | | |
| | | Boulogne-sur-Mer |
| | the combined markets of | Bremerhaven/Cuxhaven |
| 6. Cod (<i>Gadus morhua</i>) | | |
| | the combined markets of | Aberdeen/Peterhead |
| | the combined markets of | Grimsby/Hull |
| | | Fraserburgh |
| | | Boulogne-sur-Mer |
| | | Lorient |
| | the combined markets of | Bremerhaven/Cuxhaven |
| | the combined markets of | Heiligenhafen/Kiel |
| | the combined markets of | Hvide Sande/Thyborøn |
| | | Neksø |
| | | Howth |
| | | IJmuiden |
| | | Scheveningen |
| | | Oostend |

- | | | |
|--|-------------------------|--|
| 7. Saithe (<i>Pollachius virens</i>) | | Boulogne-sur-Mer
Lorient |
| | the combined markets of | Aberdeen/Peterhead |
| | the combined markets of | Grimsby/Hull
Shetlands |
| | the combined markets of | Bremerhaven/Cuxhaven |
| | the combined markets of | Hanstholm/Skagen |
| 8. Haddock
(<i>Melanogrammus aeglefinus</i>) | | Aberdeen/Peterhead |
| | the combined markets of | Grimsby/Hull
Fraserburgh
Boulogne-sur-Mer
Lorient |
| | the combined markets of | Hanstholm/Thyborøn
IJmuiden
Killybegs |
| 9. Whiting (<i>Merlangius merlangus</i>) | | Aberdeen/Peterhead |
| | the combined markets of | Fraserburgh
Boulogne-sur-Mer
Lorient
IJmuiden |
| 10. Ling (<i>Molva</i> spp.) | | Aberdeen/Peterhead |
| | the combined markets of | Newlyn |
| | the combined markets of | Bremerhaven/Cuxhaven
Lorient
Concarneau |
| 11. Mackerel (<i>Scomber scombrus</i>) | | Boulogne-sur-Mer
Castletownbere
Killybegs |
| | the combined markets of | Mallaig/Ullapool |
| | the combined markets of | Hirtshals/Skagen
Laredo
Ondarroa
Santoña
Guetaria
Matosinhos
Peniche |
| 12. Spanish mackerel
(<i>Scomber japonicus</i>) | | Punta Umbría
Santoña
Olhão
Setúbal
Portimão
Peniche |
| 13. Anchovy (<i>Engraulis</i> spp.) | | Ancona/Cesenatico |
| | the combined markets of | Chioggia/Porto Garibaldi |
| | the combined markets of | Goro
Fano
Kavala
Salonika
Piraeus
Sète
Saint-Jean-de-Luz
Barbate
Bermeo
Cádiz
Guetaria
Ondarroa
Rosas
Santoña |
| 14. Plaice
(<i>Pleuronectes platessa</i>) | | Boulogne-sur-Mer |
| | the combined markets of | Thyborøn/Hvide Sande
Lowestoft
IJmuiden
Urk
Zeebrugge |

15. Hake (*Merluccius merluccius*)
- the combined markets of
- the combined markets of
16. Megrim (*Lepidorhombus* spp.)
- the combined markets of
17. Rays' bream (*Brama* spp.)
18. (a) Whole anglerfish (*Lophius* spp.)
- the combined markets of
- the combined markets of
- (b) Anglerfish — heads off (*Lophius* spp.)
19. Dab (*Limanda limanda*)
- the combined markets of
- the combined markets of
20. Flounder (*Platichthys flesus*)
- the combined markets of
- Ayr
Castletownbere
Lorient
Concarneau
Les Sables d'Olonne
Hansthalm
La Coruña
Vigo
Pasajes
Ondarroa
Cillero/Burela
Algeciras
Olhão
Matosinhos
Lisboa
Póvoa de Varzim
Setúbal
Mazara del Vallo
- Concarneau
Le Guilvinec
Aberdeen/Peterhead
Newlyn
Castletownbere
La Coruña
Vigo
- Vigo
Sesimbra
Olhão
Lisboa
- Aberdeen/Peterhead
Lerwick/Scalloway
Ondarroa
La Coruña
Vigo
Marín
Peniche
Matosinhos
- Zeebrugge
Newlyn
Concarneau
Le Guilvinec
Lorient
- Thyborøn/Hirtshals
Boulogne
Dieppe
Zeebrugge
Oostende
Maasholm/Heiligenhafen
Aberdeen
Peterhead
Arbroath
IJmuiden
Urk
- Rügen/Usedom
Sjællands Odde
Grenå
Boulogne
IJmuiden
Urk

- | | | |
|--|-------------------------|--|
| 21. Albacore or long finned tuna
(<i>Thunnus alalunga</i>) | | Burela
Guetaria
Bermeo
Santoña
Lorient
Concarneau
Douarnenez
S. Roque/Madalena (Pico, Azores)
Horta (Faial, Azores)
Piraeus |
| 22. Cuttlefish (<i>Sepia officinalis</i> and
<i>Rossia macrosoma</i>) | the combined markets of | Port en Bessin
Les Sables d'Olonne
Granville
Puerto de Santa Maria
Huelva
Chioggia
Setúbal |

II. Products listed in Annex I (D) to Regulation (EEC) No 3759/92

- | | | |
|------------------------------------|---|---|
| Shrimps (<i>Crangon crangon</i>) | the combined markets of
the combined markets of
the combined markets of | Cuxhaven/Dorum/Spieka/Wremem
Husum/Tonning/Busum
Den Oever
Lij
Colijnsplaat
Zeebrugge
Havneby
Kings Lynn |
|------------------------------------|---|---|

III. Products listed in Annex I (E) to Regulation (EEC) No 3759/92

- | | | |
|---|-------------------------|---|
| 1. Edible crabs (<i>Cancer pagurus</i>) | | Kingswear
Morlaix
Brest
Noirmoutier |
| 2. (a) Norway lobster whole
(<i>Nephrops norvegicus</i>) | | Mallaig
Eyemouth
Ayr
North Shields
Rossaveal
Østerby
Skagen |
| | the combined markets of | Guilvinec
Zeebrugge
La Coruña
Marín
Huelva
Vila Real de Santo António |
| (b) Norway lobster (tails)
(<i>Nephrops norvegicus</i>) | | Mallaig
Kilkeel
Portavogie
Fraserburgh
Zeebrugge
Skagen |
| 3. Sole (<i>Solea</i> spp.) | the combined markets of | Zeebrugge
Oostend
Les Sables d'Olonne
Boulogne
La Rochelle
Puerto de Santa Maria
Mazara del Vallo
Ancona |

the combined markets of Ostfriesland
 the combined markets of Büsum/Husum
 the combined markets of Hvide Sande/Thorsminde
 Brixham
 Lowestoft
 IJmuiden
 Urk

IV. Products listed in Annex II (A) to Regulation (EEC) No 3759/92

- | | |
|---|---|
| 1. Greenland halibut
(<i>Reinhardtius hippoglossoides</i>) | Vigo
Aveiro
Boulogne |
| 2. Hake (<i>Merluccius</i> spp.) | Vigo
Aveiro
Lorient
Concarneau
the combined markets of Les Sables d'Olonne
Hendaye |
| 3. Sea-bream of the species <i>Dentex dentex</i> and <i>Pagellus</i> spp. | Anzio
Bari
San Benedetto del Tronto
Piraeus |

V. Products listed in Annex II (B) to Regulation (EEC) No 3759/92

- | | |
|-----------------------------|----------------------------|
| Prawns (<i>Penaeidae</i>) | Huelva
Larivot (Guyane) |
|-----------------------------|----------------------------|

VI. Products listed in Annex II (C) to Regulation (EEC) No 3759/92

- | | |
|---|--|
| 1. Cuttlefish of the species <i>Sepia officinalis</i> , <i>Rossia macrosoma</i> , <i>Sepiola rondeletti</i> | Anzio
Bari
San Benedetto del Tronto
Piraeus
Las Palmas |
| 2. Squid (<i>Loligo</i> spp.) | Anzio
Bari
San Benedetto del Tronto
Piraeus
Vigo
Aveiro
Las Palmas |
| 3. Squid (<i>Ommastrephes sagittatus</i>) | Anzio
Bari
San Benedetto del Tronto
Vigo
Aveiro
Las Palmas |
| 4. Octopus | Anzio
Bari
Piraeus
San Benedetto del Tronto
Las Palmas |
| 5. Squid (<i>Illex</i> spp.) | Anzio
Bari
San Benedetto del Tronto
Piraeus
Vigo
Aveiro
Las Palmas |

VII. Products listed in Annex III to Regulation (EEC) No 3759/92

All species of tunny

Concarneau
Douarnenez
Lorient
Saint-Jean-de-Luz
Bermeo
Laxe
Caramiñal
Villagarcía de Arosa
Arrecife
Santa Eugenia de Riveira
Algeciras
Cádiz
Funchal (Madeira)
Ponta Delgada (São Miguel, Azores)
S. Roque/Madalena (Pico, Azores)
Horta (Faial, Azores)

VIII. Products listed in Annex IV (A) to Regulation (EEC) No 3759/92

Representative production zones :

1. Carp :

- Germany : Oberpfalz
the combined areas of Oberfranken/Mittelfranken
the combined areas of Sachsen and Brandenburg
- France : Dombes
the combined areas of Brenne/Sologne

2. Salmon :

- United Kingdom : the combined coastal areas and islands of Scotland
- Ireland : the combined coastal areas
- Denmark : the combined coastal areas of Bornholm
-

ANNEX II

(Annual) notification specified in Article 1
(to be transmitted one month after end of year)

WITHDRAWAL AND SELLING PRICES APPLIED BY PRODUCERS' ORGANIZATIONS

MEMBER STATE :

Application of withdrawal selling prices in the fisheries sector in 19..

by (name and address of producers' organization or association of producers' organizations ⁽¹⁾)

Area of activity :

1	2		3
Products listed in Annex I (A), (D) or (E) of basic Regulation for which Community withdrawal or selling prices (Articles 11 and 13 of Regulation) are applied; indicate any products for which regional withdrawal prices (Articles 11 (2) and 13 of basic Regulation) are applied	Indicate any categories of product for which Community withdrawal prices are selectively applied or sale of which is banned (Article 12 (1) (d) of basic Regulation)		Products listed in Annexes I to IV for which an autonomous withdrawal price (Article 8 (1) of basic Regulation) is applied for all categories of a product or products concerned; indicate price level, form of presentation and packaging
	Selective application	Sales ban	

(¹) As provided for in the second indent of Article 1 (1), in the case of an association of producers a list of the producers' organizations intending to apply the prices must be notified.

(Monthly) notifications specified in Article 2 (1) (a) (b) and (c)
(to be transmitted 30 days after end of month)

Month :

MEMBER STATE :

Port/market	Species	Total quantity marketed (tonnes)	Quantity withdrawn (tonnes)	Overall average price (ECU per ton)
	(¹)	(¹)	(¹)	(¹)

(¹) Give separate data for monkfish with or without head and for Norway lobster whole or tails only.

ANNEX IV

(Six-monthly) notifications specified in Article 2 (2) (a) and (b)
(to be transmitted two months after end of period)

QUANTITIES AND PRICES OF ANNEX I PRODUCTS

Period :

MEMBER STATE :

Market/port	Species	Category	Quantity marketed per commercial category (E/A, B) (tonnes)	Average price per commercial category (E/A, B) (ECU per tonne)

ANNEX V

(Six-monthly) notification specified in Article 3 (1) (a)
(to be transmitted two months after end of period)

WITHDRAWALS/QUANTITIES UNSOLD

Period :

MEMBER STATE :

Species	Category	Quantities withdrawn (tonnes)		Quantities unsold (tonnes)
		At Community withdrawal price	At autonomous withdrawal price	At Community selling price

(Six-monthly) communication specified in Article 3 (1) (b)
(to be transmitted two months after end of period)

Period :

MEMBER STATE :

[illegible]

(Six-monthly) notification specified in Article 3 (1) (c)
(to be transmitted two months after end of period)

Period :

MEMBER STATE :

Species	Category	Quantity (tonnes)	Type of processing	Wholesale price of processed products (ECU per tonne)

ANNEX VIII (a)

(Annual) notification specified in Article 4

(to be transmitted before 15 September following the year in question)

I. PRODUCTS OF ANNEX I (A) TO (D) TO THE BASIC REGULATION

Technical costs

Period : (year) :

Member State :

Operation	Amount (ECU per tonne)
I. <i>Freezing</i>	
Labour	
Energy	
Total	
II. <i>Storage</i>	
Labour	
Energy	
Immediate packing	
Total	
III. <i>Filleting</i>	
Labour	
Energy	
Total	
IV. <i>Salting/drying</i>	
Labour	
Energy	
Salt	
Total	

ANNEX VIII (b)

(Annual) notification specified in Article 4

(to be transmitted before 15 September following the year in question)

I. PRODUCTS OF ANNEX I (E) TO THE BASIC REGULATION

Technical costs

Period : (year) :

Member State :

Operations	Amount (ECU per tonne)
I. <i>Freezing</i>	
Labour	
Energy	
Total	
II. <i>Storage</i>	
Labour	
Energy	
Immediate packing	
Total	
III. <i>Filleting</i>	
Labour	
Energy	
Total	
IV. <i>Cooking</i>	
Labour	
Energy	
Total	
V. <i>Keeping live in tank</i>	
Labour	
Energy	
Total	

ANNEX IX

(Monthly) notification specified in Article 5
(to be transmitted 30 days after end of month)

ANNEX III PRODUCTS

Period :

MEMBER STATE :

Market/port	Pilot product	Quantity of pilot products marketed (tonnes)	Average price (ECU per tonne)

(Monthly) notification specified in Article 6
(to be transmitted 30 days after end of month)

Period :

MEMBER STATE :

Market/port	Species	Commercial presentation	Quantity marketed (tonnes)	Average monthly price (ECU per tonne)

(Monthly) notification specified in Article 7 (1) (a)
(to be transmitted 30 days after end of month)

Name of producers' organization :

Species	Commercial presentation	Quantity landed (tonnes)	Quantity sold (tonnes)	Average price (ECU per tonne)	Quantity	
					Placed in storage (tonnes)	Removed from storage (tonnes)

(Monthly) notification specified in Article 7 (1) (b)
(to be transmitted 30 days after end of month)

ANNEX III PRODUCTS

Period :

MEMBER STATE:

Name of producers' organization :

Species	Commercial presentation	Quantity sold/ delivered to industry (tonnes)	Average price (ECU per tonne)

ANNEX XIII

(Annual) notification (with separate monthly figures) specified in Article 8
(to be transmitted before 1 November)

PRODUCTION PRICE FOR CARP AND SALMON

MEMBER STATE :

[illegible]

COMMISSION REGULATION (EEC) No 2211/93
of 4 August 1993

re-establishing the levying of customs duties on products falling within CN codes 3903, ex 3915 and ex 3920, originating in South Korea, 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 Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded for 1993 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on

imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN codes 3903, ex 3915 and ex 3920, originating in South Korea, the individual ceiling was fixed at ECU 4 746 000; whereas on 5 May 1993, imports of these products into the Community originating in South Korea reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against South Korea,

HAS ADOPTED THIS REGULATION:

Article 1

As from 9 August 1993, the levying of customs duties, suspended for 1993 pursuant to Council Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products, originating in South Korea:

Order No	CN code	Description
10.0457	3903	Polymers of styrene, in primary forms
	3915 20 00	Waste, paring and scrap, of polymers of styrene
	3920 30 00	Other plates, sheets, film, foil and strip, of plastics, non-cellular and not reinforced, laminated, supported or similarly combined with other materials:
	3920 99 50	— Of polymers of styrene
		— Of addition polymerization products

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, 4 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 2212/93
of 4 August 1993

re-establishing the levying of customs duties on products falling within CN code 3923 21 00, originating in Thailand, 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 Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded for 1993 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 3923 21 00, originating in Thailand, the individual ceiling was fixed at ECU 4 829 000; whereas on 3 May 1993, imports of these products into the Community originating in Thailand reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Thailand,

HAS ADOPTED THIS REGULATION:

Article 1

As from 9 August 1993, the levying of customs duties, suspended for 1993 pursuant to Council Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products, originating in Thailand:

Order No	CN code	Description
10.0480	3923 21 00	Sacks and bags (including cones): — Of polymers of ethylene

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, 4 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 2213/93

of 5 August 1993

on the issuing of a standing invitation to tender for the resale on the internal market of 100 000 tonnes of maize held by the French intervention agency for disposal to the remoter regions of the Community

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 100 000 tonnes of maize held by the French intervention agency for disposal to the remoter regions of the Community 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 100 000 tonnes of maize held by it for the benefit of the French overseas departments, the Canary Islands and the Azores and Madeira 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, 5 August 1993.

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 20 04 90F).

Article 3

Notwithstanding Article 5 (3) of Regulation (EEC) No 2131/93, in no case may successful tenders be lower to 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. The French authorities shall take the necessary steps to guarantee the performance of the operation and inform the Commission of them.

Article 5

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

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 191, 31. 7. 1993, p. 76.

COMMISSION REGULATION (EEC) No 2214/93

of 5 August 1993

opening a standing invitation to tender in Italy for the free supply of pasta 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 on the market in cereals⁽²⁾, and in particular Article 5 thereof,

Whereas 309/93 of 10 February 1993 laying down detailed rules for the supply of agricultural products to the people of Albania⁽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 Italy for the supply of 1 000 tonnes of pasta;

Whereas tenders relate to durum wheat;

Whereas experience has shown the need to be sure that the scheduling of deliveries is respected; that therefore an amount should be deducted from the performance guarantee in certain cases of delayed deliveries;

Whereas the pasta 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 Italian intervention agency shall open a

standing invitation to tender for the supply of 1 000 tonnes of pasta as set out in Annex I and in accordance with the provisions of this Regulation.

Article 2

Tenders shall be for the quantity, in metric tonnes, 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 Regulation (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 Regulation (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).
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 Italian intervention agency. The Italian intervention agency shall forward the tenders to the Commission in accordance with the schedule specified in Annex II.

⁽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.

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.

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 Italian intervention agency.

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:

Durum wheat: ECU 65 per 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

Italy 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. Italy shall adopt all additional provisions necessary for implementation of this Regulation.

2. Italy 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, 5 August 1993.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***1. Pasta**

- 1.1. Number of lots : One lot (four shipments) of 250 tonnes to be delivered to Durres
- 1.2. Characteristics and quality of the goods⁽¹⁾
OJ No C 114, 29. 4. 1991 (point II.C.1 (a))
- 1.3. Packaging : OJ No C 114, 29. 4. 1991 (point II.C.2)
The cartons must be placed on disposable palettes measuring 110 × 80 and secured by polyethylene netting.
- 1.4. Marking :
European flag : OJ No C 114, 29. 4. 1991 (Annexes I and II)
Inscriptions in Albanian 'European Economic Community' ; 'Humanitarian Aid — Regulation (EEC) No 2214/93' 'Pasta' (in letters at least 1 cm high on packets and 3 cm high on cartons).

2. Conditions of supply

- 2.1. Mobilization of the product : domestic market of Italy
- 2.2. Method of transport : by sea (rigged-up vessel)
- 2.3. Stage of delivery : cif (ex-ship) port of landing (Durres)
- 2.4. Deadlines for delivery :
 - (i) 30 September 1993 ;
 - (ii) 10 October 1993 ;
 - (iii) 20 October 1993 ;
 - (iv) 30 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. Deliveries shall be made 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.

*ANNEX II***Standing invitation to tender for the free supply of pasta to Albania**

(Regulation (EEC) No 2214/93)

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

COMMISSION REGULATION (EEC) No 2215/93

of 5 August 1993

on the issuing of a standing invitation to tender for the resale on the internal market of 100 000 tonnes of sorghum held by the French intervention agency for disposal to the remoter regions of the Community

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 100 000 tonnes of sorghum held by the French intervention agency for disposal to the remoter regions of the Community should be issued;

Whereas, in the current situation it would be appropriate to reduce the minimum resale price to be observed to ECU 156,51 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 100 000 tonnes of sorghum held by it for the benefit of the French overseas departments, the Canary Islands and the Azores and Madeira in accordance with Regulation (EEC) No 2193/93.

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

Done at Brussels, 5 August 1993.

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 20 04 90F).

Article 3

Notwithstanding Article 5 (3) of Regulation (EEC) No 2131/93, in no case may successful tenders be lower than ECU 156,51 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. The French authorities shall take the necessary steps to guarantee the performance of the operation and inform the Commission of them.

Article 5

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

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 191, 31. 7. 1993, p. 76.

COMMISSION REGULATION (EEC) No 2216/93

of 5 August 1993

amending Regulation (EEC) No 1513/93 increasing to 200 000 tonnes the quantity of barley held by the Danish intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

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,

Article 2 of Regulation (EEC) No 1513/93 is replaced by the following:

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⁾,

Article 2

1. The invitation to tender shall cover a maximum of 200 000 tonnes of barley to be exported to all third countries. Customs export formalities must be completed during the period 1 July to 30 November 1993.

Whereas Commission Regulation (EEC) No 1513/93⁽³⁾, as last amended by Regulation (EEC) No 2179/93⁽⁴⁾, opened a standing invitation to tender for the export of 50 000 tonnes of barley held by the Danish intervention agency; whereas, in a communication of 22 July 1993, Denmark informed the Commission of the intention of its intervention agency to increase by 150 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of barley held by the Danish intervention agency for which a standing invitation to tender for export has been opened should be increased to 200 000 tonnes;

2. The regions in which the 200 000 tonnes of barley are stored are stated in Annex I to this Regulation.

Article 2

Annex I to Regulation (EEC) No 1513/93 is replaced by the Annex hereto.

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 1513/93 must therefore be amended;

Article 3

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

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, 5 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 150, 22. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 195, 4. 8. 1993, p. 30.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Jylland	176 078
Sjælland	23 586'

COMMISSION REGULATION (EEC) No 2217/93

of 5 August 1993

amending Regulation (EEC) No 1515/93 increasing to 150 000 tonnes the quantity of barley held by the Belgian intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

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,

Article 2 of Regulation (EEC) No 1515/93 is replaced by the following :

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⁾,

Article 2

Whereas Commission Regulation (EEC) No 1515/93⁽³⁾, as last amended by Regulation (EEC) No 2179/93⁽⁴⁾, opened a standing invitation to tender for the export of 100 000 tonnes of barley held by the Belgian intervention agency ; whereas, in a communication of 22 July 1993, Belgium informed the Commission of the intention of its intervention agency to increase by 50 000 tonnes the quantity for which a standing invitation to tender for export has been opened ; whereas the total quantity of barley held by the Belgian intervention agency for which a standing invitation to tender for export has been opened should be increased to 150 000 tonnes ;

1. The invitation to tender shall cover a maximum of 150 000 tonnes of barley 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 150 000 tonnes of barley are stored are stated in Annex I to this Regulation.

Article 2

Annex I to Regulation (EEC) No 1515/93 is replaced by the Annex hereto.

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 1515/93 must therefore be amended ;

Article 3

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

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, 5 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 150, 22. 6. 1993, p. 21.

⁽⁴⁾ OJ No L 195, 4. 8. 1993, p. 30.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Oost-Vlaanderen	71 943
West-Vlaanderen	8 051
Liège	28 167
Hainaut	34 910
Vlaams Brabant	5 535
Namur	1 394'

COMMISSION REGULATION (EEC) No 2218/93

of 5 August 1993

amending Regulation (EEC) No 1516/93 increasing to 200 000 tonnes the quantity of bread-making wheat held by the Danish 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 1516/93⁽³⁾, as last amended by Regulation (EEC) No 2179/93⁽⁴⁾, opened a standing invitation to tender for the export of 100 000 tonnes of bread-making wheat held by the Danish intervention agency; whereas, in a communication of 22 July 1993, Denmark informed the Commission of the intention of its intervention agency to increase by 100 000 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 Danish intervention agency for which a standing invitation to tender for export has been opened should be increased to 200 000 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 1516/93 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 1516/93 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 200 000 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 200 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.'

Article 2

Annex I to Regulation (EEC) No 1516/93 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, 5 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 150, 22. 6. 1993, p. 24.

⁽⁴⁾ OJ No L 195, 4. 8. 1993, p. 30.

*ANNEX**ANNEX I*

Place of storage	Quantity
Jylland	53 925
Sjælland	132 575
Falster	10 500
Møn	3 000

COMMISSION REGULATION (EEC) No 2219/93
of 5 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 2205/93 ⁽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 4 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 6 August 1993.

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

Done at Brussels, 5 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 196, 5. 8. 1993, p. 45.

ANNEX

to the Commission Regulation of 5 August 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	34,62 ⁽¹⁾
1701 11 90	34,62 ⁽¹⁾
1701 12 10	34,62 ⁽¹⁾
1701 12 90	34,62 ⁽¹⁾
1701 91 00	42,28
1701 99 10	42,28
1701 99 90	42,28 ⁽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 2220/93
of 5 August 1993
abolishing the countervailing charge on apples originating in Australia

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 2033/93⁽³⁾ introduced a countervailing charge on apples originating in Australia;

Whereas the present trend of prices for these products on the representative markets referred to in Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by Regulation (EEC) No 249/93⁽⁵⁾, recorded or calculated in accordance with the provisions of Article 5 of that Regu-

lation, indicates that the application of the first subparagraph of Article 26 (1) of Regulation (EEC) No 1035/72 would result in the countervailing charge being fixed at zero; whereas the conditions specified in the second indent of Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of these products originating in Australia can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2033/93 is hereby repealed.

Article 2

This Regulation shall enter into force on 6 August 1993.

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

Done at Brussels, 5 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 184, 27. 7. 1993, p. 33.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 28, 5. 2. 1993, p. 45.

COMMISSION REGULATION (EEC) No 2221/93**of 5 August 1993****introducing a countervailing charge on certain varieties of plum originating in Hungary**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least 0,6 ECU below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1429/93 of 10 June 1993 fixing for the 1993 marketing year the reference prices for plums⁽³⁾ fixed the reference price for class I, group II at ECU 55,37 per 100 kilograms net for the month of August 1993;

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

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

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

Whereas, for plums of group II originating in Hungary the entry price calculated in this way has remained at least 0,6 ECU below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these plums;

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 6,43 per 100 kilograms net is applied to plums (CN code 0809 40 11), of the following varieties: Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (Yellow Egg), Mirabelle and Bosnische originating in Hungary.

Article 2

This Regulation shall enter into force on 7 August 1993.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 140, 11. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 28, 5. 2. 1993, p. 45.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

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

Done at Brussels, 5 August 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 2222/93

of 5 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular the third subparagraph of Article 13 (2) thereof,

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

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation (EEC) No 1533/93⁽³⁾, laying down detailed rules on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals;

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾ are used to convert amounts expressed in third country currencies

and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁵⁾;

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

Whereas Council Regulation (EEC) No 990/93⁽⁶⁾ prohibits trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 6 August 1993.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 5 August 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 5 August 1993 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 00 100	01	62,00
1001 10 00 400	—	—	1101 00 00 130	01	59,00
1001 90 91 000	—	—	1101 00 00 150	01	54,00
1001 90 99 000	04	40,00	1101 00 00 170	01	50,00
	05	17,00	1101 00 00 180	01	47,00
	08	18,00	1101 00 00 190	—	—
	02	15,00	1101 00 00 900	—	—
1002 00 00 000	03	25,00	1102 10 00 500	01	62,00
	06	17,00	1102 10 00 700	—	—
	02	15,00	1102 10 00 900	—	—
1003 00 10 000	—	—	1103 11 30 200	01	47,00 (3)
1003 00 20 000	04	25,00	1103 11 30 900	—	—
	02	15,00	1103 11 50 200	01	47,00 (3)
1003 00 80 000	04	25,00	1103 11 50 400	—	—
	02	15,00	1103 11 50 900	—	—
1004 00 00 200	—	—	1103 11 90 200	01	62,00 (3)
1004 00 00 400	—	—	1103 11 90 800	—	—
1005 10 90 000	—	—			
1005 90 00 000	04	75,00			
	07	15,00			
	02	0			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Egypt, Morocco and Tunisia,
- 06 Korea and Japan,
- 07 Zones I, III b), VIII a), Cuba and Hungary,
- 08 Algeria.

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

(3) No refund is granted when this product contains compressed meal.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 July 1993

amending Decisions 92/265/EEC, 91/449/EEC and 93/199/EEC relating to certain measures concerning the importation into the Community of live pigs, porcine semen, fresh pigmeat and pigmeat products from Austria

(93/427/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/675/EEC of 15 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 19 (7) thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽³⁾, as last amended by Council Decision 92/438/EEC⁽⁴⁾, and in particular Article 18 (7) thereof,

Whereas imports from Austria into the Member States of live pigs, porcine semen, fresh pigmeat and pigmeat products are governed by rules laid down by Commission Decision 92/265/EEC⁽⁵⁾;

Whereas the classical swine fever situation has improved in the regions of Carinthia and Vienna;

Whereas the animal health conditions and veterinary certification as regards trade in live pigs, and fresh pigmeat have been amended to take into account the improved health situation;

Whereas classical swine fever has occurred in the region of Salzburg;

Whereas the occurrence of classical swine fever is liable to endanger the herds of Member States, in view of trade in live pigs, porcine semen and embryos, fresh pigmeat, wild boar meat and certain meat-based pork products;

Whereas it is necessary to amend Decision 92/265/EEC, Commission Decision 91/449/EEC⁽⁶⁾, as last amended by Decision 93/139/EEC⁽⁷⁾, and Commission Decision 93/199/EEC⁽⁸⁾ accordingly;

Whereas protection measures must be established as regards trade in porcine embryos and wild boar meat;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 92/265/EEC is amended as follows:

1. the title is replaced by the following:

'Commission Decision of 18 May 1992 concerning the importation into the Community from Austria of porcine semen, porcine embryos, wild boar meat and pigmeat products';

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽⁴⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽⁵⁾ OJ No L 137, 20. 5. 1992, p. 23.

⁽⁶⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽⁷⁾ OJ No L 56, 9. 3. 1993, p. 39.

⁽⁸⁾ OJ No L 86, 6. 4. 1993, p. 43.

2. Article 1 is replaced by the following:

Article 1

1. Imports from Austria into Member States of porcine semen, porcine embryos, wild board meat and pigmeat products are prohibited.
2. The prohibition on imports of porcine semen, porcine embryos, wild board meat and pigmeat products referred to in paragraph 1 shall not apply to the regions of Vorarlberg, Tirol, Upper Austria, Burgenland, Carinthia and Vienna.
3. The prohibition on pigmeat referred to in paragraph 1 shall not apply to those products which have undergone one of the following treatments:
 - (a) heat treatment carried out in hermetically sealed container with an F_0 value of 3,00 or more;
 - (b) heat treatment of a type different from that referred to in (a) in which the centre temperature is raised to at least 70 °C;
 - (c) treatment consisting in natural fermentation and maturation of not less than nine months for hams weighing not less than 5,5 kilograms and having the following characteristics:
 - aW value of not more than 0,93,
 - pH value of not more than 6.

Article 2

Decision 91/449/EEC is amended as follows:

1. in Annex A, Part II, the words '(in the case of pigmeat products: — Vorarlberg, Tirol, Upper Austria, Burgen-

land, Carinthia and Vienna)' are inserted after the word 'Austria';

2. in Annex D, Part II, 'Austria' is included in the list of countries approved to use the model animal health certificate at Part I of Annex D.

Article 3

In Part 2 of the Annex to Decision 93/499/EEC the words 'Austria (Burgenland, Salzburg, Tirol, Vorarlberg and Upper Austria)' are replaced by the following:

'Austria (Burgenland, Tirol, Vorarlberg, Upper Austria, Carinthia and Vienna)'.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 7 July 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 19 July 1993

on a procedure for the application of the second paragraph of Article 53 of the
EAEC Treaty

(Only the Portuguese text is authentic)

(93/428/Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 53 thereof,

Having regard to the letter of 21 December 1990 from the Empresa Nacional de Urânio SA, a company constituted under Portuguese law, to the Commission,

Whereas :

I. THE FACTS

- (1) The Empresa Nacional de Urânio SA, a company constituted under Portuguese law, hereinafter referred to as ENU, is a mining company which produces natural uranium concentrates in Portugal and which is encountering serious difficulties following the non-renewal of a long-term contract which covers practically three-quarters of its productions.
- (2) The ENU approached the Euratom Supply Agency requesting it to resolve the problem of the disposal of the Portuguese output and to exercise its right of option pursuant to Article 57 of the EAEC Treaty on its output. The Agency tried unsuccessfully to find users prepared to take supplies from the ENU.

By letter of 8 December 1989, the Member States of the Commission responsible for energy and the Euratom Supply Agency indicated that the Agency's supply policy should in his view include a 'special course of action' to enable the Portuguese problem to be resolved. The Agency has continued to try to find buyers for the production among Community users but always without success, as the prices asked by the ENU are not competitive in market terms.

- (3) On 21 December 1990 the ENU formally requested that the Commission, pursuant to the second paragraph of Article 53 and Article 148 of the EAEC Treaty, direct the Agency to restore the machinery established by Chapter VI of the Treaty, to undertake an investigation into the provision of supplies to users from outside the Community, to discuss compensation to the ENU and to require the Agency to adopt a 'special course of action' :

(a) to order the Agency pursuant to Article 53 of the Treaty ... to restore the proper functioning of the machinery established by the Treaty under Chapter VI, requiring compliance with the provisions concerning the common supply policy, etc. ;

(b) that the Commission immediately undertake an investigation and thereafter take action accordingly — to determine how it was possible that, without any check by it under Article 66 of the Treaty, the Community users freely obtain supplies of uranium on foreign markets, despite the availability at a reasonable price of the entire output of the ENU ... and that the Commission, either directly or through the Agency, warn the offending undertakings that it will take action against them if they effect further imports whilst the ENU output remains on sale ;

(c) that the Commission discuss ... with the ENU the amount of the fair compensation which must be paid to the ENU for the damage caused to it by the unlawful failure on the part of the Commission and the Supply Agency to exercise their Community powers ;

(d) to require compliance with the Commission's decision, which was not complied with by the Supply Agency, and to direct that the Agency urgently adopt a "special course of action" so as to achieve an immediate resolution of the problem regarding the disposal of the ENU's uranium and to support it in that regard ;

(e) that the Commission therefore direct the Agency to implement the Decision which it addressed to it, by finding a satisfactory solution to the problem of the ENU, without prejudice to the application of the provisions of the Treaty, in a manner which will make it possible to lessen the effects of any future difficulties.

- (4) By written application addressed to the Registrar on 3 April 1991 ⁽¹⁾, the ENU brought proceedings pursuant to Article 148 of the EAEC Treaty for failure to act (Case C-107/91), claiming that the Court should declare :

⁽¹⁾ OJ No C 125, 15. 5. 1991, p. 10.

'that the Commission has failed to take and address to it the Decision which it had requested of it pursuant to Article 53 of the EAEC Treaty.'

- (5) In its judgment of 16 February 1993 ⁽¹⁾ the Court found that:

'The Commission has failed, contrary to the second paragraph of Article 53 of the EAEC Treaty, to give a decision in respect of the request submitted to it by the applicant under that provision.'

II. LEGAL ASSESSMENT

- (6) Pursuant to Article 149 of the EAEC Treaty, the Commission is required to take the necessary measures to comply with the judgment of the Court.

(a) Point (a) of the ENU's application

- (7) The machinery established by Chapter VI of the EAEC Treaty, such as the European Supply Agency's right of option and its exclusive right to conclude supply contracts, has never been repealed. The procedure provided for in the rules of the Euratom Supply Agency of 5 May 1960 determining the manner in which demand is to be balanced against the supply of ores, source materials and special fissile materials ⁽²⁾, as amended by the Regulation of the Euratom Supply Agency of 15 July 1975 ⁽³⁾, adopted under the sixth paragraph of Article 60 of the EAEC Treaty, provides a mechanism for balancing supply and demand. These rules take account of the prevailing conditions of supply and provide for the Agency to exercise its rights to conclude contracts and its right of option by signing contracts negotiated directly between users and producers.

It is therefore necessary to state in reply to point (a) of the ENU's application that the proper functioning of the machinery established by Chapter VI of the EAEC Treaty is ensured by the abovementioned rules of the Euratom Supply Agency.

(b) Point (b) of the ENU's application

- (8) Article 5a of the rules of the Euratom Supply Agency of 5 May 1960 authorizes Community users to negotiate with the producers of their choice, both within the Community and outside, without

the EAEC Treaty or the abovementioned rules laying down a 'Community preference'.

- (9) Article 66 of the EAEC Treaty does not apply in the present case. It covers only crisis situations in which the Agency is not in a position to supply users except at excessively high prices, with the consequence that users may, under certain conditions, be granted the right to obtain supplies from outside the Community without any intervention whatsoever for the Agency.

It should be noted that the ENU's tenders were at prices which were too high to be competitive and that no Community user accepted them.

- (10) No action should therefore be taken against Community users who obtain supplies from outside the Community and submit their contracts to the Agency for signature for the purpose of their conclusion.

(c) Point (c) of the ENU's application

- (11) A claim for damages is the subject of an action for compensation which was brought before the Court by a written application to the Registrar on 20 October 1992 (Case C-380/92) ⁽⁴⁾, pursuant to the second paragraph of Article 188 and Article 151 of the EAEC Treaty and which is pending.

(d) Points (d) and (e) of the ENU's application

- (12) Points (d) and (e) of the ENU's application both concern the 'special course of action' for the disposal of the Portuguese production and should be dealt with jointly.

The 'special course of action' which, according to the letter of 8 December 1989 from the Member of the Commission responsible for the Supply Agency, should be included in the common supply policy for nuclear fuels should form part of the framework of the EAEC Treaty and the applicable rules. As stated above, the applicable rules authorize Community users to negotiate with the producers of their choice. Neither the EAEC Treaty nor the secondary legislation provide for 'Community preference', and the Agency is therefore not required to order Community users to obtain supplies from Community producers before they can conclude supply contracts with non-Community suppliers.

⁽¹⁾ Not yet published in the ECR.

⁽²⁾ OJ No 32, 11. 5. 1960, p. 777/60.

⁽³⁾ OJ No L 193, 25. 7. 1975, p. 37.

⁽⁴⁾ OJ No C 316, 3. 12. 1992, p. 14.

Against this background, the 'special course of action' can only consist of serious and sustained efforts on the part of the Supply Agency to encourage Community users to obtain supplies from the ENU. The Agency has undeniably been doing this since 1987,

HAS ADOPTED THIS DECISION :

Article 1

The requests submitted by the Empresa Nacional de Urânio in its letter of 21 December 1990 are rejected.

Article 2

This Decision is addressed to :

Empresa Nacional de Urânio SA, a company constituted under Portuguese law,
Urgeirica, Concelho de Nelas,
P-3525 Canas de Senhorim
Portugal.

Done at Brussels, 19 July 1993.

For the Commission

Abel MATUTES

Member of the Commission

CORRIGENDA**Corrigendum to Council Directive 92/111/EEC of 14 December 1992 amending Directive 77/388/EEC and introducing simplification measures with regard to value added tax**

(Official Journal of the European Communities No L 384 of 31 December 1992)

On page 55, Article 1, point 22, paragraph 4 (c) shall read as follows :

'(c) the imported goods, within the meaning of paragraph 2 (a), are means of transport which were acquired or imported before 1 January 1993, in accordance with the general conditions of taxation in force on the domestic market of a Member State, within the meaning of Article 3, and/or have not been subject by reason of their exportation to any exemption from or refund of value added tax.

This condition shall be deemed to be fulfilled when the date of the first use of the means of transport was before 1 January 1985 or when the amount of tax due because of the importation is insignificant.'
