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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2223/93
of 6 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 5

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 7 August 1993.

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

Done at Brussels, 6 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 6 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⁾ ⁽⁵⁾
1001 90 91	128,28
1001 90 99	128,28 ⁽⁹⁾
1002 00 00	135,60 ⁽⁶⁾
1003 00 10	126,09
1003 00 20	126,09
1003 00 80	126,09 ⁽⁹⁾
1004 00 00	78,25
1005 10 90	130,52 ⁽²⁾ ⁽³⁾
1005 90 00	130,52 ⁽²⁾ ⁽³⁾
1007 00 90	137,14 ⁽⁴⁾
1008 10 00	28,73 ⁽⁹⁾
1008 20 00	80,33 ⁽⁴⁾
1008 30 00	32,64 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	32,64
1101 00 00	206,34 ⁽⁹⁾
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 2224/93

of 6 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 5

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 7 August 1993.

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

Done at Brussels, 6 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 6 August 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	1,61	0	0
1001 90 99	0	1,61	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 30	0	0	0	0
1103 11 50	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 8	1st period 9	2nd period 10	3rd period 11	4th period 12
1107 10 11	0	2,87	0	0	0
1107 10 19	0	2,14	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 2225/93

of 27 July 1993

amending Regulation (EEC) No 2719/92 on the accompanying administrative document for the movement under duty-suspension arrangements of products subject to excise duty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 92/12/EEC of 25 February 1992 on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products⁽¹⁾, as amended by Directive 92/108/EEC⁽²⁾, and in particular Articles 15 (5) and 18 (1) thereof,

Having regard to the opinion of the Committee on Excise Duties,

Whereas Article 15 (5) of Directive 92/12/EEC provides that an authorized warehousekeeper of dispatch or his agent may, during the carriage of products, choose an alternative place of delivery without special authorization from the relevant competent authority; whereas this has to be taken into account as regards the form of the accompanying document and its explanatory notes;

Whereas the fact that all Member States now issue excise numbers to their authorized warehousekeepers and their registered traders requires the obligatory indication of the excise number in the accompanying document; whereas, as a consequence, with the exception of non-registered traders, there is no further need to indicate the VAT identification number either for the consignor or for the consignee in the accompanying document;

Whereas there is a need to simplify and to facilitate the procedure as regards those accompanying documents which have been drawn up by an automatic or electronic data-processing system; whereas Member States should be authorized to enable the consignor, under certain conditions, to dispense with a signature on documents;

Whereas Commission Regulation (EEC) No 2719/92⁽³⁾ should therefore be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2719/92 is amended as follows:

1. Article 1 is replaced by the following:

'Article 1

The document shown in Annex I shall be used as the administrative document accompanying the movement

under duty-suspension arrangements of products subject to excise duty within the meaning of Article 3 (1) of Directive 92/12/EEC. The instructions concerning completion of the document and the procedures for its use are shown on the reverses of copy 1 of this document.'

2. The following sentence is added to Article 2 (2):

'The document shall be marked conspicuously with the following indication:

"Commercial accompanying document for the movement of products subject to excise duty under duty suspension".

3. The following Article 2a is inserted:

'Article 2a

1. In cases where the accompanying document is drawn up by an electronic or automatic data-processing system, the competent authorities may authorize the consignor not to sign the document but to replace the signature by the special stamp shown in Annex II. Such authorization shall be subject to the condition that the consignor has previously given a written undertaking to those authorities that he will be liable for all risks inherent in intra-Community movements of products subject to excise duty under duty-suspension arrangements involving consignments which travel under cover of an accompanying document bearing such special stamp.

2. Accompanying documents drawn up in accordance with paragraph 1 shall contain in that part of Box 24 which is reserved for the consignor's signature, one of the following indications:

- Dispensa de firma
- Fritaget for underskrift
- Freistellung von der Unterschriftsleistung
- Δεν απαιτείται υπογραφή
- Signature waived
- Dispense de signature
- Dispensa dalla firma
- Van ondertekening vrijgesteld
- Dispensa de assinatura.

⁽¹⁾ OJ No L 76, 23. 3. 1992, p. 1.

⁽²⁾ OJ No L 390, 31. 12. 1992, p. 124.

⁽³⁾ OJ No L 276, 19. 9. 1992, p. 1.

3. The special stamp referred to in paragraph 1 shall be placed in the upper right corner of Box A of the administrative accompanying document or, plainly visible, in the corresponding Box of a commercial document. The consignor may also be authorized to pre-print the special stamp.

4. The Annex is replaced by Annexes I and II hereto.

Article 2

Existing stocks of the form which is to be replaced by the new form of Annex I may be used until exhausted.

Article 3

This Regulation shall enter into force on the seventh 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, 27 July 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

**EUROPEAN COMMUNITY
PRODUCTS SUBJECT TO EXCISE DUTY**

ANNEX I
ANNEX

ADMINISTRATIVE ACCOMPANYING DOCUMENT

1	1 Consignor ☐		2 Consignor's excise No.		3 Reference No.		
			4 Consignee's excise No.		5 Invoice No.		
			6 Invoice date				
			8 Competent authority at dispatch				
			10 Guarantee				
Copy for the consignor		7 Consignee		12 Country of dispatch		13 Country of destination	
		7a Place of delivery		14 Tax representative			
		9 Transporter		17 Journey time			
1		11 Other transport details					
		15 Place of dispatch		16 Date of dispatch			
18a Marks and numbers, No. and kind of packages, description of goods		19a Commodity code (CN code)					
		20a Quantity		21a Gross weight (kg)			
				22a Net weight (kg)			
18b Marks and numbers, No. and kind of packages, description of goods		19b Commodity code (CN code)					
		20b Quantity		21b Gross weight (kg)			
				22b Net weight (kg)			
18c Marks and numbers, No. and kind of packages, description of goods		19c Commodity code (CN code)					
		20c Quantity		21c Gross weight (kg)			
				22c Net weight (kg)			
		23 Certificates (certain wines and spirits, small breweries and distilleries)					
A Record of control. For use by competent authority		24 Boxes 1-22 certified correct					
		Signatory's company and telephone No.					
		Name of signatory					
		Place and date					
		Signature					
continue on reverse (copies 2, 3 and 4)							

EXPLANATORY NOTES

Reserve of copy 1

1. General

- 1.1. The Accompanying Administrative Document is required for excise purposes in accordance with the provisions of Articles 18 and 19 of Council Directive 92/12/EEC of 25 February 1992.
- 1.2. The document must be completed legibly and in a manner that makes entries indelible. Information may be pre-printed. No erasures or overwriting are permitted.
- 1.3. The general specification of the paper to be used and the measurement of boxes is as laid down in the Official Journal of the European Communities No. C 164/3 dated 1. 7. 89. The paper is to be white for all copies with the size 210 millimetres by 297 millimetres with a maximum tolerance of 5 millimetres less or 8 millimetres more with regard to their length.
- 1.4. Any unused space in boxes 18a to 22c is to be lined through so that nothing can be added. Three separate descriptions of merchandise may be entered which must be of the same excise category. The categories are mineral oils, tobacco products, and alcohol/alcoholic beverages.
- 1.5. The accompanying document comprises four copies:
 - copie 1. to be retained by the consignor.
 - copie 2. to be retained by the consignee.
 - copie 3. to be returned by the consignor to discharge the movement with, if required, the certificate or endorsement of the fiscal authority of the Member State of destination.
 - copie 4. to be made available to the competent authority in the Member State of destination by the consignee.
 The competent authority in the Member State of dispatch may require to be provided with an additional copy of the document.
- 1.6. Copies 2, 3 and 4 must accompany the goods during the movement.
- 1.7. In cases where this document is utilised for movement using fixed pipelines copies 2, 3 and 4 are to be sent to the consignee by the fastest means available to the dispatching warehousekeeper. In all cases the document is to arrive at the place of delivery within 24 hours of receipt of the goods to which it relates.

2. Headings

- Box 1. Consignor: the full name, and address.
- Box 2. Consignor's excise number: the excise registration number accorded to the consignor by his fiscal authority must be indicated.
- Box 3. Reference number: a reference number which identifies the consignment in the records of the consignor (for example, the invoice number may be used for this purpose).
- Box 4. Consignee's excise number: in the case of an authorized warehousekeeper or a registered trader, the excise registration number must be indicated. In the case of a non-registered trader, the authorization number of the consignment accorded by his fiscal authority is to be indicated.
- Box 5. Invoice number: the number of the invoice relating to the goods. If the invoice has not been allocated the number of the delivery note or other transport document should be given.
- Box 6. Invoice date: the date of the document shown in box 5.
- Box 7. Consignee: the full name, address and in the case where the consignee is a non-registered trader, the VAT identification number. For goods to be exported the person acting for the consignor at the place of export or shipment should be indicated.
- Box 7a. Place of delivery: the actual place of delivery if the goods are not to be delivered to the address indicated in Box 7. For goods to be exported the notation "EXPORT OUTSIDE THE COMMUNITY" is to be made together with the place of export. For goods which are subsequently to be placed under a community customs procedure (other than release for free circulation) the notation "UNDER CUSTOMS PROCEDURE" is to be made together with the place where the goods enter customs control.
- Box 8. Competent authority at dispatch: the name and address of the competent authority responsible for excise control at the place of dispatch.
- Box 9. Transporter: the name and address of the person responsible for arranging the first movement, if different from the consignor.
- Box 10. Guarantee: identify the party or parties responsible for arranging the guarantee. Only "consignor", "transporter" or "consignee" need be entered, as appropriate.
- Box 11. Other transport details: any additional information, e.g. name of any subsequent transporter, means of transport, registration number of means of transport, and the number, type and identification of any commercial seals.
- Box 12. Country of dispatch: the Member State where the movement commences. An abbreviation is to be used.
- | | | | |
|----|---------|----|----------------|
| BE | Belgium | IT | Italy |
| DE | Germany | LU | Luxembourg |
| DK | Denmark | PT | Portugal |
| EL | Greece | ES | Spain |
| FR | France | NL | Netherlands |
| IE | Ireland | GB | United Kingdom |
- Box 13. Country of destination: the final Member State of the movement. Abbreviations, as applied in box 12, are to be used.
- Box 14. Tax representative: if the consignor has appointed a tax representative in the Member State of destination, his name, address, VAT identification number and excise number (if appropriate) are to be entered in this box.
- Box 15. Place of dispatch: the authorization number (if any) of the warehouse.

- Box 16. Date of dispatch: the date, and if so required by the competent authorities at departure, the hour at which the goods leave the consignor's warehouse.
- Box 17. Journey time: the normal period of time necessary for the journey taking into account the means of transport and the distance involved.
- Box 18a. Packages, and description of goods: the marks and numbers of external packages, e.g. containers; the number of internal packages, e.g. cartons; and the commercial description of the goods.
- The description may be continued on a separate sheet attached to each copy. A packing list could be used for this purpose.
- Alcohol and alcoholic beverages other than beer must have the alcoholic strength shown (percentage by volume at 20° C).
- Beer is to be shown at either degrees Plato or alcohol percentage by volume at 20° C, or both, in accordance with the requirement of the Member State of destination and the Member State of dispatch. Mineral oils must show the density at 15° C.
- Box 19a. Commodity code: the CN code.
- Box 20a. Quantity:
- the number of items, expressed in thousands, (cigarettes),
 - the net weight (cigars and cigarillos),
 - litres of product at 20° C to two decimal places (alcohol and alcoholic beverages),
 - litres at 15° C (mineral oils except heavy fuel oil).
- Box 21a. Gross weight: the gross weight of the consignment.
- Box 22a. Net weight: the weight of the excise products without packaging is to be given in respect of alcohol and alcoholic beverages, mineral oils, and for all tobacco products except cigarettes.
- Boxes 18b to 22b and 18c to 22c to be used when the consignment contains goods of a different description to those in boxes 18a to 22a.
- Box 23. Certificates: this space is reserved for certain certificates which are required on Copy 2 only.
1. In the case of certain wines, certification relating to the origin and quality of the products should, where necessary, be indicated in accordance with the relevant Community legislation.
 2. In the case of certain spirit drinks certification relating to the place of production which is required under the relevant Community legislation should be indicated.
 3. Beer brewed by an independent small brewery, as defined in the specific Council directive relating to the structures of excise duties on alcohol and alcoholic beverages, for which it is intended to claim a reduced rate of excise duty in the Member State of destination should be certified by the consignor in the following terms:

'It is hereby certified that the product described has been brewed by an independent small undertaking with a production in the previous year of hectolitres of beer.'
 4. Ethyl alcohol produced by a small distillery, as defined in the specific Council Directive relating to the structures of excise duties on alcohol and alcoholic beverages, for which it is intended to claim a reduced rate of excise duty in the Member State of destination should be certified by the consignor in the following terms:

'It is hereby certified that the product described has been produced by a small undertaking with a production in the previous year of hectolitres of pure alcohol.'
- Box 24. Signatory's company, etc.: the document is to be completed by, or on behalf of, the consignor. The company of the signatory to the document is to be identified. The document must be signed unless the consignor has been authorized to replace the signature by a special stamp. In such a case the endorsement "SIGNATURE WAIVED" should be entered.
- BOX A. Record of control: the competent authorities shall record the controls applied on copies 2, 3 and 4. If the space is insufficient on the front of the document the record may be continued on the reverse. All comments shall be signed, dated and stamped by the responsible official.
- When goods enter a customs regime the controls applied are to be recorded by the responsible official. The special stamp to be used when a waiver of signature has been authorized shall also be entered in the upper right corner of Box A.
- BOX B. If, during the movement, the destination of the goods is changed from that indicated in boxes 7 or 7a the consignor or his agent must indicate the new place of delivery in Box B. Furthermore, the consignor is obliged to immediately notify the change of place of delivery to his competent authorities.
- BOX C. Certificate of receipt: to be given by the consignee. In cases where there is fiscal control of receipt of goods into a warehouse, or where goods are exported or placed under a community customs procedure (other than release for free circulation), a certificate is required from the fiscal authority or customs office, as appropriate. It is recommended that the receipt of the goods should also be certified on the reverse of copy 2 which is to be retained by the consignee. Thus, in the case of an eventual loss of copy 3 on its way back to the consignor, the consignor's claim to discharge the movement could easily be fulfilled by sending a copy of the certificate on copy 2.

**EUROPEAN COMMUNITY
PRODUCTS SUBJECT TO EXCISE DUTY**

ADMINISTRATIVE ACCOMPANYING DOCUMENT

2	1 Consignor ☐		2 Consignor's excise No.		3 Reference No.	
	7 Consignee 7a Place of delivery 9 Transporter 11 Other transport details		4 Consignee's excise No.		5 Invoice No.	
			6 Invoice date			
			8 Competent authority at dispatch			
	15 Place of dispatch		16 Date of dispatch		10 Guarantee	
12 Country of dispatch					13 Country of destination	
14 Tax representative		17 Journey time				
18a Marks and numbers, No. and kind of packages, description of goods		19a Commodity code (CN code)				
18b Marks and numbers, No. and kind of packages, description of goods		20a Quantity		21a Gross weight (kg)		
		20b Quantity		21b Gross weight (kg)		
20c Quantity				21c Gross weight (kg)		
		20d Quantity		21d Gross weight (kg)		
20e Quantity				21e Gross weight (kg)		
		20f Quantity		21f Gross weight (kg)		
20g Quantity				21g Gross weight (kg)		
		20h Quantity		21h Gross weight (kg)		
20i Quantity				21i Gross weight (kg)		
		20j Quantity		21j Gross weight (kg)		
20k Quantity				21k Gross weight (kg)		
		20l Quantity		21l Gross weight (kg)		
20m Quantity				21m Gross weight (kg)		
		20n Quantity		21n Gross weight (kg)		
20o Quantity				21o Gross weight (kg)		
		20p Quantity		21p Gross weight (kg)		
20q Quantity				21q Gross weight (kg)		
		20r Quantity		21r Gross weight (kg)		
20s Quantity				21s Gross weight (kg)		
		20t Quantity		21t Gross weight (kg)		
20u Quantity				21u Gross weight (kg)		
		20v Quantity		21v Gross weight (kg)		
20w Quantity				21w Gross weight (kg)		
		20x Quantity		21x Gross weight (kg)		
20y Quantity				21y Gross weight (kg)		
		20z Quantity		21z Gross weight (kg)		
20aa Quantity				21aa Gross weight (kg)		
		20ab Quantity		21ab Gross weight (kg)		
20ac Quantity				21ac Gross weight (kg)		
		20ad Quantity		21ad Gross weight (kg)		
20ae Quantity				21ae Gross weight (kg)		
		20af Quantity		21af Gross weight (kg)		
20ag Quantity				21ag Gross weight (kg)		
		20ah Quantity		21ah Gross weight (kg)		
20ai Quantity				21ai Gross weight (kg)		
		20aj Quantity		21aj Gross weight (kg)		
20ak Quantity				21ak Gross weight (kg)		
		20al Quantity		21al Gross weight (kg)		
20am Quantity				21am Gross weight (kg)		
		20an Quantity		21an Gross weight (kg)		
20ao Quantity				21ao Gross weight (kg)		
		20ap Quantity		21ap Gross weight (kg)		
20aq Quantity				21aq Gross weight (kg)		
		20ar Quantity		21ar Gross weight (kg)		
20as Quantity				21as Gross weight (kg)		
		20at Quantity		21at Gross weight (kg)		
20au Quantity				21au Gross weight (kg)		
		20av Quantity		21av Gross weight (kg)		
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20fm Quantity				21fm Gross weight (kg)		
		20fn Quantity		21fn Gross weight (kg)		
20fo Quantity						

B CHANGE OF PLACE OF DELIVERY

New address:

The authorities mentioned in box 8
must be informed immediately

Name of signatory:

Signature

Place and date:

C CERTIFICATION OF RECEPTION OR EXPORTATION☐

Goods received by consignee

Date

Place

Reference No.

Description of goods

Excess

Shortage

☐

Consignment checked

☐Goods exported* / placed under a community
customs procedure (other than release for
free circulation)* date

Means of transport

☐

Name of signatory

Signatory's company

Place / date

Signature

☐

Fiscal authority or Customs office

Name

Address

Endorsement by fiscal authority (if required) or Customs office

* delete inapplicable

A Record of control (continued)

**EUROPEAN COMMUNITY
PRODUCTS SUBJECT TO EXCISE DUTY**

ADMINISTRATIVE ACCOMPANYING DOCUMENT

3	1 Consignor ☐		2 Consignor's excise No.		3 Reference No.			
	7 Consignee 7a Place of delivery		4 Consignee's excise No.		5 Invoice No.			
			6 Invoice date					
			8 Competent authority at dispatch					
	9 Transporter		10 Guarantee					
	11 Other transport details		12 Country of dispatch		13 Country of destination			
14 Tax representative								
3	15 Place of dispatch		16 Date of dispatch		17 Journey time			
	18a Marks and numbers, No. and kind of packages, description of goods				19a Commodity code (CN code)			
					20a Quantity		21a Gross weight (kg)	
					22a Net weight (kg)			
18b Marks and numbers, No. and kind of packages, description of goods				19b Commodity code (CN code)				
				20b Quantity		21b Gross weight (kg)		
				22b Net weight (kg)				
18c Marks and numbers, No. and kind of packages, description of goods				19c Commodity code (CN code)				
				20c Quantity		21c Gross weight (kg)		
				22c Net weight (kg)				
23 Certificates (certain wines and spirits, small breweries and distilleries)								
A Record of control. For use by competent authority				24 Boxes 1-22 certified correct Signatory's company and telephone No.				
				Name of signatory				
				Place and date				
				Signature				

continue on reverse (copies 2, 3 and 4)

B CHANGE OF PLACE OF DELIVERY

New address:

The authorities mentioned in box 8
must be informed immediately

Name of signatory:

Signature

Place and date:

C CERTIFICATION OF RECEPTION OR EXPORTATION☐

Goods received by consignee

Date

Place

Reference No.

Description of goods

Excess

Shortage

☐

Consignment checked

☐Goods exported* / placed under a community
customs procedure (other than release for
free circulation)* date

Means of transport

☐

Name of signatory

Signatory's company

Place / date

Signature

☐

Fiscal authority or Customs office

Name

Address

Endorsement by fiscal authority (if required) or Customs office

* delete inapplicable

A Record of control (continued)

**EUROPEAN COMMUNITY
PRODUCTS SUBJECT TO EXCISE DUTY**

ADMINISTRATIVE ACCOMPANYING DOCUMENT

4	Copy for the country of destination	1 Consignor ☐		2 Consignor's excise No.	3 Reference No.	
		7 Consignee 7a Place of delivery		4 Consignee's excise No.	5 Invoice No.	
				6 Invoice date		
				8 Competent authority at dispatch		
		9 Transporter		10 Guarantee		
11 Other transport details		12 Country of dispatch	13 Country of destination			
4		15 Place of dispatch	16 Date of dispatch	17 Journey time		

18a Marks and numbers, No. and kind of packages, description of goods		19a Commodity code (CN code)
	20a Quantity	21a Gross weight (kg)
		22a Net weight (kg)
18b Marks and numbers, No. and kind of packages, description of goods		19b Commodity code (CN code)
	20b Quantity	21b Gross weight (kg)
		22b Net weight (kg)
18c Marks and numbers, No. and kind of packages, description of goods		19c Commodity code (CN code)
	20c Quantity	21c Gross weight (kg)
		22c Net weight (kg)

23 Certificates (certain wines and spirits, small breweries and distilleries)	
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A Record of control. For use by competent authority	24 Boxes 1-22 certified correct Signatory's company and telephone No. Name of signatory Place and date Signature
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continue on reverse (copies 2, 3 and 4)

B CHANGE OF PLACE OF DELIVERY

New address:

The authorities mentioned in box 8
must be informed immediately

Name of signatory:

Signature

Place and date:

C CERTIFICATION OF RECEPTION OR EXPORTATION☐

Goods received by consignee

Date _____

Place _____

Reference No. _____

Description of goods

Excess

Shortage

☐

Consignment checked

☐Goods exported* / placed under a community
customs procedure (other than release for
free circulation)* date _____

Means of transport _____

☐Name of signatory _____
Signatory's company _____Place / date _____
Signature _____☐Fiscal authority or Customs office
Name
Address

Endorsement by fiscal authority (if required) or Customs office

* delete inapplicable

A Record of control (continued)

*ANNEX II***Special Stamp**

55 mm	
1	2
Waiver of Signature	
3	4
25 mm	

1. Coat of arms or any other signs or letters characterizing the Member State
2. Competent fiscal authority
3. Consignor
4. No. and date of authorization

COMMISSION REGULATION (EEC) No 2226/93

of 6 August 1993

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for processing within the Community and repealing Regulation (EEC) No 1387/93

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

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 1759/93 ⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold substantial stocks of intervention meat; whereas an extension of the period of storage should be avoided on account of the ensuing high costs; whereas, in the present market situation, there are outlets for such meat for processing in the Community;

Whereas such sales should be made in accordance with Commission Regulations (EEC) No 2539/84, (EEC) No 3002/92 ⁽⁵⁾, as last amended by Regulation (EEC) No 1938/93 ⁽⁶⁾, and (EEC) No 2182/77 ⁽⁷⁾, as last amended by Regulation (EEC) No 1759/93, subject to certain special exceptions on account of the particular use to which the products in question are to be put;

Whereas Commission Regulation (EEC) No 1387/93 should be repealed ⁽⁸⁾;

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

1. The following approximate quantities of beef shall be put up for sale for processing within the Community:

(a) bone-in hindquarters:

- 250 tonnes of bone-in beef held by the Belgian intervention agency and bought in before 1 March 1992,
- 2 000 tonnes of bone-in beef held by the Italian intervention agency and bought in before 1 March 1992,
- 1 000 tonnes of bone-in beef held by the German intervention agency and bought in before 1 May 1992,
- 1 000 tonnes of bone-in beef held by the French intervention agency and bought in before 1 February 1992;

(b) bone-in forequarters:

- 2 000 tonnes of bone-in beef held by the Spanish intervention agency and bought in before 1 October 1992,
- 2 000 tonnes of bone-in beef held by the French intervention agency and bought in before 1 August 1992;

(c) boned beef:

- 2 500 tonnes of boned beef held by the French intervention agency and bought in before 1 February 1993,
- 7 000 tonnes of boned beef held by the United Kingdom intervention agency and bought in before 1 October 1992,
- 2 000 tonnes of boned beef held by the Italian intervention agency and bought in before 1 January 1993,
- 1 500 tonnes of boned beef held by the Danish intervention agency and bought in before 1 March 1993,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 59.

⁽⁵⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁶⁾ OJ No L 176, 20. 7. 1993, p. 12.

⁽⁷⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁸⁾ OJ No L 136, 5. 6. 1993, p. 34.

- 3 000 tonnes of boned beef held by the Irish intervention agency and bought in before 1 October 1992.
- 2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.
- 3. The sales shall be conducted in accordance with the provisions of Regulations (EEC) No 2539/84, (EEC) No 3002/92, (EEC) No 2182/77 and this Regulation.
- 4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.
- 5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 11 August 1993.
- 6. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

Article 2

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender or application to purchase :
 - (a) shall be valid only if presented by a natural or legal person who, for at least 12 months, has been engaged in the processing of products containing beef and who is entered in a public register of a Member State ;
 - (b) must be accompanied by :
 - a written undertaking by the applicant to process the meat purchased into products specified in Article 1 (1) of Regulation (EEC) No 2182/77 within the period referred to in Article 5 (1) of the abovementioned Regulation,
 - a precise indication of the establishment or establishments where the meat which has been purchased will be processed.
2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the

products which they purchase. In this case the agent shall submit the tenders or applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 10 per 100 kilograms.
2. The security provided for in Article 5 (3) (a) of Regulation (EEC) No 2539/84 shall be :
 - ECU 150 per 100 kilograms for bone-in hindquarters,
 - ECU 100 per 100 kilograms for bone-in forequarters,
 - ECU 140 per 100 kilograms for boned meat.

Article 4

For the purpose of this Regulation, 100 kilograms of bone-in hindquarters equals 64 kilograms of boneless meat after removal of the fillet and the striploin.

Article 5

Regulation (EEC) No 1387/93 is hereby repealed.

Article 6

This Regulation shall enter into force on 11 August 1993.

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

Done at Brussels, 6 August 1993.

For the Commission

René STEICHEN

Member of the Commission

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada (1) Mindstepriser i ECU/ton (1) Mindestpreise, ausgedrückt in ECU/Tonne (1) Ελάχιστες τιμές πώλησας εκφραζόμενες σε Ecu τόνο (1) Minimum prices expressed in ecus per tonne (1) Prix minimaux exprimés en écus par tonne (1) Prezzi minimi espressi in ecu per tonnellata (1) Minimumprijzen uitgedrukt in ecu per ton (1) Preço mínimo expresso em ecus por tonelada (1)
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a) Cuartos traseros con hueso — Bagfjerdinger, ikke udbenet — Hinterviertel mit Knochen — Οπίσθια τέταρτα μη αποστεωμένα — Unboned hindquarters — Quartiers arrière avec os — Quarti posteriori non disossati — Achtervoeten met been — Quartos traseiros com osso

France	— <i>Quartiers arrière</i> , provenant de : catégories A / C, classes U, R et O	1 000	1 700
Italia	— <i>Quarti posteriori</i> , provenienti da : Categoria A, classi U, R e O	2 000	1 700
Deutschland	— <i>Hindviertel</i> , stammend von : Kategorien A/C, Klassen U, R und O	1 000	1 700
Belgique/België	— <i>Quartiers arrière</i> , provenant de : <i>Achtervoeten</i> , afkomstig van : catégorie A, classes U, R et O Categoria A, Klassen U, R en O	250	1 700

b) Cuartos delanteros con hueso — Forfjerdinger, ikke udbenet — Vorderviertel mit Knochen — Εμπρόσθια τέταρτα μη αποστεωμένα — Unboned forequarters — Quartiers avant avec os — Quarti anteriori non disossati — Voorvoeten met been — Quartos dianteiros com osso

España	— <i>Cuartos delanteros</i> , procedentes de : Categoria A, clases U, R, O	2 000	1 100
France	— <i>Quartiers avant</i> , provenant de : catégories A / C, classes U, R, O	2 000	1 100

c) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Αποστεωμένο κρέας — Boned beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada

Ireland	— <i>Category C</i> : Shins and shanks Plates and flanks Forequarters Insides Outsides Knuckles Rumps Briskets	400 1 000 500 100 200 300 300 200	1 550 1 050 1 700 2 800 2 800 2 400 2 250 1 500
United Kingdom	— <i>Category C</i> : Rumps Thick flanks Topsides Silversides Briskets Pony parts Pony Foreribs Forequarter flanks Thin flanks Shins and shanks Clod and sticking	500 300 800 800 600 400 800 200 1 000 1 000 300 300	2 200 2 250 3 100 3 000 1 500 1 400 2 000 1 800 1 100 1 100 1 500 1 950

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkte Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada ⁽¹⁾ Mindstepriser i ECU/ton ⁽¹⁾ Mindestpreise, ausgedrückt in ECU/Tonne ⁽¹⁾ Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu τόνο ⁽¹⁾ Minimum prices expressed in ecus per tonne ⁽¹⁾ Prix minimaux exprimés en écus par tonne ⁽¹⁾ Prezzi minimi espressi in ecu per tonnellata ⁽¹⁾ Minimumprijzen uitgedrukt in ecu per ton ⁽¹⁾ Preço mínimo expresso em ecus por tonelada ⁽¹⁾
Italia	— <i>Categoria A:</i> Petto Collo sottospalla Sottospalla Collo Scamore Fesa esterne Fesa interna Noce Girello	 400 100 200 300 200 200 200 200 200 200	 1 400 1 750 1 750 1 750 2 250 3 000 3 000 2 250 3 000
Danmark	— <i>Kategori A/C:</i> Bryst og slag Øvrigt kød af forfjerdning	 750 750	 1 200 1 900
France	— <i>Catégorie A/C:</i> Caisse A Boule de gîte Bavette Jarret	 1 500 350 350 300	 1 550 1 700 1 700 1 600

(¹) Estos precios se entenderán con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

(¹) Disse priser gælder i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

(¹) Diese Preise gelten gemäß Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

(¹) Οι τιμές αυτές εφαρμόζονται σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

(¹) These prices shall apply in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

(¹) Ces prix s'entendent conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

(¹) Il prezzo si intende in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

(¹) Deze prijzen gelden overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

(¹) Estes preços aplicam-se conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

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

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

- IRELAND:** Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 6616263, (01) 6785214 and (01) 6620198
- DANMARK:** EF-Direktoratet
Nyropsgade 26
DK-1602 København K
Tlf. (33) 92 70 00, telex 15137 EFDIR DK, telefax (33) 92 69 48
- ITALIA:** Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91
Telex 61 30 03
- UNITED KINGDOM:** Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302, telefax : (0734) 56 67 50
- FRANCE:** OFIVAL
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
Tél. : 45 38 84 00, télex : 205476
- ESPAÑA:** Servicio Nacional de Productos Agrarios (SENPA)
c/Beneficencia 8
E-28004 Madrid
Tel. 347 63 10 / 347 65 00
Télex 23427 SENPA E
Telefax 521 98 32 / 522 43 87
- DEUTSCHLAND:** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-60322 Frankfurt am Main
Tel. (069) 1 56 47 72/3
Telex : 04 11 156, Telefax : 069 15 64 791
- BELGIQUE/BELGIË:** Office belge de l'économie et de l'agriculture
Rue de Trèves 82
B-1040 Bruxelles
[tél. : (322) 287 24 11 ; télex : 24076 OBEA BRU B, 65567 OBEA BRU B ;
téléfax : (322) 230 25 33]
- Belgische dienst voor bedrijfsleven en landbouw
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COMMISSION REGULATION (EEC) No 2227/93

of 6 August 1993

imposing quantitative restrictions on imports of unwrought aluminium originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Estonia, Latvia and Lithuania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1765/82 of 30 June 1982 on common rules for imports from State-trading countries⁽¹⁾, as last amended by Regulation (EEC) No 848/92⁽²⁾, and in particular Article 11 thereof,

After consultations within the committee set up by Regulation (EEC) No 1765/82;

Whereas :

Procedure

The Commission was informed that imports into the Community of unwrought aluminium originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Estonia, Latvia and Lithuania had increased considerably and were continuing to grow in such a way as to cause serious injury to the Community industry. The French Government made a request on 3 February for Community safeguard measures to be applied to these imports, pursuant to Article 11 of Regulation (EEC) No 1765/82.

Following consultations with the Member States, the Commission announced, in a notice published in the *Official Journal of the European Communities*⁽³⁾, that a Community investigation would be instituted in connection with the imports in question.

The Commission made efforts to gather all the necessary information and to check all the information received.

The Commission carried out on-site checks in Germany, Spain, Italy, France, the Netherlands and the United Kingdom.

InterComAlum, which represents the interests of producers in Russia and the other countries of the Commonwealth of Independent States (CIS), as well as those of some European and American producers and sellers, made its views known to the Commission.

The Commission also granted a hearing to certain users of aluminium imported from the countries cited.

Product

The product involved in the investigation is unwrought aluminium falling within CN code ex 7601 (aluminium, not alloyed, falling within CN code 7601 10 00, and aluminium alloys, primary, falling within CN code 7601 20 10), originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Estonia, Latvia and Lithuania.

Imports of this product into the Community are unrestricted and carry a customs duty of 6 %. Unwrought aluminium is not included in the GSP (generalized system of preferences).

Production process and grade

Unwrought aluminium is produced in two ways :

1. electrolysis/smelting ;
2. smelting alone.

The unwrought aluminium produced by both these processes is comparable in all respects.

Unwrought aluminium is sold in the form of ingots, bars and billets. Bars and billets can be used to produce semi-finished products by rolling or extrusion.

Unwrought aluminium is generally of a 99,7 % pure A 1 grade.

Like and competing products

Community output from the electrolysis/smelting process is mainly unwrought aluminium alloy of a 99,7 % pure A 1 grade.

Unwrought aluminium imported from the non-member countries in question is mostly unalloyed and often less than 99,7 % pure.

By smelting with aluminium of a different quality, the lower-grade metal can be brought up to the required level of purity and alloyed.

Community products are therefore similar and compete in every respect with imported products.

⁽¹⁾ OJ No L 195, 5. 7. 1982, p. 1.

⁽²⁾ OJ No L 89, 4. 4. 1992, p. 1.

⁽³⁾ OJ No C 94, 3. 4. 1993, p. 4.

World market

There is a world market for aluminium on which the price of the unwrought metal is determined with reference to the price on the London Metal Exchange (LME) for A 1 99,7 ingots.

This means that the price of unwrought aluminium in ingots is basically the same around the world.

The Community industry uses this base price for the vast majority of its sales both to independent customers and to associate companies⁽¹⁾.

Premiums are added to the base price depending on composition, the shape of the product and transportation. The base price may also be reduced in line with product quality.

The unforeseeable and sudden increase in exports from the non-member countries in question has totally upset the balance of supply and demand on which the LME price is based.

The result of the imbalance has been a rise in world stocks (from 1 807 000 tonnes in 1989 to 3 500 000 tonnes in 1992) and a drop in the LME ingot price (three-month reference: from US\$ 1 907,3 per tonne in 1989 to US\$ 1 292,5 per tonne in 1992).

Community industry

The Community producers of unwrought aluminium consulted during the investigation account for 90 % of Community output. The firms are located in Germany, Spain, Italy, Greece, the Netherlands, the United Kingdom and France.

Consumption of unwrought aluminium in the Community

Apparent consumption of unwrought aluminium in the Community was 3 779 000 tonnes in 1989 (including East German consumption estimated at 90 000 tonnes), and rose to 3 841 000 tonnes in 1990 (including East German consumption estimated at 61 000 tonnes), 3 837 000 tonnes in 1991 and 3 975 000 tonnes in 1992, an increase of over 7 %.

⁽¹⁾ Exceptions are some sales based on long-term contracts dating from before 1990 (now lapsing).

Situation of the Community industry

1. Output

The overall output of the Community industry decreased by 5 %, from 2 375 000 tonnes in 1989 to 2 255 000 tonnes in 1992.

These figures include unwrought aluminium produced by electrolysis (approximately 2 130 000 tonnes in 1989 and approximately 1 965 000 tonnes in 1992).

2. Capacity

Production capacity using the electrolytic process increased from 2 165 000 tonnes in 1989 to 2 355 000 tonnes in 1992, a rise of 7,8 %.

The Community industry used 100 % of its capacity until 1989. The figure has since fallen, reaching 83 % at the end of 1992.

This under-use of capacity has had a not inconsiderable effect on the deterioration in the financial results of the Community producers, because of the fixed costs which they must meet.

3. Sales

Sales were 2 800 000 tonnes in 1989 and 2 680 000 tonnes in 1992, a fall of 6 %.

The value of these sales dropped from US\$ 5 800 000 in 1989 to US\$ 4 050 000 in 1992, a fall of 30 %.

Sales fell despite the increase in Community consumption.

4. Production cost

All the Community producers dropped their production price per tonne by 15 to 20 % between 1989 and 1992.

This unit cost, in dollars, was still below the LME reference price in 1989, but is now far above it (1992 production cost: US\$ 1 830 per tonne, LME price: US\$ 1 280 per tonne).

5. Stocks

Factory stocks grew from 145 000 tonnes in 1989 to 175 000 tonnes in 1992, an increase of 20 %.

6. Prices

Selling prices per tonne fell from US\$ 2 000 in 1989 to US\$ 1 440 in 1992.

This price is currently far below the cost of production (an average of 22 % lower as of March to May 1993).

7. Profitability

The downward trend in selling prices has put the Community industry in a difficult position despite lower production costs.

The industry made a profit until 1989 (approximately 25 % on its sales), but this then gradually diminished.

In 1992, losses were running at approximately 15 % of the value of sales.

8. Employment

The number of people employed decreased from 16 200 in 1989 to 13 900 in 1992, a fall of 15 %. For some companies, however, the drop exceeded 40 %.

9. Closures

The number of plants fell from 28 in 1990 to 22 in 1992. Of those remaining, six have halted some of their production lines.

Conclusion

The Community industry is in serious difficulties from an economic and financial point of view.

This damaging situation contrasts with the Community industry's status as technologically one of the most advanced in the world.

Sales of aluminium from the former Soviet Union

1. Exports

Exports to the West of unwrought aluminium from the countries of the former Soviet Union have increased continuously since 1989. The volume of exports was 190 000 tonnes in 1989, 434 000 tonnes in 1990, 886 000 tonnes in 1991 and 839 000 tonnes in 1992.

The great majority went to Europe and the Community in particular, because of its proximity.

2. Imports

Imports into the Community of unwrought aluminium from the non-member countries concerned are of two types: permanent imports (aluminium for use in the Community) and temporary imports (aluminium entering the Community under inward processing arrangements).

Permanent imports rose from 75 000 tonnes in 1990 (including 60 000 tonnes imported into East Germany), to 134 000 tonnes in 1991 and 351 000 tonnes in 1992.

Temporary imports ran at 129 000 tonnes in 1990, 195 000 tonnes in 1991 and 177 000 tonnes in 1992.

The overall quantity of primary aluminium which entered the Community from the former Soviet Union was therefore 144 000 tonnes in 1990, 329 000 tonnes in 1991 and 528 000 tonnes in 1992.

3. Market share

The share of the Community market occupied by permanent imports was nil in 1989, 1,6 % in 1990, 3,5 % in 1991 and 9 % in 1992.

4. Prices

The average price of the imports in question was ECU 1 631 per tonne in 1989, ECU 1 336 per tonne in 1990, ECU 1 067 per tonne in 1991 and ECU 917 per tonne in 1992. This average price is considerably below the LME price.

The average margin by which average prices in intra-Community trade were undercut was 16 % in 1990, 22 % in 1991 and 23 % in 1992.

Prices of aluminium imports from the countries in question are usually lower than the LME prices, and moreover lower than the production costs of the most efficient of the Community producers.

Cause and effect

1. The effect of the imports in question

The drop in the Community output and market share has coincided with the increase in imports from the non-member countries concerned on the Community market.

Between 1989 and 1992, more particularly, the market share lost by Community products (-8 %) was paralleled by a gain in market share for imports from the former Soviet Union (from 1,5 to 9 %).

The rapid increase in such imports is closely connected with the low price at which they have been sold on the Community market, up to 30 % below the prevailing LME price as a result of the metal's lower level of purity.

As a result of this situation, the Community industry has lost sales and market share, and has had to cut output, to the benefit of imports of unwrought aluminium from the countries in question.

2. Other considerations

(a) The drop in the LME reference price

The fall in the world price has had an adverse effect on the viability of the aluminium industry, and this effect has indiscriminately affected producers worldwide.

The situation of the Community industry has, however, been further worsened by the fact that it has the only western producers to have been faced with a massive influx of lower-grade imports from the former Soviet Union at prices undercutting the LME price.

(b) Trends in consumption

Between 1989 and 1992 apparent Community consumption of unwrought aluminium increased by approximately 7 %, from 3 705 000 to 3 975 000 tonnes.

The harm suffered by the Community industry cannot, therefore, be put down to a contraction of Community demand.

(c) Increase in the Community industry's production capacity

Data on capacity trends show there was a limited increase in capacity, equivalent to the increase in demand.

The increase cannot therefore be considered to have caused serious injury.

(d) Imports from other non-member countries

Imports from non-member countries not targeted by the Community procedure were 1 562 000 tonnes in 1989, 1 628 000 tonnes in 1990, 1 592 000 tonnes in 1991 and 1 618 000 tonnes in 1992. They therefore increased over this period by approximately 3,5 % and their market share remained stable at around 40 %. These imports are sold at prices based on the prevailing LME price, and do not undercut the Community producers' rates.

In the light of these considerations, it does not seem that the pattern of these imports could have caused or helped to cause injury to the Community industry.

(e) Competitiveness of the Community industry

The Community industry faces high energy costs and steadily increasing labour costs.

Production costs nevertheless fell by 15 to 20 % between 1989 and 1992 as a result of increased productivity and a drop in the price of alumina.

Conclusion

Other factors may have contributed to the decline in the Community industry's position but it is clear that the goods in question and the circumstances under which

they were imported were the only cause of serious injury to Community producers.

Measures

Commission considers that a negotiated solution to the problem of imports of unwrought aluminium into the Community would help to ensure problem-free growth in trade in unwrought aluminium between the Community and the countries concerned in this investigation in the future and would, therefore, serve the Community interest.

However, following contacts with the main exporting country, it is forced to conclude that such a solution is not within reach at present because the non-member countries concerned lack the means to implement it effectively.

In these circumstances, given the critical position of the Community industry, which would suffer almost irreparable injury in the event of delay, the Commission considers that, pending a mutually satisfactory solution, the Community must temporarily introduce safeguard measures.

To this end, the Commission considers that, at this stage, imports into the Community of unwrought aluminium originating in the non-member countries in question should be limited up to 30 November 1993 to 60 000 tonnes, which corresponds to traditional volume of trade.

In addition, the products in question may be put into free circulation only on production of an import authorization, which will be issued by the Member States, subject to the limits in quantities set out above, within 10 days of the request being lodged.

The breakdown of the quota of 60 000 tonnes between the Member States will be decided in accordance with the procedure set out in Article 11 of Council Regulation (EEC) No 1023/70⁽¹⁾.

The measures do not prevent products already en route to the Community being put into free circulation, provided that they cannot be delivered to any other destination.

Community interest

The Commission considers that since the volume has been set with reference to traditional trade flows and for a limited period, the measure to be introduced will have little effect on independent processors supplied by the non-member countries and on consumers of finished and semi-finished products.

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

With regard to the introduction of safeguard measures, their particular interests cannot, in the circumstances, be put before those of Community producers of like products and producers of finished and semi-finished products, whom they supply. Failure to take action would very quickly jeopardize the viability of the Community industry and some producers would face the prospect of halting production. Given these conditions, the Community interest requires immediate action,

HAS ADOPTED THIS REGULATION:

Article 1

From the date of this Regulation's entry into force until 30 November 1993, imports into the Community of unwrought aluminium originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Estonia, Latvia and Lithuania falling within CN codes 7610 10 00 and 7601 20 10 shall be restricted to a global quota of 60 000 tonnes.

Article 2

The quota referred to in Article 1 shall be divided between the Member States in accordance with traditional trade flows, pursuant to the procedure set out in Article 11 of Regulation (EEC) No 1023/70.

Article 3

1. Products subject to the quota referred to in Article 1 shall be put into free circulation in the Community only in accordance with the attributions set out under the system referred to in Article 2 and on production of an import authorization.

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

Done at Brussels, 6 August 1993.

2. The import authorization shall be issued by the importing Member State within 10 working days of the import request being lodged.

3. The authorization shall be valid for a period of two months and may be renewed.

4. The request submitted by the importer shall give:

(a) the name and address of the importer and exporter;

(b) a product description including:

— the name under which it is traded,

— the relevant CN code,

— the country of origin,

— the country of provenance;

(c) the cif-free-at-Community-frontier price in ecus, by nomenclature heading;

(d) the net weight by heading in the Community nomenclature;

(e) the intended date(s) and place(s) of import.

5. The applicant shall vouch for the accuracy of the information contained in the request for an import authorization.

Article 4

Article 1 to 3 shall not apply to products which, at the time of the Regulation's entry into force, were under way to the Community, provided that such products cannot be delivered to any other destination.

Article 5

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

It shall apply until 30 November 1993.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION REGULATION (EEC) No 2228/93

of 4 August 1993

correcting Regulation (EEC) No 2066/93 fixing for the 1993/94 marketing year the minimum price to be paid to producers for unprocessed dried figs and the amount of production aid for dried figs

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 1569/92⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Commission Regulation (EEC) No 2066/93⁽³⁾ fixes the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 and the production aid referred to in Article 5 of that Regulation;

Whereas a check has revealed that the Annex to that Regulation does not correspond to the measures put before the management committee for an opinion;

whereas the Regulation in question should therefore be corrected,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2066/93 is hereby replaced by the Annex to this Regulation.

Article 2

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

It shall apply with effect from 1 July 1993.

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

Done at Brussels, 4 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.

⁽³⁾ OJ No L 187, 29. 7. 1993, p. 32.

*ANNEX***Minimum price to be paid to producers**

Product	ECU/100 kg net, ex producer
Unprocessed dried figs of category C	66,663

Production aid

Product	ECU/100 kg net
Dried figs of category C	26,974

COMMISSION REGULATION (EEC) No 2229/93
of 6 August 1993
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20

and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 764/93 ⁽⁵⁾, as last amended by Regulation (EEC) No 2109/93 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 August 1993.

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

Done at Brussels, 6 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.
⁽⁵⁾ OJ No L 79, 1. 4. 1993, p. 6.
⁽⁶⁾ OJ No L 191, 31. 7. 1993, p. 23.

ANNEX

to the Commission Regulation of 6 August 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP) (⁽³⁾)
1006 10 21	—	154,53	316,26
1006 10 23	—	163,96	335,13
1006 10 25	—	163,96	335,13
1006 10 27	251,35	163,96	335,13
1006 10 92	—	154,53	316,26
1006 10 94	—	163,96	335,13
1006 10 96	—	163,96	335,13
1006 10 98	251,35	163,96	335,13
1006 20 11	—	194,06	395,33
1006 20 13	—	205,85	418,91
1006 20 15	—	205,85	418,91
1006 20 17	314,18	205,85	418,91
1006 20 92	—	194,06	395,33
1006 20 94	—	205,85	418,91
1006 20 96	—	205,85	418,91
1006 20 98	314,18	205,85	418,91
1006 30 21	—	240,37	504,60
1006 30 23	—	311,94	647,65
1006 30 25	—	311,94	647,65
1006 30 27	485,74	311,94	647,65
1006 30 42	—	240,37	504,60
1006 30 44	—	311,94	647,65
1006 30 46	—	311,94	647,65
1006 30 48	485,74	311,94	647,65
1006 30 61	—	256,35	537,40
1006 30 63	—	334,79	694,29
1006 30 65	—	334,79	694,29
1006 30 67	520,72	334,79	694,29
1006 30 92	—	256,35	537,40
1006 30 94	—	334,79	694,29
1006 30 96	—	334,79	694,29
1006 30 98	520,72	334,79	694,29
1006 40 00	—	78,73	163,46

(⁽¹⁾) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

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

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulations (EEC) No 3491/90 and (EEC) No 862/91.

(⁽⁵⁾) The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

(⁽⁶⁾) No import levy applies to products originating in the OCT pursuant to Article 101 (1) of Decision 91/482/EEC, subject to the provisions of Decision 93/127/EEC.

COMMISSION REGULATION (EEC) No 2230/93**of 6 August 1993****fixing the premiums to be added to the import levies on rice and broken rice**

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3862/92 ⁽³⁾, as last amended by Regulation (EEC) No 2110/93 ⁽⁴⁾;

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 import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 August 1993.

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

Done at Brussels, 6 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 86.

⁽⁴⁾ OJ No L 191, 31. 7. 1993, p. 25.

ANNEX

to the Commission Regulation of 6 August 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 8	1st period 9	2nd period 10	3rd period 11
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 2231/93**of 6 August 1993****abolishing the countervailing charge on fresh lemons originating in Uruguay**

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 2051/93⁽³⁾, introduced a countervailing charge on fresh lemons originating in Uruguay;

Whereas for this product originating in Uruguay there were no prices for six consecutive working days; whereas

the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of fresh lemons originating in Uruguay can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2051/93 is hereby repealed.

Article 2

This Regulation shall enter into force on 7 August 1993.

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

Done at Brussels, 6 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 185, 28. 7. 1993, p. 26.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 18 May 1993

ruling on the granting of aid by France to the coal industry in 1993

(Only the French text is authentic)

(93/429/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry⁽¹⁾,

Whereas :

In a letter dated 12 February 1993 the French Government informed the Commission, pursuant to Article 9 (2) of Decision No 2064/86/ECSC, of a financial measure it intends to take to give direct support to the coal industry in respect of current production in 1993.

The following measure was submitted to the Commission for approval pursuant to the abovementioned Decision :

— aid of FF 1 262 million to cover operating losses pursuant to Article 3 of the Decision.

According to the notification from the French Government, the purpose of the aid is to facilitate the restructuring of the coal industry.

The measure which the French Government intends to take to support the coal industry meets the conditions of

Article 1 (1) of the Decision. Consequently, pursuant to Article 10 of the Decision, the Commission must determine whether the measure is compatible with the objectives of the Decision and with the proper functioning of the common market.

The programme to rationalize and restructure the French coal industry, which was necessary because some pits were not economically viable in the long term, has gradually led since 1986 to a reduction in coal production and a marked improvement in both productivity and costs. The restructuring programme involves the concentration of production in Lorraine on the pits most likely to be economically viable and the closure of underground mines in the Centre-Midi coalfield.

As part of the restructuring, modernization and rationalization process, production capacity in the Nord-Pas-de-Calais coalfield was closed down in 1990, while production at Blanzey in the Centre-Midi coalfield was halted in 1992.

The aid granted to the coal industry has been substantially reduced. The amount of aid for 1993 will represent half the aid granted in 1987. In 1993 France will produce nine million tonnes of coal, compared with 9,7 million tonnes in 1992.

Aid to cover operating losses facilitates rationalization and restructuring of the coal industry and improves its long-term economic viability.

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

The Commission notes that, in the light of Article 3 (2) and (3) of Decision No 2064/86/ECSC, the proposed aid will cover only 57 % of the difference for each tonne produced between foreseeable average costs and foreseeable average returns. The aid therefore meets the criteria laid down in Article 3 of Decision No 2064/86/ECSC.

Since the measure is part of the restructuring and rationalization programme for the coal industry, it satisfies the objectives and conditions laid down in Article 2 of the Decision.

Consequently, the aid to current production which the French Government plans to grant to the coal industry in 1993, pursuant to Article 3 of Decision No 2064/86/ECSC, is compatible with the proper functioning of the common market.

This Decision does not affect the compatibility with the Treaties of arrangements governing sales of French coal to electricity producers. Moreover, this Decision will have no legal effect after the date of expiry of Decision No 2064/86/ECSC,

HAS ADOPTED THIS DECISION:

Article 1

France is hereby authorized to grant to the coal industry for 1993 aid totalling FF 1 262 million to cover operating losses.

Article 2

France shall inform the Commission by 30 June 1994 at the latest of the amount of aid actually paid in 1993.

Article 3

This Decision is addressed to the French Republic.

Done at Brussels, 18 May 1993.

For the Commission

Abel MATUTES

Member of the Commission

COMMISSION DECISION

of 28 June 1993

establishing the ecological criteria for the award of the Community eco-label to washing machines

(93/430/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 880/92 of 23 March 1992 on a Community eco-label award scheme⁽¹⁾, and in particular Article 5 thereof,

Whereas the first subparagraph of Article 5 (1) of Regulation (EEC) No 880/92 provides that the conditions for the award of the Community eco-label shall be defined by product group;

Whereas Article 10 (2) of Regulation (EEC) No 880/92 states that the environmental performance of a product shall be assessed by reference to the specific criteria for product groups;

Whereas the second subparagraph of Article 5 (1) of Regulation (EEC) No 880/92 provides further that product groups, the specific ecological criteria for each group and their respective periods of validity are to be established in accordance with the procedure laid down in Article 7 of that Regulation, following the consultation procedure provided for in Article 6 thereof;

Whereas in accordance with Article 6 of Regulation (EEC) No 880/92 the Commission has consulted the principal interest groups within a consultation forum;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee set up pursuant to Article 7 of Regulation (EEC) No 880/92,

HAS ADOPTED THIS DECISION:

Article 1

The product group to which this Decision relates is defined as:

front and top loading washing machines sold to the general public, excluding twin tubs and washer dryers, (hereinafter referred to as 'the product group').

Article 2

The environmental performance of the product group shall be assessed by reference to the specific ecological criteria set out in the Annex.

Article 3

The definition of the product group and the specific ecological criteria for the product group shall be valid until 30 June 1996.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 28 June 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 99, 11. 4. 1992, p. 1.

ANNEX

ECO-LABEL CRITERIA FOR WASHING MACHINES

A. Key criteria

These criteria are based on the major environmental impacts as highlighted in the cradle-to-grave assessment. The threshold levels must all be achieved in order to qualify for an eco-label.

(i) *Energy consumption*

The machine must use less than or equal to 0,23 kWh of electrical energy per kg of washload in an IEC 456 test for a cotton wash without prewash at 60 °C using cold fill only.

The machine must use less than or equal to 0,11 kWh of electrical energy per kg of washload in an IEC 456 test for a cotton wash without prewash at 40 °C using cold fill only.

(ii) *Water consumption*

The machine must use less than or equal to 17 litres of water per kg of washload in an IEC 456 test for a cotton wash without prewash at either 60 or 40 °C.

(iii) *Detergent consumption*

The machine must lose less than or equal to 5 % of detergent in an IEC 456 test with the detergent added via the detergent drawer.

B. Best practice criteria

Best practice criteria relate to features of a washing machine which make a smaller contribution to the overall environmental impact of the product. The qualifying levels for these criteria reflect best environmental practice. All of these criteria must be achieved in order to qualify for an eco-label.

(i) *User instructions*

1. The machine must have clear markings on it identifying the settings appropriate according to fabric type and laundry code.
2. The machine must have clear markings on it identifying energy and water saving programmes and options.
3. Clear instructions must be made available to the consumer providing :
 - advice to use a full load rather than part loads wherever possible,
 - advice about the best wash temperature to use according to the fabric type,
 - advice on varying the detergent dose according to water hardness, load size and the degree of soil,
 - advice on the machine installation which makes the most appropriate use of the hot and cold fill, if available on the machine, including advice based on the fuel used for home water heating,
 - advice on sorting fabrics appropriately,
 - advice on situations where a prewash, if available, is likely to be required,
 - information about the energy consumption and the water consumption of the machine for different temperature settings and for different load settings and according to whether hot and cold fill is an option,
 - advice about the machine being made of materials which are recyclable and that it should be disposed of accordingly.

(ii) *Encouragement to recycling*

Where they occur in components in quantities greater than 50 g the following polymeric materials must have a permanent marking identifying the material :

- polypropylene,
- polystyrene,
- PVC,
- HDPE,
- LDPE,
- ABS,
- polyamide,
- other.

The marking must use the symbols or abbreviated terms given in ISO 1043.

C. Performance criteria

(i) *Wash performance*

The machine must achieve at least a minimum of 20 % stain removal based on the carbon black soiled sample EMPA test cloth in an IEC 456 test at 60 °C.

The machine must achieve at least a minimum of 6 % stain removal based on the carbon black soiled sample EMPA test cloth in an IEC 456 test at 40 °C.

(ii) *Rinse efficiency*

The machine must achieve at least a minimum rinsing efficiency of 60 dilutions as defined in IEC 456.

COMMISSION DECISION

of 28 June 1993

establishing the ecological criteria for the award of the Community eco-label to dishwashers

(93/431/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 880/92 of 23 March 1992 on a Community eco-label award scheme⁽¹⁾, and in particular Article 5 thereof,

Whereas the first subparagraph of Article 5 (1) of Regulation (EEC) No 880/92 provides that the conditions for the award of the Community eco-label shall be defined by product group;

Whereas Article 10 (2) of Regulation (EEC) No 880/92 states that the environmental performance of a product shall be assessed by reference to the specific criteria for product groups;

Whereas the second subparagraph of Article 5 (1) of Regulation (EEC) No 880/92 provides further that product groups, the specific ecological criteria for each group and their respective periods of validity are to be established in accordance with the procedure laid down in Article 7 of that Regulation, following the consultation procedure provided for in Article 6 thereof;

Whereas in accordance with Article 6 of Regulation (EEC) No 880/92 the Commission has consulted the principal interest groups within a consultation forum;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee set up pursuant to Article 7 of Regulation (EEC) No 880/92,

Article 1

The product group to which this Decision relates is defined as:

dishwashers sold to the general public,
(hereinafter referred to as 'the product group').

Article 2

The environmental performance of the product group shall be assessed by reference to the specific ecological criteria set out in the Annex.

Article 3

The definition of the product group and the specific ecological criteria for the product group shall be valid until 30 June 1996.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 28 June 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 99, 11. 4. 1992, p. 1.

ANNEX

ECO-LABEL CRITERIA FOR DISHWASHERS

A. Key Criteria

These criteria are based on the major environmental impacts as highlighted in the cradle-to-grave assessment. The threshold levels must all be achieved in order to qualify for an eco-label.

(i) *Energy Consumption*

Standard size models (10 or more place settings)

The machine must use less than or equal to 0,125 kWh of electrical energy per place setting in an IEC 436 test.

Slimline and compact models (less than 10 place settings)

The machine must use less than or equal to 0,15 kWh of electrical energy per place setting in an IEC 436 test.

(ii) *Water Consumption*

Standard size models (10 or more place settings)

The machine must use less than or equal to 1,85 litres of water per place setting in an IEC 436 test.

Slimline and compact models (less than 10 place settings)

The machine must use less than or equal to 2,25 litres of water per place setting in an IEC 436 test.

B. Best practice criteria

Best practice criteria relate to features of a dishwasher which make a smaller contribution to the overall environmental impact of the product. The qualifying levels for these criteria reflect best environmental practice. All of these criteria must be achieved in order to qualify for an eco-label.

(i) *User instructions*

1. The machine must have clear markings on it identifying the settings appropriate according to the type of load (e.g. glass, china, pots and pans, crockery) and degree of soil.
2. Where dry heat boost is provided, it must be an option; it should not occur automatically.
3. On the machine there must be clear instructions to use a full load wherever possible.
4. Clear instructions must be made available to the consumer providing:
 - advice on varying the detergent dosing according to the degree of soil,
 - advice on varying the salt dosing according to water hardness,
 - advice on the machine installation which makes the most appropriate use of the hot and cold fill, if available on the machine, including advice based on the fuel used for home water heating,
 - advice to avoid rinsing items before placing them in the dishwasher,
 - advice on the best use of the rinse and hold option, if available,
 - advice on the best use of the dry heat boost option, if available,
 - information about the energy consumption of the machine for different programmes and with and without dry heat boost,
 - information about the water consumption of the machine for different programmes and options,
 - advice about the machine being made of materials which are recyclable and that it should be disposed of accordingly.

(ii) *Encouragement to recycling*

Where they occur in components in quantities greater than 50 g the following polymeric materials must have a permanent marking identifying the material:

- polypropylene,
- polystyrene,
- PVC,
- HDPE,
- LDPE,
- ABS,
- polyamide,
- other.

The marking must use the symbols or abbreviated terms given in ISO 1043.

C. Performance criteria

(i) *Wash performance*

The machine must achieve at least a minimum wash efficiency of 85 % in an IEC 436 test.

(ii) *Drying efficiency*

The machine must achieve at least a minimum drying efficiency of 70 % in an IEC 436 test.
