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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2326/93**of 19 August 1993****opening a standing invitation to tender in Greece for the free supply of durum wheat flour to Albania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization on the market in cereals⁽²⁾, as amended by Regulation (EEC) No 2193/93⁽³⁾, 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⁽⁴⁾ 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 Greece for the supply of 3 500 tonnes of durum wheat flour;

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 each lot of durum wheat flour for this emergency operation must arrive within the deadline which has been set; whereas, therefore, the basic product

awarded in return should not be made available to the successful tenderer until the takeover certificate has been presented;

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

HAS ADOPTED THIS REGULATION:

Article 1

Under the conditions laid down in Regulation (EEC) No 309/93 the Greek intervention agency shall open a standing invitation to tender for the supply of 3 500 tonnes of durum wheat flour 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 each 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.

⁽¹⁾ OJ No L 312, 29. 10. 1992, p. 2.

⁽²⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽³⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽⁴⁾ OJ No L 36, 12. 2. 1993, p. 30.

Article 4

1. The time limit for submission of tenders for the first invitation to tender shall be 10 p.m. on 26 August 1993 (Brussels time).
2. The time limit for submission of tenders for the following partial invitation to tender shall expire at 10 p.m. each Thursday (Brussels time).
3. The time limit for submission of tenders of the last partial invitation to tender shall expire at 10 p.m. on 2 September 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 Greek intervention agency. The Greek intervention agency shall forward the tenders to the Commission in accordance with the schedule specified in Annex II.

Article 6

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

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 Greek 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

Greece 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. Greece shall adopt all additional provisions necessary for implementation of this Regulation.
2. Greece 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, 19 August 1993.

For the Commission

René STEICHEN

Member of the Commission

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

Lot No 1 : 500 tonnes

Lot No 2 : 500 tonnes

Lot No 3 : 500 tonnes

Lot No 4 : 500 tonnes

Lot No 5 : 500 tonnes

Lot No 6 : 500 tonnes

Lot No 7 : 500 tonnes

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

The sacks shall be put on single-use pallets of an appropriate size and each pallet shall be wrapped over with a polyethylene net.

1.4. Marking :

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

(b) and inscriptions in Albanian

‘DURUM WHEAT FLOUR / EUROPEAN COMMUNITY’

2. Conditions of supply**2.1. Mobilization of the product : domestic market of Greece****2.2. Method of transport : overland****2.3. Stage of delivery : free mill or warehouse in Albania****2.4. Deadlines for delivery :**

Lot No 1 : 24 September 1993

Lot No 2 : 7 October 1993

Lot No 3 : 18 October 1993

Lot No 4 : 29 October 1993

Lot No 5 : 9 November 1993

Lot No 6 : 20 November 1993

Lot No 7 : 30 November 1993

If no tender is accepted on 26 August 1993 all the above dates are deferred by seven days.

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

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

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

(Regulation (EEC) No 2326/93)

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

COMMISSION REGULATION (EEC) No 2327/93
of 20 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 2276/93⁽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 21 August 1993.

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

Done at Brussels, 20 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 204, 14. 8. 1993, p. 5.

ANNEX

to the Commission Regulation of 20 August 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (%)		
	Arrangement in Regulation (EEC) No 3877/86 ⁽¹⁾	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP) (⁽⁴⁾)
1006 10 21	—	155,24	317,68
1006 10 23	—	162,59	332,38
1006 10 25	—	162,59	332,38
1006 10 27	249,29	162,59	332,38
1006 10 92	—	155,24	317,68
1006 10 94	—	162,59	332,38
1006 10 96	—	162,59	332,38
1006 10 98	249,29	162,59	332,38
1006 20 11	—	194,95	397,10
1006 20 13	—	204,13	415,47
1006 20 15	—	204,13	415,47
1006 20 17	311,60	204,13	415,47
1006 20 92	—	194,95	397,10
1006 20 94	—	204,13	415,47
1006 20 96	—	204,13	415,47
1006 20 98	311,60	204,13	415,47
1006 30 21	—	241,14	506,14
1006 30 23	—	308,58	640,93
1006 30 25	—	308,58	640,93
1006 30 27	480,70	308,58	640,93
1006 30 42	—	241,14	506,14
1006 30 44	—	308,58	640,93
1006 30 46	—	308,58	640,93
1006 30 48	480,70	308,58	640,93
1006 30 61	—	257,17	539,04
1006 30 63	—	331,19	687,08
1006 30 65	—	331,19	687,08
1006 30 67	515,31	331,19	687,08
1006 30 92	—	257,17	539,04
1006 30 94	—	331,19	687,08
1006 30 96	—	331,19	687,08
1006 30 98	515,31	331,19	687,08
1006 40 00	—	79,20	164,41

⁽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 2328/93**of 20 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 2277/93 ⁽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 21 August 1993.

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

Done at Brussels, 20 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 204, 14. 8. 1993, p. 7.

ANNEX

to the Commission Regulation of 20 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 2329/93

of 20 August 1993

amending Regulation (EEC) No 2169/93 on the application of a minimum price
for certain soft fruits originating in Poland

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

Having regard to Council Regulation (EEC) No 1988/93 of 19 July 1993 on the system of minimum import prices for certain soft fruits originating in Hungary, Poland, the Czech Republic, Slovakia, Romania and Bulgaria, and in particular Article 2 thereof,

Whereas, following the signing of the Association Agreements with Romania and Bulgaria, and in particular Article 2 thereof;

Whereas, following the signing of the Association Agreements with Romania and Bulgaria⁽¹⁾ the Council extended to those two countries the system of minimum import prices for certain soft fruits already applicable to other east European countries; whereas the Council, by Regulation (EEC) No 1988/93, repealed Regulation (EEC) No 1333/92 of 18 May 1992 on the system of minimum import prices for certain soft fruits originating in Hungary, Poland and Czechoslovakia⁽²⁾ in order to lay down in a new text the system applicable to all the east European countries concerned;

Whereas Article 4 of Commission Regulation (EEC) No 2140/93 of 28 July 1993 laying down detailed rules for the application of the minimum import price system for certain soft fruits originating in Hungary, Poland, the Czech Republic, Slovakia, Romania and Bulgaria and the minimum prices applicable until 30 April 1994⁽³⁾

provides that the Commission is to adopt any necessary measures if certain criteria are not complied with;

Whereas, by Commission Regulation (EEC) No 2169/93 of 2 August 1993 on the application of a minimum import price for certain soft fruits originating in Poland⁽⁴⁾, as amended by Regulation (EEC) No 2247/93⁽⁵⁾, the Commission decided to ensure that each consignment of certain soft fruits originating in Poland complied with the minimum price by levying countervailing charges; whereas, on the basis of recent information received by the Commission relating to a new two-week period, it is clear that, bearing in mind the quantities imported and the import price, one of the criteria is not being complied with in respect of blackcurrants intended for processing originating in Poland; whereas, as a matter of urgency, countervailing charges should therefore be implemented immediately for a period of two months for these products,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of the amended Regulation (EEC) No 2169/93 is replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 21 August 1993.

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

Done at Brussels, 20 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 182, 24. 7. 1993, p. 4.

⁽²⁾ OJ No L 145, 27. 5. 1992, p. 3.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 98.

⁽⁴⁾ OJ No L 194, 3. 8. 1993, p. 24.

⁽⁵⁾ OJ No L 201, 11. 8. 1993, p. 9.

ANNEX

CN code	Description	Taric code	Period of application
ex 0810 30 10	Blackcurrants intended for processing	0810 30 10*10	11 August to 10 October 1993
ex 0810 30 30	Redcurrants intended for processing	0810 30 30*10	21 August to 20 October 1993
ex 0811 20 39	Frozen blackcurrants not containing added sugar or other sweetening matter : without stalks	0811 20 39*10	3 August to 2 October 1993
ex 0811 20 39	Frozen blackcurrants not containing added sugar or other sweetening matter : other	0811 20 39*90	} 6 July to 5 September 1993
ex 0811 20 51	Frozen redcurrants not containing added sugar or other sweetening matter : without stalks	0811 20 51*10	
ex 0811 20 51	Frozen redcurrants not containing added sugar or other sweetening matter : other	0811 20 51*90	

COMMISSION REGULATION (EEC) No 2330/93**of 20 August 1993****amending Regulation (EEC) No 846/93 introducing a countervailing charge on apples originating in Chile**

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

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

Whereas Commission Regulation (EEC) No 846/93⁽³⁾, as last amended by Regulation (EEC) No 2290/93⁽⁴⁾, introduced a countervailing charge on apples originating in Chile;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 846/93 'ECU 9,98' is hereby replaced by 'ECU 0,04'.

Article 2

This Regulation shall enter into force on 21 August 1993.

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

Done at Brussels, 20 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 88, 8. 4. 1993, p. 30.

⁽⁴⁾ OJ No L 205, 17. 8. 1993, p. 21.

COMMISSION REGULATION (EEC) No 2331/93**of 20 August 1993****repealing Regulation (EEC) No 2166/93 regarding that the market in peaches is
in a state of serious crisis**

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

Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables⁽¹⁾, as last amended by
Regulation (EEC) No 638/93⁽²⁾, and in particular
Article 19a (3) thereof,

Whereas Commission Regulation (EEC) No 2166/93⁽³⁾
recorded that the market in peaches was in a state of
serious crisis ;

Whereas, pursuant to Article 19a (3) of Regulation (EEC)
No 1035/72, purchasing of products offered during a
period of serious crisis is suspended as soon as quotations
remain higher than the purchase price plus 5 % of the
basic price for two consecutive market days, the Commis-

sion finding without delay that these conditions are
fulfilled ;

Whereas, in the case of peaches, the prices known to the
Commission show that the conditions specified in the
said Article 19a (3) are fulfilled ; whereas Regulation
(EEC) No 2166/93 should therefore be repealed,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 2166/93 is hereby repealed.

Article 2

This Regulation shall enter into force on 21 August 1993.

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

Done at Brussels, 20 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 194, 3. 8. 1993, p. 20.

COMMISSION REGULATION (EEC) No 2332/93
of 20 August 1993
fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the agricultural conversion rates were fixed by Commission Regulation (EEC) No 2289/93⁽²⁾;

Whereas Article 4 (3) of Regulation (EEC) No 3813/92 stipulates that if, over a reference period, the absolute value of the difference in the gaps between the currencies of any two Member States exceeds four points, any monetary gaps for the Member States concerned that exceed two points shall immediately be reduced to two points; whereas, in Article 1 (f) of Regulation (EEC) No 3813/92, the term 'monetary gap' is defined as the percentage of the agricultural conversion rate representing the difference between that rate and the representative market rate;

Whereas the representative market rates are determined on the basis of reference periods determined in accordance with Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽³⁾;

Whereas, in view of the decision by the Ministers of Finance on 2 August 1993, all the Member States' currencies are to be regarded floating floating currencies in accordance with Article 1 (b) of Regulation (EEC) No 3813/92;

Whereas, as a consequence of the exchange rates recorded during the reference period 11 to 20 August 1993, it is necessary to fix a new agricultural conversion rate for the French franc;

Whereas Article 15 (3) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance shall be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the currency concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- or
- Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EEC) No 2289/93 is repealed.

Article 4

This Regulation shall enter into force on 21 August 1993.

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

Done at Brussels, 20 August 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 205, 17. 8. 1993, p. 19.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

*ANNEX I***Agricultural conversion rates**

ECU 1 =	48,5563	Belgian and Luxembourg francs
	9,34812	Danish kroner
	2,35418	German marks
	319,060	Greek drachmas
	190,382	Spanish pesetas
	7,98191	French francs
	0,976426	Irish punt
	2 166,58	Italian lire
	2,65256	Dutch guilders
	236,933	Portuguese escudos
	0,920969	Pound sterling

*ANNEX II***Agricultural conversion rates fixed in advance and adjusted**

Table A			Table B		
ECU 1 =	46,6888	Belgian and Luxembourg francs	ECU 1 =	50,5795	Belgian and Luxembourg francs
	8,98858	Danish kroner		9,73763	Danish kroner
	2,26363	German marks		2,45227	German marks
	306,788	Greek drachmas		332,354	Greek drachmas
	183,060	Spanish pesetas		198,315	Spanish pesetas
	7,67491	French francs		8,31449	French francs
	0,938871	Irish punt		1,01711	Irish punt
	2 083,25	Italian lire		2 256,85	Italian lire
	2,55054	Dutch guilders		2,76308	Dutch guilders
	227,820	Portuguese escudos		246,805	Portuguese escudos
	0,885547	Pound sterling		0,959343	Pound sterling

COMMISSION REGULATION (EEC) No 2333/93**of 20 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 19

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 21 August 1993.

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

Done at Brussels, 20 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 20 August 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	129,82 ⁽²⁾ ⁽³⁾
0712 90 19	129,82 ⁽²⁾ ⁽³⁾
1001 10 00	152,76 ⁽¹⁾ ⁽²⁾
1001 90 91	127,01
1001 90 99	127,01 ⁽²⁾
1002 00 00	135,60 ⁽⁶⁾
1003 00 10	127,36
1003 00 20	127,36
1003 00 80	127,36 ⁽²⁾
1004 00 00	78,40
1005 10 90	129,82 ⁽²⁾ ⁽³⁾
1005 90 00	129,82 ⁽²⁾ ⁽³⁾
1007 00 90	137,14 ⁽²⁾
1008 10 00	30,87 ⁽²⁾
1008 20 00	80,68 ⁽⁴⁾
1008 30 00	34,49 ⁽²⁾
1008 90 10	(7)
1008 90 90	34,49
1101 00 00	205,95 ⁽²⁾
1102 10 00	219,50
1103 11 30	243,39
1103 11 50	243,39
1103 11 90	232,92
1107 10 11	236,96
1107 10 19	179,80
1107 10 91	237,58
1107 10 99	180,27
1107 20 00	208,29

(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 2334/93**of 20 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 19

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 21 August 1993.

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

Done at Brussels, 20 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 20 August 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	8	9	10	11
0709 90 60	0	0	2,05	1,34
0712 90 19	0	0	2,05	1,34
1001 10 00	0	0	0	0
1001 90 91	0	1,61	1,02	0
1001 90 99	0	1,61	1,02	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	2,05	1,34
1005 90 00	0	0	2,05	1,34
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	2,21	1,43	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	Current	1st period	2nd period	3rd period	4th period
	8	9	10	11	12
1107 10 11	0	2,87	1,82	0	0
1107 10 19	0	2,14	1,36	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 2335/93
of 20 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 2320/93 ⁽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 19 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 21 August 1993.

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

Done at Brussels, 20 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 209, 20. 8. 1993, p. 19.

*ANNEX***to the Commission Regulation of 20 August 1993 fixing the import levies on white sugar and raw sugar***(ECU/100 kg)*

CN code	Levy ⁽¹⁾
1701 11 10	36,23 ⁽¹⁾
1701 11 90	36,23 ⁽¹⁾
1701 12 10	36,23 ⁽¹⁾
1701 12 90	36,23 ⁽¹⁾
1701 91 00	41,92
1701 99 10	41,92
1701 99 90	41,92 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 13 July 1993

concerning the animal health conditions and veterinary certification of imports
of fresh meat from Austria

(93/451/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries ⁽¹⁾, as last amended by Regulation (EEC) No 1601/92 ⁽²⁾, and in particular Articles 14, 15 and 16 thereof,

Whereas by Commission Decision 81/546/EEC ⁽³⁾, as last amended by Decision 92/375/EEC ⁽⁴⁾, the Commission adopted the animal health conditions and veterinary certification for the imports of fresh meat from Austria;

Whereas the responsible veterinary authorities of Austria have confirmed that Austria has for at least 12 months been free from cattle plague (Rinderpest), African swine fever, swine vesicular diseases, porcine enteroviral encephalomyelitis (Teschen disease) and that no vaccinations have been carried out against these disease during that time;

Whereas outbreaks of classical swine fever have occurred in certain regions of Austria in the last 12 months,

whereas however vaccination against classical swine fever is not carried out in that country;

Whereas the responsible authorities of Austria have undertaken to notify the Commission and the Member States within 24 hours, by fax, telex or telegram, of confirmation of the occurrence of any of the abovementioned disease or an alteration in the vaccination policy against them;

Whereas because of outbreaks of classical swine fever in Austria, Commission Decision 92/265/EEC ⁽⁵⁾, as amended by Decision 93/427/EEC ⁽⁶⁾, prohibits the importation of fresh pigmeat from certain parts of Austria;

Whereas, therefore, it is necessary to take into account the present disease situation in Austria, and to clarify the situation with regard to changes in Community legislation;

Whereas it is necessary to lay down the relevant animal health conditions and veterinary certification for Austria and to revoke Decision 91/546/EEC accordingly;

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

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 206, 27. 7. 1981, p. 7.

⁽⁴⁾ OJ No L 197, 16. 7. 1992, p. 68.

⁽⁵⁾ OJ No L 137, 20. 5. 1992, p. 23.

⁽⁶⁾ OJ No L 197, 6. 8. 1993, p. 52.

HAS ADOPTED THIS DECISION:

Article 1

Member States shall authorize the importation of the following categories of fresh meat from Austria:

- (a) fresh meat of domestic animals of the bovine, ovine or caprine species, conforming to the guarantees laid down in the animal health certificate in accordance with Annex A, which must accompany the consignment;
- (b) fresh meat of domestic swine, conforming to the guarantees laid down in the animal health certificate in accordance with Annex B, which must accompany the consignment;
- (c) fresh meat of domestic solipeds, conforming to the guarantees laid down in the animal health certificate in accordance with Annex C, which must accompany the consignment.

Article 2

This Decision shall not apply to imports of glands and organs authorized by the country of destination for pharmaceutical manufacturing purposes.

Article 3

Decision 81/546/EEC is hereby revoked.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 13 July 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX A

ANIMAL HEALTH CERTIFICATE

for fresh meat⁽¹⁾ of domestic animals of the bovine, ovine and caprine species, intended for consignment to the European Economic Community

Country of destination :

Reference number of the public health certificate ⁽²⁾ :

Exporting country : Austria

Ministry :

Department :

Reference :

(Optional)

I. Identification of meat

Meat of :

(Animal species)

Nature of cuts :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s) ⁽²⁾ :

.....

Address(es) and veterinary approval number(s) of the approved cutting plant(s) ⁽²⁾ :

.....

Address(es) and veterinary approval number(s) of the approved cold stores ⁽²⁾ :

.....

.....

III. Destination of meat

The meat will be sent from :

(Place of loading)

to :

(Country and place of destination)

by the following means of transport ⁽³⁾ :

Name and address of consignor :

.....

Name and address of consignee :

.....

⁽¹⁾ Fresh meat means all parts fit for human consumption from domestic animals of the bovine, ovine and caprine species which have not undergone any preserving process; however, chilled and frozen meat shall be considered as fresh meat.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Council Directive 72/462/EEC.

⁽³⁾ For railway wagons or lorries, the registration number should be given, for aircraft the flight number, for ships the name.

IV. Attestation of health

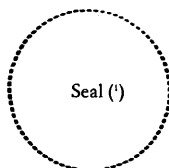
I, the undersigned, official veterinarian, certify that :

1. the fresh meat described above is obtained from :

- animals which have remained in the territory of Austria for at least three months before being slaughtered or since birth in the case of animals less than three months old,
- animals which come from holdings in which there has been no outbreak of foot-and-mouth disease in the previous 30 days, and around which within a radius of 10 km there has been no case of foot-and-mouth disease for 30 days,
- animals which have been transported from their holdings of origin to the approved slaughterhouse concerned without contact with animals which do not comply with the conditions required for export of their meat to the Community, and, if conveyed in a means of transport, that the latter has been cleaned and disinfected before loading,
- animals which have passed the *ante mortem* health inspection referred to in Directive 72/462/EEC at the slaughterhouse during the 24 hours before slaughter and have showed no evidence of foot-and-mouth disease,
- in the case of fresh meat from sheep and goats, animals which have not come from a holding which for health reasons is subject to prohibition as a result of an outbreak of ovine or caprine brucellosis during the previous six weeks ;

2. the fresh meat described above is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the Community has been authorized only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishments under the control of an official veterinarian.

Done at on
(Place) (Date)



.....
(Signature of official veterinarian)

.....
(Name in capital letters, qualification and title)

(1) The signature and the seal must be in a colour different to that of the printing.

ANNEX B

ANIMAL HEALTH CERTIFICATE

for fresh meat⁽¹⁾ of domestic animals of the porcine species, intended for consignment to the European Economic Community

Country of destination :

Reference number of the public health certificate⁽²⁾ :

Exporting country : Austria (Burgenland, Tyrol, Upper Austria, Vorarlberg, Carinthia and Vienna).

Ministry :

Department :

Reference :

(Optional)

I. Identification of meat

Meat of domestic animals of the porcine species

Nature of cuts :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s)⁽²⁾ :

.....

Address(es) and veterinary approval number(s) of the approved cutting plant(s)⁽²⁾ :

.....

Address(es) and veterinary approval number(s) of the approved cold stores⁽²⁾ :

.....

III. Destination of meat

The meat will be sent from :

(Place of loading)

to :

(Country and place of destination)

by the following means of transport⁽³⁾ :

Name and address of consignor :

.....

Name and address of consignee :

.....

⁽¹⁾ Fresh meat means all parts fit for human consumption from domestic animals of the bovine, ovine and caprine species which have not undergone any preserving process ; however, chilled and frozen meat shall be considered as fresh meat.

⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Council Directive 72/462/EEC.

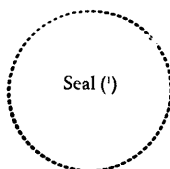
⁽³⁾ For railway wagons or lorries, the registration number should be given, for aircraft the flight number, for ships the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that :

1. Austria (Burgenland, Tyrol, Upper Austria, Vorarlberg, Carinthia and Vienna) has during the last 12 months been free from classical swine fever and during the same period, no vaccinations against this disease have taken place ;
2. the fresh meat described above is obtained from :
 - animals which have remained in the territory of Austria (Burgenland, Tyrol, Upper Austria, Vorarlberg, Carinthia and Vienna) for at least three months before being slaughtered or since birth in the case of animals less than three months old,
 - animals which come from holdings in which there has been no outbreak of foot-and-mouth disease or swine vesicular disease in the previous 30 days or swine fever in the previous 40 days and around which within a radius of 10 km there has been no case of foot-and-mouth disease for 30 days,
 - animals which have been transported from their holdings of origin to the approved slaughterhouse concerned without contact with animals which do not comply with the conditions required for export of their meat to the Community, and, if conveyed in a means of transport, that the latter has been cleaned and disinfected before loading,
 - animals which have passed the *ante mortem* health inspection referred to in Directive 72/462/EEC at the slaughterhouse during the 24 hours before slaughter and have showed no evidence of foot-and-mouth disease,
 - animals which have not come from a holding which for health reasons is subject to prohibition as a result of an outbreak of porcine brucellosis during the previous six weeks ;
3. the fresh meat described above is obtained from an establishment or establishments in which, after a case of foot-and-mouth disease has been diagnosed, further preparation of meat for export to the Community has been authorized only after slaughter of all animals present, removal of all meat, and the total cleaning and disinfection of the establishments under the control of an official veterinarian.

Done at , on
(Place) (Date)



.....
(Signature of official veterinarian)

.....
(Name in capital letters, qualification and title)

(¹) The signature and the seal must be in a colour different to that of the printing.

ANNEX C

ANIMAL HEALTH CERTIFICATE

for fresh meat⁽¹⁾ of domestic solipeds intended for consignment to the European Economic Community

Country of destination :

Reference number of the public health certificate⁽²⁾ :

Exporting country : Austria

Ministry :

Department :

Reference :

(Optional)

I. Identification of meat

Meat of domestic solipeds

Nature of cuts :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat

Address(es) and veterinary approval number(s) of the approved slaughterhouse(s)⁽²⁾ :

.....

Address(es) and veterinary approval number(s) of the approved cutting plant(s)⁽²⁾ :

.....

Address(es) and veterinary approval number(s) of the approved cold stores⁽²⁾ :

.....

III. Destination of meat

The meat will be sent from :

(Place of loading)

to :

(Country and place of destination)

by the following means of transport⁽³⁾ :

Name and address of consignor :

.....

Name and address of consignee :

.....

⁽¹⁾ Fresh meat means all parts fit for human consumption from domestic animals of the bovine, ovine and caprine species which have not undergone any preserving process ; however, chilled and frozen meat shall be considered as fresh meat.

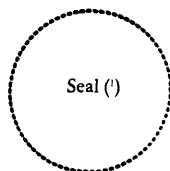
⁽²⁾ Optional when the country of destination authorizes the importation of fresh meat for uses other than human consumption in application of Article 19 (a) of Directive 72/462/EEC.

⁽³⁾ For railway wagons or lorries, the registration number should be given, for aircraft the flight number, for ships the name.

IV. Attestation of health

I, the undersigned, official veterinarian, certify that the fresh meat described above is obtained from animals which have remained in the territory of Austria for at least three months before being slaughtered or since birth in the case of animals less than three months old.

Done at on
(Place) (Date)



.....
(Signature of official veterinarian)

.....
(Name in capital letters, qualification and title)

(¹) The signature and the seal must be in a colour different to that of the printing.

COMMISSION DECISION

of 15 July 1993

authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC, in respect of plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., respectively, originating in Japan

(93/452/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 Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Directive 93/19/EEC⁽²⁾, and in particular Article 14 (3) thereof,

Having regard to the requests made by Belgium, Denmark, Germany, Greece, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the United Kingdom,

Whereas, under the provisions of Directive 77/93/EEC, plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., other than fruit and seeds, originating in non-European countries, may in principle not be introduced into the Community;

Whereas, however, the abovementioned Directive permits derogations from that rule, provided that it is established that there is no risk of spreading harmful organisms;

Whereas the provisions laid down in the Annexes to Directive 77/93/EEC have been subjected to a review taking into account a pest risk assessment to adapt the relevant provisions to the Single Market concept;

Whereas that pest risk assessment has been the basis for an amendment and revision of the relevant provisions of the said Directive;

Whereas the Commission has established that on the basis of available information there is no risk of spreading harmful organisms, provided that certain improved technical conditions are satisfied;

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

Article 1

1. The Member States are hereby authorized to provide under the conditions laid down in paragraph 2 for derogations from Article 4 (1) of Directive 77/93/EEC, with regard to Annex III (A) (1) for plants of *Chamaecyparis* Spach, *Juniperus* L. and *Pinus* L., other than fruit and seeds, originating in Japan.
2. The following conditions shall be satisfied :
 - (a) the plants shall be of the bonsai-type of the genus *Chamaecyparis* Spach, genus *Juniperus* or in the case of the genus *Pinus* L. either entirely of the species *Pinus parviflora* Sieb & Zucc. (*Pinus pentaphylla* Mayr.), or grafted on a rootstock of a *Pinus* species other than *Pinus parviflora* Sieb & Zucc. In the latter case, the rootstock shall not bear any shoots;
 - (b) the total number of plants shall not exceed quantities which have been determined by the importing Member State, having regard to available quarantine facilities;
 - (c) the plants shall have been grown and trained for at least two consecutive years in officially registered bonsai nurseries. The annual lists of the registered bonsai nurseries shall be made available to the Commission, at the latest by 30 November of each year. These lists shall include the number of plants grown in each of these nurseries, as far as they are deemed suitable for dispatch to the Community in the following year, under the conditions laid down in this Decision;
 - (d) for *Juniperus* plants, the plants of the genera *Crataegus* L., *Cydonia* Mill., *Juniperus* L., *Malus* Mill., *Photinia* Ldl. and *Pyrus* L., which have been grown in the two last years prior to dispatch in the abovementioned bonsai nurseries and their immediate vicinity shall have been officially inspected at least six times per year and at appropriate times, for presence of harmful organisms of concern; for *Chamaecyparis* and *Pinus* plants, the plants of the genus *Chamaecyparis* Spach and of the genus *Pinus* L. which have been grown in the abovementioned bonsai nurseries and their immediate vicinity shall have been officially inspected at least six times per year and at appropriate times, for presence of harmful organisms of concern.

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 96, 22. 4. 1993, p. 33.

The harmful organisms in question are :

- for *Juniperus* plants,
 - *Aschistonyx eppoi* Inouye,
 - *Gymnosporangium* spp.,
 - *Oligonychus perditus* Pritchard et Baker,
 - *Popillia japonica* Newman,
 - any other harmful organism which is not known to occur in the Community,
- for *Chamaecyparis* plants,
 - *Bursaphelenchus xylophilus* (Steiner & Bühner) Nickle et al.,
 - *Popillia japonica* Newman,
 - any other harmful organism which is not known to occur in the Community,
- for *Pinus* plants,
 - *Bursaphelenchus xylophilus* (Steiner & Bühner) Nickle et al.,
 - *Cercoseptoria pini-densiflorae* (Hori & Nambu) Deighton,
 - *Coleosporium paederiae*,
 - *Coleosporium phellodendri* Komr.,
 - *Cronartium quercum* (Berk.) Miyabe ex Shirai,
 - *Dendrolimus spectabilis* Butler,
 - *Peridermium kurilense* Dietel,
 - *Popillia japonica* Newman,
 - *Thecodiplosis japonensis* Uchida & Inouye,
 - any other harmful organism which is not known to occur in the Community;

The plants shall have been found free, in these inspections, from the harmful organisms. Infested plants shall be removed. The remaining plants shall be effectively treated;

- (e) any detection of the harmful organism in the inspections carried out pursuant to (d) shall be officially recorded, and the records shall be kept available to the Commission, upon its request. Any detection of any of the harmful organisms, which are specified in d) by their scientific names, shall disqualify the nursery from its status under (c). In such case, the registration can be renewed only in the following year;
- (f) the plants intended for the Community shall :
 - have been grown, at least during the last two years prior to dispatch, in either an unused artificial growing medium or in a natural growing medium which has been treated by fumigation or by appropriate heat treatment to ensure freedom from harmful organisms,
 - if they belong to the genus *Pinus* and in the case of grafting on a rootstock of a *Pinus* species other than *Pinus parviflora* Sieb. & Zucc., have a rootstock derived from sources officially approved as healthy material,
 - be potted, at least during the same period, in pots which are placed on shelves at least 20 cm above ground,
 - be made recognizable with a marking, exclusive for each individual plant and notified to the official plant protection organization of Japan, enabling the identification of the registered nursery and the year of potting,
 - be found free, in the inspections referred to in (d), from the harmful organism and not be affected by the measures referred to in (e),
 - be free from other plant debris;
- (g) the official plant protection organization of Japan shall ensure the identifiability of the plants from the time of their removal from the nursery until the time of loading for export, through sealing of transport vehicles or appropriate alternatives;
- (h) the plants and the adhering or associated growing medium (hereinafter referred to as 'the material') shall be accompanied by a phytosanitary certificate issued in Japan in accordance with Article 7 of Directive 77/93/EEC, on the basis of the examination laid down in Article 6 of the said Directive relating to the conditions laid down therein, in particular freedom from the harmful organisms, as well as to the requirements specified in (a) to (g).

The certificate shall indicate :

- the name or the names of the registered nursery or nurseries,
- the markings referred to in (f), as far as they enable identification of the the registered nursery and the year of potting,
- the specification of the last treatment applied, prior to dispatch,
- under 'Additional Declaration', the statement 'This consignment meets the conditions laid down in Decision 93/000/EEC' ;
- (i) the material shall be packed in closed containers which have been officially sealed and bear a distinguishing mark to be reproduced on the phytosanitary certificate, enabling the consignments to be identified;
- (j) the material shall be subjected, before it is released, to official post-entry quarantine for a period of not less than three months of active growth in the case of *Pinus* and *Chamaecyparis* plants and for a period including the active growth season from 1 April until 30 June in the case of *Juniperus* plants and must be found free, during this quarantine period, from any harmful organisms in question ;

(k) the post-entry quarantine mentioned under (j) shall :

- be supervised by the responsible official bodies of the Member State concerned and executed by officially approved and trained staff, with the assistance of the experts referred to in Article 19a of Directive 77/93/EEC under the procedure laid down therein,
- be performed at an officially approved site provided with appropriate facilities sufficient to contain harmful organisms and maintain the material in such a way as to eliminate any risk of spreading harmful organisms,
- be performed for each item of material :
 - by visual examination upon arrival and at regular intervals thereafter, having regard to the type of material and its state of development during the quarantine period, for harmful organisms or symptoms caused by any harmful organism,
 - by appropriate testing of any symptom observed in the visual examination in order to identify the harmful organisms having caused such symptoms ;

(l) any lot in which material which has not been found free, during the post-entry quarantine specified under (j) from the harmful organisms shall be immediately destroyed ;

(m) Member States shall notify, to the Commission and to the other Member States, any contamination by the harmful organisms in question which has been confirmed during the post-entry quarantine specified under (j) ;

(n) prior to introduction into a Member State, the importer shall notify each introduction sufficiently in advance to the responsible official bodies in the Member State concerned, indicating :

- the type of material,
- the quantity,
- the declared date of import,
- the site of quarantine testing.

They shall be officially informed, prior to the introduction, of the conditions laid down in (a) to (m) ;

(o) any material which has been subjected to the post-entry quarantine specified under (j) in the importing

Member State and has been found free, during that quarantine period, from harmful organisms of concern and which has been maintained under appropriate conditions may be moved within the Community only where the following conditions are satisfied :

- a plant passport referred to in Directive 77/93/EEC, shall be issued in accordance with the relevant provisions of Directive 77/93/EEC and shall be attached to the material, to its packaging or to the vehicles transporting the material,
- the plant passport referred to in the first indent, shall indicate the name of the country of origin.

Article 2

Member States shall inform other Member States and the Commission of any use made of the authorization. They shall provide the Commission and the other Member States, before 1 October of each year, with the information on amounts imported pursuant to this Decision and with a detailed technical report of the official examination referred to in Article 1 (2) (k).

Article 3

The authorization granted in Article 1 shall apply from 1 June 1993 until 31 December 1994 in the case of *Pinus* and *Chamaecyparis* plants and in the period between 1 November 1993 and 31 March 1994 in the case of *Juniperus* plants. It shall be revoked earlier, if it is established that the conditions laid down under Article 1 (2) are not sufficient to prevent the introduction of harmful organisms, or have not been complied with.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 15 July 1993.

For the Commission

René STEICHEN

Member of the Commission