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Contents

I Acts whose publication is obligatory

- ★ **Commission Regulation (EEC) No 2462/93 of 6 September 1993 amending Regulation (EEC) No 2314/72 on certain measures for examining the suitability of vine varieties for cultivation** 1
- ★ **Commission Regulation (EEC) No 2463/93 of 1 September 1993 imposing a provisional anti-dumping duty on imports of fluorspar originating in the People's Republic of China** 3
- Commission Regulation (EEC) No 2464/93 of 7 September 1993 introducing a countervailing charge on apples originating in New Zealand 11
- Commission Regulation (EEC) No 2465/93 of 6 September 1993 fixing the import levies on white sugar and raw sugar 13
- Commission Regulation (EEC) No 2466/93 of 6 September 1993 altering the basic amount of the import levies on syrups and certain other products in the sugar sector 15
- Commission Regulation (EEC) No 2467/93 of 6 September 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal 17
- Commission Regulation (EEC) No 2468/93 of 6 September 1993 fixing the premiums to be added to the import levies on cereals, flour and malt 19
- Commission Regulation (EEC) No 2469/93 of 6 September 1993 altering the import levies on products processed from cereals and rice 21

II *Acts whose publication is not obligatory*

Commission

93/481/EEC :

- * **Commission Decision of 28 July 1993 concerning formats for the presentation of national programmes as foreseen by Article 17 of Council Directive 91/271/EEC** 23

93/482/EEC :

Commission Decision of 19 August 1993 amending Decision 93/450/EEC on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia 56

93/483/EEC :

Commission Decision of 19 August 1993 on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia 57

Corrigenda

- * **Corrigendum to Commission Regulation (EEC) No 2065/93 of 27 July 1993 determining, for tobacco from the 1992 harvest, the quantity actually produced and the prices and premiums payable under the system of maximum guaranteed quantities (OJ No L 187 of 29.7.1993)** 59

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2462/93

of 6 September 1993

amending Regulation (EEC) No 2314/72 on certain measures for examining the suitability of vine varieties for cultivation

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2389/89 of 24 July 1989 on general rules for the classification of vine varieties⁽¹⁾, as amended by Regulation (EEC) No 3577/90⁽²⁾ and in particular Article 12 (3) thereof,

Whereas, in view of the technical progress in viticultural research, Regulation (EEC) No 2314/72 of the Commission⁽³⁾, as amended by Regulation (EEC) No 3296/80⁽⁴⁾, should be amended to enable the Member States to use new experimental protocols which are more in line with the current aims of varietal selection;

Whereas it is necessary to specify what happens to plantings after experiments and to the rights which attach to them;

Whereas transitional provisions should be laid down to take account of the results of examinations performed in accordance with the provisions applicable up to 31 August 1993;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2314/72 is amended as follows:

1. The first subparagraph of Article 2 (2) is replaced by the following:

⁽¹⁾ OJ No L 232, 9. 8. 1989, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 248, 1. 11. 1972, p. 53.

⁽⁴⁾ OJ No L 344, 19. 12. 1980, p. 13.

'The Member States concerned shall create, for their territory, a committee to examine vine varieties, responsible for monitoring the organization and conduct of the tests.'

2. Article 3 (2) (d) (aa) is replaced by the following:

'(aa) a detailed description of behaviour towards phylloxera, viruses and virus-transmitting nematodes compared with that of the control variety or varieties.'

3. The following Article 4a is inserted:

Article 4a

Member States shall notify the Commission of the measures envisaged pursuant to this Regulation prior to their implementation; such notification shall contain a description of the entire process of examination of new varieties or of varieties already entered in the classification for (an) other administrative unit(s), in particular the framework protocols of the trials permitted in the various cases.'

4. Article 6 is replaced by the following:

Article 6

Until the end of the 1998/99 winegrowing year, examinations carried out in accordance with provisions applicable up to 31 August 1993 may be taken into consideration in deciding whether to accept the vine variety for classification.'

5. The following Article 6a is inserted:

Article 6a

At the end of the examination, if the variety examined has not proven satisfactory, plots planted to the said variety shall be grubbed up; such grubbing shall not give rise to entitlement to a Community premium and must be carried out prior to the end of the winegrowing year following the end of the examination.

In the event that the said plots were planted by means of a right obtained in accordance with the last indent of Article 6 (2) of Regulation (EEC) No 822/87 (*), such grubbing shall not give rise to the creation of a replanting right.

(*) OJ No L 84, 27. 3. 1987, p. 1.

6. In Annex I, under point 1, the following subparagraph is added:

'The maximum number of vines to be examined per trial plot and the number of such trial plots under the variety to be examined per geographical unit shall be set by the Member State concerned.'

7. In Annex I, points 2 and 3 are replaced by the following:

'2 and 3. Organization of the trial and harvest

Member States shall determine the rules for organizing the trial and harvesting it so as to permit a rigorous statistical analysis thereof.'

8. In Annex I, point 5 is replaced by the following:

'5. Keeping of control samples

When the wine has been produced, at least 15 bottles of 0,75 litres shall be withdrawn from each of the varieties under examination and from the control

varieties and stored for control purposes until the end of the examination. Some of the bottles shall be sent to the competent establishment at its request.'

9. In Annex II, points 2 and 3 are replaced by the following:

'2 and 3. Organization of the trial and harvest

Member States shall determine the rules for organizing the trial and harvesting it so as to permit a rigorous statistical analysis thereof.'

10. In Annex IV, points 2 and 3 are replaced by the following:

'2 and 3. Organization of the trial and harvest

Member States shall determine the rules for organizing the trial and harvesting it so as to permit a rigorous statistical analysis thereof.'

Article 2

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

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

Done at Brussels, 6 September 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 2463/93

of 1 September 1993

imposing a provisional anti-dumping duty on imports of fluorspar originating
in the People's Republic of China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 thereof,

After consultation within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. PROCEDURE

(1) In April 1992 the Commission announced, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of fluorspar, falling within CN codes 2529 22 00 and ex 2529 21 00, originating in the People's Republic of China.

(2) This notice followed the receipt of a complaint lodged by the Association of European Metal Industries (Eurométaux) which represented a major part of Community production. The complaint contained evidence of dumping of the said product originating in the People's Republic of China and of material injury resulting therefrom. This evidence was considered sufficient to justify the initiation of a proceeding.

The Commission officially informed the exporters and importers known to be concerned, the representatives of the exporting country and the complainants.

It requested the parties concerned to reply to the questionnaires which had been sent to them and gave them the opportunity to make known their views in writing and to request a hearing.

(3) All the complainant Community producers, represented by Eurométaux, replied to the questionnaires.

Also a Community producer originally not included in the list of producers supporting the complaint made itself known to the Commission

and replied to the questionnaire. The cooperating Community producers all together represent around 90 % of Community production of fluorspar.

Eurométaux made its views known in writing and requested a hearing, which the Commission granted.

(4) Two Chinese trading organizations (Shanghai Metals and Minerals Import and Export Corporation and Citic Trading Inc.), hereafter referred to as 'the Chinese exporters', replied to the questionnaires.

(5) Only two importers, which were not related to the Chinese exporters, submitted a full and satisfactory reply to the questionnaire.

(6) The Commission investigated and verified all information considered necessary for the purposes of the proceeding. To this end it carried out an investigation at the premises of the following companies.

(a) Community producers :

- Sogerem, Paris La Défense, France,
- Secme, Paris La Défense, France,
- Laporte Minerals, Derbyshire, United Kingdom,
- Weardale Fluorspar Ltd, Bishop Auckland, United Kingdom,
- Minerales y Productos Derivados SA, Bilbao, Spain,
- Mineraria Silius SpA, Cagliari, Italy.

(b) Importers into the Community :

- Elf Atochem SA, Lyon, France,
- Aussimont SpA, Milano, Italy.

The Commission also sought information from producers in the Republic of South Africa which was selected as reference country for the establishment of normal value (see recitals 13 and 14).

To this end a questionnaire was sent to several South African producers and a verification was carried out at the premises of one company.

(7) The investigation of dumping covered the period from 1 January 1991 to 31 March 1992 (the investigation period).

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No C 105, 25. 4. 1992, p. 23.

B. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

1. Product under consideration

- (8) The proceeding was opened in respect of 'fluorspar of both the acid grade and ceramic grade containing more than 97 % calcium fluoride (CaF_2) or containing less than 97 % calcium fluoride (CaF_2) when presented in filter cake form'.

Fluorspar is used mainly for the manufacture of hydrofluoric acid.

This product is largely employed in the sectors of electronic silicon cleaning and glass engraving.

In addition hydrofluoric acid can be used as a raw material for the manufacture of CFC, the basic acid product for aerosols and refrigeration, HCFC, the basis acid product for plastic foam, HFA, the basic acid product for rigid sponge and solvents.

- (9) The preliminary investigation showed that fluorspar can have three different sub-denominations:

- acid grade which has a content of more than 97 % of CaF_2 and is presented in filter cake or powder form,
- ceramic grade which has a content normally below 97 % of CaF_2 and is presented not only in filter cake or powder form but also in lump form,
- metallurgical grade whose acid content is normally below the levels indicated above and which is always in lump form.

When the ceramic grade fluorspar is presented in filter cake or powder form, it is perfectly interchangeable with the acid grade fluorspar, for the manufacture of the hydrofluoric acid.

By contrast ceramic grade fluorspar presented in lump form and metallurgical grade fluorspar, which is also always presented in lump form, are not used for the manufacture of hydrofluoric acid and cannot therefore be considered to be sufficiently similar to the acid grade fluorspar or to the other forms of ceramic grade fluorspar, to fall within the product under consideration in this proceeding.

The preliminary investigation has also shown that fluorspar can be presented for the same uses in filter cake form (as indicated in the Notice of Initiation) or in powder form. The only difference between the two forms is the moisture content which for reasons of transport is not fully eliminated in the filter cake form.

For these reasons, a notice extending the scope of the present proceeding has been published in the *Official Journal of the European Communities*⁽¹⁾.

2. Like product

- (10) As regards the definition of like product within the meaning of Article 2 (12) of Regulation (EEC) No 2423/88 (hereafter referred to as the 'Basic Regulation'), the Commission has examined whether fluorspar of Community or South African origin can be regarded as similar to the product under consideration.

- (11) In this respect the Commission has established that Community and South African fluorspar are produced from mineral deposits which are similar in terms of the raw fluorspar characteristics and the existence of impurities to those in China. The mineral is extracted and processed in similar ways and is used to make the same range of products. While the methods of extraction, the fluorspar content of the deposit, the level of impurities and the production process, may vary from mine to mine, these differences do not have a significant impact on the end product which always has the same physical and chemical characteristics, and the same applications, and is fully interchangeable, irrespective of origin.

The forms in which fluorspar is presented on the South African market and on the Community market by the Community industry are the filter cake and the powder forms.

Therefore the Commission concludes that all qualities of the product concerned by the investigation, as defined in recital 9, produced in the Community, South Africa and China have to be considered one single product and are alike to each other, within the meaning of Article 2 (12) of the Basic Regulation.

C. DUMPING

1. General

- (12) In order to establish whether imports of fluorspar originating in the People's Republic of China were being dumped, the Commission had to take into account the fact that the People's Republic of China is not a market economy country and accordingly, to base its calculations on the normal value of the product in question in a market economy (reference country). To that end, the complainant had proposed Morocco. Contact was made with a producer in Morocco. This producer however did not fully cooperate with the Commission.

⁽¹⁾ OJ No C 210, 4. 8. 1993, p. 6.

- (13) In these circumstances the Commission had to look for another reference country. It was found South Africa was one of the largest producers in the world with many active producing companies.

Therefore the Commission contacted several South African producers. One of these companies accepted to cooperate with the Commission. South Africa was considered a reasonable choice of reference country because of the high volume of fluorspar produced and of the considerable sales of the product concerned on the domestic market. This domestic market was considered to be highly competitive given the number of domestic producers and the lack of any restriction on imports.

All this results in the South African fluorspar industry having efficient production and fully competitive prices.

For these reasons the Commission considered that, for the purpose of provisional findings, South Africa was an appropriate reference country.

Access to raw materials is more difficult in South Africa than in China and because of this, certain costs are incurred in South Africa but not in China. The Commission has taken into account this natural advantage of China so that a downward adjustment of the South African selling prices is considered to be necessary for the establishment of normal value in a reasonable and appropriate manner, in accordance with Article 2 (5) of the Basic Regulation.

2. Normal value

- (14) The Commission examined whether sales prices on the South African market were appropriate for the determination of the normal value. The producer which cooperated with the Commission in the investigation sells the product concerned in the domestic market to unrelated companies to which deliveries are made on a regular basis in bulk quantities as in the case of the Chinese export sales.
- (15) For all these reasons and in accordance with Article 2 (5) (a) of the Basic Regulation, normal value was established on the basis of the net selling price of all fluorspar transactions of the South African producer in the ordinary course of trade for consumption in the South African market.

3. Export price

- (16) The export volume of the cooperating Chinese exporters represented only 21 % of total Chinese fluorspar imports into the Community during the investigation period. This percentage was consi-

dered too small to be representative. In these circumstances the export prices of the Chinese export sales had to be based on the most reasonable information available (Article 7 (7) (b) of the Basic Regulation).

- (17) The product concerned is imported under CN codes 2529 22 00 and 2529 21 00. The latter includes imports of metallurgical grade fluorspar and ceramic grade fluorspar in lump form, not concerned by the present proceeding. As the Commission, in view of the limited cooperation of exporters and importers, was unable to know the volume of the fluorspar concerned imported under CN code 2529 21 00, the Chinese imported quantities falling within this CN code have not been taken into account for the determination of the export price.
- (18) In these circumstances, the best information available was considered to be that contained in Eurostat for Chinese exports under CN code 2529 22 00. This shows an average CIF price at the Community frontier of ECU 82,5 per tonne.

4. Comparison

- (19) For the purpose of a fair comparison between normal value and export prices the Commission took account where appropriate, of differences affecting price comparability, in accordance with the Article 2 (9) and (10) of the Basic Regulation.

The comparison was made for South Africa on an ex-works basis and for China on an FOB Chinese harbour basis, at the same level of trade, for products falling under CN code 2529 22 00.

In the case of normal value, the product exported from China is in a wet form (it contains around 10 % moisture) called filtercake. The product sold on the South African market was in a dry form. Therefore the Commission made an adjustment corresponding to the drying costs in South Africa, for this difference in physical characteristics.

In the case of the export prices, ocean freight and insurance costs for transport from China were deducted, as shown by the cooperating Chinese exporters.

- (20) The Chinese exporters claimed that the Chinese, in contrast to the South African product, was of lower quality being less refined and therefore commanded lower prices. The Commission has found no evidence of such differences. On the contrary, it was noted that end users in the Community do not differentiate between the South African and Chinese product from a quality point of view.

This claim has therefore, for the purpose of provisional findings, been rejected.

5. Dumping margin

- (21) The preliminary examination of the facts shows that imports of fluorspar were being dumped. The dumping margin was equal to the difference between the normal value, determined as described above and the price for export to the Community. Calculated as a percentage of the weighted average CIF value of the imports concerned the dumping margin found was 13,2 %.
- (22) The cooperating Chinese exporters requested that individual dumping margins should be established for these companies.

In this respect, it is considered that with regard to exports from a non-market economy individual treatment must remain a strict exception, to be applied solely in cases where the producer concerned has provided evidence that it was free to establish export prices without the influence of State authorities. Indeed, individual dumping margins or anti-dumping duties are inappropriate when the State, through any form of control on the exporters concerned, can take advantage of differentiation of the anti-dumping duty and thus undermine the effectiveness of the measures taken.

As the exporters concerned were all State-owned, the conditions required in order to grant individual treatment were not met and therefore a single dumping margin has been established for all imports from China.

D. INJURY

1. Preliminary considerations

- (23) (a) Due to the limited cooperation of the exporters and importers and since CN code 2529 21 00 also covers a product (as explained in recital 17) which is not concerned by the proceeding, the Commission could not determine the exact quantity of fluorspar imported.

For this reason, in order to evaluate the incidence of the imports in the Community market, the Commission took into account for the injury determination only the product falling within CN code 2529 22 00.

- (b) A large proportion of the sales (1991 = 83 %) carried out by the Community producers on the

Community market are sold either to related companies or sold under long-term agreements (captive market). The long-term agreements (up to 10 years) provide for quantity and price levels which can vary only within a certain margin which depends largely on Community producers' cost prices and world market sales prices. On the other hand, the Chinese exporters sell exclusively on a short-term basis to independent importers and end users (free market). The total free market in 1991 represents at minimum around 30 % of the total fluorspar market. If the imports under (N) code 2529 21 00 are taken into consideration the total free fluorspar market will be substantially higher and might even go up to a level of around 50 % of the total fluorspar market.

The Commission has examined whether in these circumstances the so established captive and free markets can be considered to be distinct on the basis of the criteria laid down in this respect by the jurisprudence of the Court of Justice. The Commission notes in this regard that the captive and free markets are quite distinct in this case and the sales of the Community industry on the captive market are not in direct competition with the product sold by the Chinese imports on the free market. This is due to the fact that the present price difference between these markets is not sufficient to change the source of supply. Therefore, the present prices of the Chinese imports on the free market do not materially influence the Community producers' prices on the captive market and have only a limited effect on other injury aspects like market share, sales, etc.

- (c) For all these reasons, the Commission considers that the captive market is not materially affected by the dumping practices of the Chinese exports.

Consequently the assessment of injury has been exclusively based on data referring to the free market unless otherwise stated.

2. Injury factors relating to dumped imports

- (a) *Market share and volume of dumped imports*

- (24) In the light of the above-mentioned considerations, Community consumption of fluorspar was established to be around 155 000 tonnes in 1988 and around 124 500 tonnes in 1991. The Chinese market share has risen substantially from just above 3 % in 1988 to almost 50 % in 1991.

- (25) Imports of fluorspar originating in the People's Republic of China increased by 1 090 % between 1988 (5 145 tonnes) and 1991 (61 244 tonnes). For the investigation period, adjusted to one year, this increase is 916 %. This increase should be viewed in the light of a decrease of the market by 20 % between 1988 and 1991.

(b) *Prices*

- (26) Eurostat shows that Chinese export prices at the Community frontier between 1988 and 1990 were on average ECU 98 per tonne. During the investigation period this price was ECU 82 per tonne, a decrease of around 16 %. The Commission also compared the weighted average price of the imports from China (on a free at Community frontier customs cleared basis) and the weighted average selling price, calculated at ex-works level, at the same level of trade, for the same qualities of the product sold by Community producers.

The price undercutting based on Community producers' weighted average sales prices during the investigation period was 41 %.

3. Factors relating to the state of the Community industry

(a) *Production*

- (27) Community total production of the product concerned has dropped from around 440 000 tonnes in 1988 to around 350 000 tonnes during the investigation period adjusted to 12 months. In 1990 the production was 425 000 tonnes.

In 1988 around 26 % of this production was sold on the free market. In the investigation period 16 % of total production was sold on the free market, in 1990 it was 27 %.

(b) *Capacity utilization*

- (28) In the 1988 to 1991 period the total capacity utilization decreased from 85 % to 67 %.

(c) *Stocks*

- (29) Stocks which built up over the period 1988 to 1990 decreased slightly despite fewer sales during the investigation period. This is due to considerably lower production and increased sales from stock.

(d) *Sales and Market share*

- (30) Community producers' sales on the free market show a decrease from 113 000 tonnes in 1988 to

56 000 tonnes in 1991 while their market share dropped from 73 % in 1988 to 45 % in 1991. In 1990 these sales were 114 000 with a market share of 72 %.

(e) *Prices*

- (31) In the investigation period the average prices of the Community industry show an increase of around 5 % over 1990. The Commission considers that this development is not related to a general price increase for the product in question but to the fact that the Community industry has withdrawn from the bulk market segment which has been lost to the Chinese imports. Indeed, the sales of the Community industry are now concentrated in the small quantities market which commands higher prices.

(f) *Profits*

- (32) The financial situation of the Community industry was far from satisfactory; over the past years the return on sales was clearly insufficient to recover the investments necessary in the mines. In the investigation period the Community industry suffered on average considerable losses.

(g) *Employment*

- (33) During the investigation the Commission has noted that, because of lower production and fewer sales, the number of employees in this industry is declining.

4. Conclusion

- (34) The Commission considers that the Community industry has suffered material injury within the meaning of Article 4 (1) of the Basic Regulation. The fall in production, the decline in sales and the loss of market share are important indicators of this injury.

E. CAUSAL LINK BETWEEN THE INJURY AND THE DUMPED IMPORTS

1. Effect of dumped imports

- (35) The Commission compared the volume and price trends of the dumped imports from the People's Republic of China side by side with the development of the return on sales, and market share of the Community industry. It found that the deterioration of the economic situation of the Community industry coincided with the increase in volume of imports of Chinese fluorspar.

The Commission found further that price is the most important factor for customers in determining their source of supply on the free market. In view of the transparency and price elasticity of the market, the fall in the Chinese fluorspar price forced the Community industry to reduce its price in an attempt to keep a reasonable capacity utilization and market share. However, due to the volume of the dumped imports, the Community producers were not able to maintain their market share and reduced their production with, as a consequence, higher production costs per unit. This higher cost was combined with a lower return on sales thus leading to an unhealthy financial situation.

2. Effect of other factors

- (36) The Commission considered whether injury to the Community industry has also been caused by other factors.

(a) *South African imports*

- (37) The Commission identified South Africa as being the biggest exporter of fluorspar to the Community. Export prices from South Africa reported by Eurostat in 1991 were ECU 82 per tonne, a price comparable to the Chinese export price. The majority of these imports, however, are made by companies related to the exporters. These prices cannot therefore be considered to be representative prices on the free market. In addition the imported South African fluorspar is not further channelled into the free market and therefore does not directly compete with the Community industry sales.

As far as the relatively limited sales of South African exporters on the free market are concerned it was found that the prices on this market in the Community are substantially higher than the average export price from South Africa reported by Eurostat.

Apart from this the Commission noted that quantities imported from South Africa show a considerable decrease between 1988 and 1991. In view of the above the Commission considers that the imports from South Africa did not cause or contribute to the injury to the Community industry.

(b) *Other importing countries*

- (38) Eurostat data show that the trend of other imports into the Community from the rest of the world decreased in the abovementioned period. In the depressed Community market only the Chinese imports went up substantially. The price level of imports from other third countries was substantially higher than the price of Chinese imports.

(c) *Contraction in demand*

- (39) The Chinese exporters have suggested that the environmental measures taken on an international

level and a consequent contraction in demand are the reason for the reduced production and sales of the Community industry. Indeed, a reduction of 20 % in worldwide consumption of chlorofluorocarbons (CFCs) for which hydrofluoric acid is an important component is provided for in 1993 by an international agreement. However, the abovementioned measures, taken for the reduction of CFC consumption, have only had a limited impact on fluorspar production. The substitute products for CFCs are also fundamentally based on fluorspar and an increase of fluorspar production is the result.

3. Conclusion

- (40) The Commission established that factors such as imports from South Africa did not cause material injury to the Community industry.

The measures for the protection of the environment had only a limited impact and are not sufficient to explain the fall in production, the decline in jobs and the loss of market share which are the main indicators of injury.

In these circumstances, the Commission concludes that, for the purpose of its provisional findings, the dumped imports originating in the People's Republic of China, due to their strong presence in the Community market, their low prices, and the resultant lack of profitability of the Community industry, have, taken in isolation, caused material injury to this industry.

F. COMMUNITY INTEREST

- (41) In order to examine whether the interests of the Community call for intervention to prevent the injury being caused by the dumped imports, the Commission considered that the purpose of anti-dumping duties is, in general, to stop distortion of competition arising from unfair commercial practices and thus to re-establish open and fair competition on the Community market, which is fundamentally in the general Community interest.

With regard to this proceeding the Commission considers that without measures to correct the effects of dumped Chinese imports the Community industry will have to withdraw from the free market. This will have as a consequence that they will have to close down part of their mining operations and to adjust production to a lower level. Unit costs will increase commensurately and production for the captive market may also become uneconomic. This would lead to further mine closures with the consequent loss of jobs, technology and investment.

In reality, however, the fluorspar industry has real perspectives of a considerable increase of consumption in the near future.

However to be able to profit from this development the Community industry will require to remain viable by being in a position to produce and sell at a level which will generate a reasonable return.

- (42) The Chinese exporters claimed that anti-dumping measures would seriously affect the ability of end-users to compete on the international market because the cost of an important raw material would be increased putting them at a considerable disadvantage with competitors in the United States which are able to import Chinese fluorspar at lower prices.

Anti-dumping measures may indeed affect the end-users of the product concerned by the proceeding. However, in this case, fluorspar forms a small part of the overall cost for end users. On the whole therefore it would not be in the Community interest to allow these unfair trade practices to continue with the resultant higher unit costs, uneconomic production and possible closure of mines.

The Community would then be left without a fluorspar industry and be dependent on import supplies. Furthermore, in the long term, fewer competitors may mean higher prices for end users i.e. mainly basic chemical industry. This is even more valid for the fluorspar industry since only a very limited number of countries outside the Community have a production of any importance.

- (43) In view of these reasons the Commission considers that the predominant Community interest lies more in sustaining, over the long term a viable fluorspar industry.
- (44) Therefore the Commission concludes that it is in the Community interest to adopt measures to eliminate the injury caused to Community production by imports of fluorspar originating in the People's Republic of China and that the measures should take the form of an anti-dumping duty.

G. PROVISIONAL DUTY

- (45) The preliminary investigation has shown that the injury has mainly been caused by the price undercutting by the dumped imports. Therefore and in order to determine whether a lower duty than the dumping margin should be imposed, the Commission compared the weighted average selling price of Chinese fluorspar (on a free Community frontier customs cleared basis) with the corresponding average price of fluorspar produced during the

same period by the Community industry, since this difference was higher than the dumping margin established, it is the latter which should be imposed.

As far as the form of the duty is concerned the Commission considers that the structure of a State-controlled economy gives the Chinese exporters considerable room for manoeuvre to further decrease their export price and such reductions in price by Chinese exporters have indeed taken place since 1988. The fluorspar market is sensitive to price instability, thus the form of the duty should be such as to prevent further unjustified price decreases by the Chinese exporters. Therefore, neither a fixed amount of duty nor an *ad-valorem* duty seem to be appropriate.

In these circumstances, it is considered that a minimum price at which the Chinese fluorspar would be sold on the Community market should be established. This minimum price has been calculated on the basis of the weighted average normal value of fluorspar as established in recital 15 and as adjusted to *CIF* Community frontier value. This minimum price is ECU 93,40 per tonne. Consequently the duty should be equal to the difference between this minimum price and the net free at Community frontier price before customs clearance.

H. FINAL PROVISION

- (46) In the interests of sound administration a period should be allowed for interested parties to make known their views in writing on the findings contained in this Regulation and request to be heard by the Commission,

HAS ADOPTED THIS REGULATION :

Article 1

1. A provisional anti-dumping duty is hereby imposed on imports of fluorspar presented in filter cake form or in powder form, containing more than 97 % of calcium fluoride (CaF_2) falling within CN code ex 2529 2200 (Taric code 2529 22 00 * 10) or containing less than 97 % of calcium fluoride (CaF_2) falling within CN code ex 2529 21 00 (Taric code 2529 21 00 * 10), originating in the People's Republic of China.

2. The duty shall be equal to the difference between a minimum price of ECU 93,40 per tonne (dry net weight) and the net free at Community frontier price before customs clearance.

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

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

Article 2

Without prejudice to Article 7 (4) (b) of Regulation (EEC) No 2423/88 the parties may make known their views in

writing and apply to be heard by the Commission within one month of the entry into force of this Regulation.

Article 3

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

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

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

Done at Brussels, 1 September 1993.

For the Commission

Leon BRITTAN

Vice-President

COMMISSION REGULATION (EEC) No 2464/93

of 7 September 1993

introducing a countervailing charge on apples originating in New Zealand

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas Commission Regulation (EEC) No 1640/93 of 28 June 1993 fixing for the 1993/94 marketing year the reference prices for apples⁽³⁾ fixed the reference price for products of class I for the month of September 1993 at ECU 43,98 per 100 kilograms net;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 7,55 per 100 kilograms net is applied to apples (CN codes 0808 10 31, 0808 10 33, 0808 10 39, 0808 10 51, 0808 10 53, 0808 10 59, 0808 10 81, 0808 10 83, and 0808 10 89) originating in New Zealand.

Article 2

This Regulation shall enter into force on 8 September 1993.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 157, 29. 6. 1993, p. 8.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 249, 5. 2. 1993, p. 45.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

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

Done at Brussels, 7 September 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 2465/93
of 6 September 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 2438/93 ⁽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 3 September 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 7 September 1993.

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

Done at Brussels, 6 September 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 223, 2. 9. 1993, p. 23.

ANNEX

to the Commission Regulation of 6 September 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy (¹)
1701 11 10	36,58 (¹)
1701 11 90	36,58 (¹)
1701 12 10	36,58 (¹)
1701 12 90	36,58 (¹)
1701 91 00	43,05
1701 99 10	43,05
1701 99 90	43,05 (²)

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

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

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

COMMISSION REGULATION (EEC) No 2466/93

of 6 September 1993

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

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

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

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 2409/93 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2409/93 to the information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 3 September 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 2409/93 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 September 1993.

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

Done at Brussels, 6 September 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 222, 1. 9. 1993, p. 11.

ANNEX

to the Commission Regulation of 6 September 1993 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question (1)	Amount of levy per 100 kg of dry matter (1)
1702 20 10	0,4305	—
1702 20 90	0,4305	—
1702 30 10	—	51,87
1702 40 10	—	51,87
1702 60 10	—	51,87
1702 60 90	0,4305	—
1702 90 30	—	51,87
1702 90 60	0,4305	—
1702 90 71	0,4305	—
1702 90 90	0,4305	—
2106 90 30	—	51,87
2106 90 59	0,4305	—

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

COMMISSION REGULATION (EEC) No 2467/93

of 6 September 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 3

September 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 September 1993.

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

Done at Brussels, 6 September 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 September 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries (*)
0709 90 60	136,17 ⁽¹⁾ ⁽²⁾
0712 90 19	136,17 ⁽¹⁾ ⁽²⁾
1001 10 00	65,57 ⁽¹⁾ ⁽²⁾
1001 90 91	86,45
1001 90 99	86,45 ⁽²⁾
1002 00 00	110,66 ⁽²⁾
1003 00 10	102,00
1003 00 20	102,00
1003 00 80	102,00 ⁽²⁾
1004 00 00	84,63
1005 10 90	136,17 ⁽²⁾ ⁽³⁾
1005 90 00	136,17 ⁽²⁾ ⁽³⁾
1007 00 90	139,61 ⁽²⁾
1008 10 00	18,12 ⁽²⁾
1008 20 00	25,42 ⁽²⁾
1008 30 00	25,42 ⁽²⁾
1008 90 10	⁽²⁾
1008 90 90	25,42
1101 00 00	158,54 ⁽²⁾
1102 10 00	192,44
1103 11 30	136,98
1103 11 50	136,98
1103 11 90	181,21
1107 10 11	164,76
1107 10 19	125,86
1107 10 91	192,44
1107 10 99	146,54
1107 20 00	168,98

(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 2468/93

of 6 September 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 3 September 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 September 1993.

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

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

A. Cereals and flour

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period
	9	10	11	12
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 30	0	0	0	0
1103 11 50	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period	4th period
	9	10	11	12	1
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 2469/93

of 6 September 1993

altering the import levies on products processed from cereals and rice

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 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1544/93⁽⁴⁾, 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⁽⁵⁾,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2391/93⁽⁶⁾, as amended by Regulation (EEC) No 2425/93⁽⁷⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne

of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽⁸⁾, as last amended by Regulation (EEC) No 1740/78⁽⁹⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 1620/93⁽¹⁰⁾ as fixed in the Annex to amended Regulation (EEC) No 2391/93 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 7 September 1993.

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

Done at Brussels, 6 September 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 218, 28. 8. 1993, p. 45.

⁽⁷⁾ OJ No L 222, 1. 9. 1993, p. 46.

⁽⁸⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁹⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁰⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

to the Commission Regulation of 6 September 1993 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (*)	
	ACP	Third countries (other than ACP)
1103 21 00	157,93	163,97
1104 19 10	157,93	163,97
1104 29 11	116,69	119,71
1104 29 31	140,38	143,40
1104 29 91	89,49	92,51
1104 30 10	65,81	71,85
1108 11 00	193,03	213,58
1109 00 00	350,96	532,30

(*) 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 28 July 1993

concerning formats for the presentation of national programmes as foreseen by
Article 17 of Council Directive 91/271/EEC

(93/481/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

The formats contained in the Annex are hereby adopted.

Having regard to Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment ⁽¹⁾, and in particular Article 17 (4) thereof,

Article 2

This Decision is addressed to the Member States.

Whereas the Member States are required to draw up a report concerning their national programme for the implementation of Council Directive 91/271/EEC on the basis of formats drawn up by the Commission according to the procedure set out by Article 18 of this Directive ;

Done at Brussels, 28 July 1993.

Whereas, the measures envisaged by this Decision are in accordance with the opinion expressed by the Committee established by Article 18 of the said Directive,

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 135, 30. 5. 1991, p. 40.

ANNEX

BASELINE INVENTORY

AGGLOMERATIONS

MEMBER STATE :

TABLE 1

As described by the Directive 91/271/EEC (Articles 2 to 7)

Number (No) of agglomerations (Article (4)) and load as expressed in population equivalent (p.e. Article 2 (6))

Position as at 31 December 1992

Class of agglomeration	Areas for discharge		Normal areas		Sensitive areas (Article 5 (1))		Less sensitive areas (Article 6)		Total for all areas	
	A. Freshwaters and estuaries	B. Coastal waters	A. Freshwaters and estuaries	B. Coastal waters	A. Freshwaters and estuaries	B. Coastal waters	A. Estuaries	B. Coastal waters	No	t.p.e.
	No ⁽¹⁾	t.p.e. ⁽²⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000										
from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000										
from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000										
More than 150 000 p.e. p.e. > 150 000										
Total inventory ⁽³⁾										

⁽¹⁾ No : number of agglomerations in the class described⁽²⁾ t.p.e. : total population equivalent for all the agglomerations in the class described⁽³⁾ The total load of the agglomerations counted in the table is estimated to be ... % of the total load, expressed in population equivalent of the Member State.

MEMBER STATE :
TABLE 1 (a)

AGGLOMERATIONS
As described by the Directive 91/271/EEC (Articles 2 to 7)

AS APPROPRIATE FOR THE APPLICATION
OF ARTICLE 5 (8)
BASELINE INVENTORY

Number (No) of agglomerations (Article 2 (4) and load as expressed in population equivalent (p.e. Article 2 (6))
Position as at 31 December 1992

Class of agglomerations	Areas for discharge		A. Freshwaters and estuaries		B. Coastal waters		Total for all areas	
			No (1)	t.p.e. (2)	No	t.p.e.	No	t.p.e.
from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000								
from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000								
from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000								
more than 150 000 p.e. p.e. > 150 000								
Total inventory (3)								

(1) No : number of agglomerations in the class described

(2) t.p.e. : total population equivalent for all the agglomerations in the class described

(3) The total load of the agglomerations counted in the table is estimated to be ... % of the total load, expressed in population equivalent of the Member State

(1) No : number of agglomerations in the class described

(2) t.p.e. : total population equivalent for all the agglomerations in the class described

(3) The total load of the agglomerations counted in the table is estimated to be ... % of the total load, expressed in population equivalent of the Member State

INVENTORY FOR COLLECTION

COLLECTING SYSTEMS

MEMBER STATE :
TABLE 2

As described by Article 3

Number and capacity of collecting systems 'deemed to be in compliance' (1) as at 31 December 1992

Class of agglomeration	Areas for discharge	Normal areas				Sensitive Areas (Article 5 (1))				Less sensitive areas (Article 6)				Total for all areas		
		A. Freshwaters and estuaries		B. Coastal waters		A. Freshwaters and estuaries		B. Coastal waters		A. Estuaries		B. Coastal waters				
		No (1)	t.p.e. (2)	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.	
from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000																
from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000																
from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000																
More than 150 000 p.e. p.e. > 150 000																

(1) 'deemed to be in compliance': considered as already complying with the requirements of the directive af the date indicated.

(2) No: number of collecting systems which are 'deemed to be in compliance' and already in operation, for all the agglomerations in the class described.

(3) t.p.e: total population equivalent served by collecting systems which are 'deemed to be in compliance' and already in operation, for all the agglomerations in the class described.

(1) 'deemed to be in compliance': considered as already complying with the requirements of the directive at the date indicated.

(2) No: number of collecting systems which are 'deemed to be in compliance' and already in operation, for all the agglomerations in the class described.

(3) t.p.e: total population equivalent served by collecting systems which are 'deemed to be in compliance' and already in operation, for all the agglomerations in the class described.

MEMBER STATE:
TABLE 2 (a)

COLLECTING SYSTEM

As described by Article 3

AS APPROPRIATE FOR THE APPLICATION
OF ARTICLE 5 (8)
INVENTORY FOR COLLECTION

Number and capacity of collecting 'deemed to be in compliance' (1) as at 31 December 1992

Class of agglomeration	Areas for discharge		A. Freshwaters and estuaries		B. Coastal waters		Total for all areas	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.
from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000								
from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000								
from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000								
more than 150 000 p.e. p.e. > 150 000								

(1) 'deemed to be in compliance': considered as already complying with the requirements of the directive at the date indicated

(2) No: number of collecting systems which are 'deemed to be in compliance' and already in operation, for all the agglomerations in the class described

(3) t.p.e.: total population equivalent served by collecting systems which are 'deemed to be in compliance' and already in operation, for all the agglomerations in the class described

COLLECTING SYSTEMS

MEMBER STATE :

TABLE 2.1.

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 3 IN NORMAL AREAS

A. FRESHWATERS AND ESTUARIES

Number and capacity of collecting systems 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000		from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000		from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year										
1995										
1998										
2000										
2005										

(1), (2) and (3) : see definitions for Table 2

AS APPROPRIATE FOR THE APPLICATION
OF ARTICLE 5 (8)
COLLECTING SYSTEMS

Number and capacity of collecting systems 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000		from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000		from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		more than 150 000 p.e. p.e. > 150 000		Total for all classes	
Year	No ⁽²⁾	t.p.e. ⁽³⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
1995										
1998										
2000			—	—	—	—	—	—		
2005			—	—	—	—	—	—		

⁽¹⁾, ⁽²⁾ and ⁽³⁾: see definitions for Table 2

COLLECTING SYSTEMS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 3 IN SENSITIVE AREAS (ARTICLE 5 (1))

MEMBER STATE:

TABLE 2.3.

A. FRESHWATERS AND ESTUARIES

Number and capacity of collecting systems 'deemed to be in compliance' ⁽¹⁾ at the end of the year indicated

Class of agglomeration	from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000		from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000		from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No ⁽²⁾	t.p.e. ⁽¹⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year										
1995										
1998										
2000										
2005										

⁽¹⁾, ⁽²⁾ and ⁽³⁾: see definitions for Table 2

COLLECTING SYSTEMS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 3 IN SENSITIVE AREAS (ARTICLE 5 (1))

B. COASTAL WATERS

Number and capacity of collecting systems 'deemed to be in compliance' ⁽¹⁾ at the end of the year indicated

Class of agglomeration	from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000		from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000		from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No ⁽²⁾	t.p.e. ⁽¹⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year										
1995										
1998										
2000										
2005										

⁽¹⁾, ⁽²⁾ and ⁽³⁾: see definitions for Table 2

COLLECTING SYSTEMS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 3 IN LESS SENSITIVE AREAS (ARTICLE 6)

B. COASTAL WATERS

Number and capacity of collecting systems 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000		from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000		from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year										
1995										
1998										
2000										
2005										

(1), (2) and (3): see definitions for Table 2

INVENTORY FOR TREATMENT

TREATMENT PLANTS

MEMBER STATE :

TABLE 3

Treatment as described by Articles 4 and 6

Number and capacity of plants 'deemed to be in compliance' ⁽¹⁾ as at 31 December 1992

Class of agglomeration	Areas for discharge	Normal areas		Sensitive Areas (Article 5 (1))		Less sensitive areas (Article 6)		Total for all areas	
		A. Freshwaters and estuaries		B. Coastal waters		A. Estuaries		B. Coastal waters	
		No ⁽²⁾	t.p.e. ⁽³⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.
from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000				—	—			—	—
from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000									
from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000									
More than 150 000 p.e. p.e. > 150 000									

⁽¹⁾ 'deemed to be in compliance': considered as already complying with the requirements of the directive at the date indicated⁽²⁾ No: number of plants which are 'deemed to be in compliance' and already in operation, for all the agglomerations in the class described⁽³⁾ t.p.e.: total population equivalent for the plants which are 'deemed to be in compliance' and already in operation, for all the agglomerations in the class described

Nota bene: The total load entering the treatment plants counted in the table is estimated to be ... % of the total load, expressed in population equivalent of the Member State.

Number and capacity of plants 'deemed to be in compliance' (1) as at 31 December 1992

Class of agglomeration	Areas for discharge		A. Freshwaters and estuaries		B. Coastal waters		Total for all areas	
			No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.
from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000					—	—		
from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000								
from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000								
more than 150 000 p.e. p.e. > 150 000								

(1) 'deemed to be compliance': considered as already complying with the requirements of the directive, at the date indicated

(2) No: number of plants which are 'deemed to be compliance' and already in operation, for all the agglomerations in the class described

(3) t.p.e.: total population equivalent for the plants which are 'deemed to be in compliance' and already in operation, for all the agglomerations in the class described

Nota bene: The total load entering the treatment plants counted in the table is estimated to be ... % of the total load, expressed in population equivalent of the Member State.

TREATMENT PLANTS

MEMBER STATE :
TABLE 3.1.

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 4 IN NORMAL AREAS

A. FRESHWATERS AND ESTUARIES

Number and capacity of plants 'deemed to be in compliance' ⁽¹⁾ at the end of the year indicated

Class of agglomeration	(Article 4) from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000		(Article 4) from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000		(Article 4) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 4) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No ⁽²⁾	t.p.e. ⁽¹⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year										
1995										
1998										
2000										
2005										

⁽¹⁾, ⁽²⁾ and ⁽³⁾ : see definitions for Table 3

AS APPROPRIATE FOR THE APPLICATION OF ARTICLE 5 (8)
TREATMENT PLANTS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 4

A. FRESHWATERS AND ESTUARIES

MEMBER STATE:
TABLE 3.1 (a)

Number and capacity of plants 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	(Article 4) from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000		(Article 4) from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000		(Article 4) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 4) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year										
1995										
1998										
2000										
2005										

(1), (2) and (3): see definitions for Table 3 (a)

TREATMENT PLANTS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 4 IN NORMAL AREAS

B. COASTAL WATERS

Number and capacity of plants 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	(Article 4) from 10 to 15 000 p.e. 10 000 ≤ p.e. ≤ 15 000		(Article 4) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 4) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year								
1995								
1998								
2000								
2005			—	—	—	—		

(1), (2) and (3): see definitions for Table 3

Number and capacity of plants 'deemed to be in compliance' ⁽¹⁾ at the end of the year indicated

Class of agglomeration	(Article 4) from 10 to 15 000 p.e. 10 000 ≤ p.e. ≤ 15 000		(Article 4) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 4) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No ⁽²⁾	t.p.e. ⁽¹⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year								
1995								
1998								
2000	—	—	—	—	—	—		
2005	—	—	—	—	—	—		
⁽¹⁾ , ⁽²⁾ and ⁽³⁾ : see definitions for Table 3								

MEMBER STATE :
TABLE 3.3.

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 4 IN SENSITIVE AREAS

A. FRESHWATERS AND ESTUARIES

Number and capacity of plants 'deemed to be in compliance' ⁽¹⁾ at the end of the year indicated

Class of agglomeration	(Article 4) from 2 to 10 000 p.e.		(Article 4) from 10 to 15 000 p.e.		(Article 4) from 15 to 150 000 p.e.		(Article 4) more than 150 000 p.e.		Total for all classes	
	No ⁽²⁾	t.p.e. ⁽¹⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year										
1995										
1998										
2000										
2005										

⁽¹⁾, ⁽²⁾ and ⁽³⁾ : see definitions for Table 3

TREATMENT PLANTS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 4 IN SENSITIVE AREAS

MEMBER STATE :

TABLE 3.4.

B. COASTAL WATERS

Number and capacity of plants 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	(Article 4) from 10 to 15 000 p.e. 10 000 ≤ p.e. ≤ 15 000		(Article 4) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 4) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year								
1995								
1998								
2000	—	—	—	—	—	—		
2005	—	—	—	—	—	—		

(1), (2) and (3): see definitions for Table 3

TREATMENT PLANTS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLES 4 AND 6 IN LESS SENSITIVE AREAS

A. ESTUARIES

Number and capacity of plants 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	(Article 6) from 2 to 10 000 p.e. 2 000 ≤ p.e. ≤ 10 000		(Article 4) from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000		(Article 4) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 4) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year										
1995										
1998										
2000										
2005										

(1), (2) and (3): see definitions for Table 3

TREATMENT PLANTS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLES 4 AND 6 IN LESS SENSITIVE AREAS

B. COASTAL WATERS

Number and capacity of plants 'deemed to be in compliance' ⁽¹⁾ at the end of the year indicated

Class of agglomeration	(Article 6) from 10 to 15 000 p.e. 10 000 ≤ p.e. ≤ 15 000		(Article 6) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 4) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No ⁽²⁾	t.p.e. ⁽³⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year								
1995								
1998								
2000								
2005								

⁽¹⁾, ⁽²⁾ and ⁽³⁾ : see definitions for Table 3

INVENTORY FOR TREATMENT
ARTICLE 5 (2)

TREATMENT PLANTS

Treatment as described by Article 5 (2)

MEMBER STATE :
TABLE 4
Number and capacity of plants 'deemed to be in compliance' (1) as at 31 December 1992

Class of agglomeration	Areas for discharge	A. Freshwaters and estuaries		B. Coastal waters		Total for all areas	
		No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.
from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000							
from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000							
more than 150 000 p.e. p.e. > 150 000							

(1), (2) and (3): see definitions for Table 3

Number and capacity of plants 'deemed to be in compliance' (1) as at 31 December 1992

Class of agglomeration	Areas for discharge		A. Freshwaters and estuaries		B. Coastal waters		Total for all areas	
			No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.
from 10 to 15 000 p.e. 10 000 < p.e. ≤ 15 000								
from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000								
more than 150 000 p.e. p.e. > 150 000								

(1), (2) and (3) : see definitions for Table 3 (a).

TREATMENT PLANTS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 5 (2) IN SENSITIVE AREAS

A. FRESHWATERS AND ESTUARIES

Number and capacity of plants 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	(Article 5) from 10 to 15 000 p.e. 10 000 ≤ p.e. ≤ 15 000		(Article 5) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 5) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year								
1995								
1998								
2000	—	—	—	—	—	—		
2005	—	—	—	—	—	—		

(1), (2) and (3) : see definitions for Table 3

AS APPROPRIATE FOR THE APPLICATION OF ARTICLE 5 (8)
TREATMENT PLANTS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 5 (2)

A. FRESHWATERS AND ESTUARIES

MEMBER STATE:
TABLE 4.1. (a)

Number and capacity of plants 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	(Article 5) from 10 to 15 000 p.e. 10 000 ≤ p.e. ≤ 15 000		(Article 5) from 15 000 < p.e. ≤ 150 000		(Article 5) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year								
1995								
1998								
2000	—	—	—	—	—	—		
2005	—	—	—	—	—	—		

(1), (2) and (3): see definitions for Table 3

TREATMENT PLANTS

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 5 (2) IN SENSITIVE AREAS

B. COASTAL WATERS

MEMBER STATE :

TABLE 4.2.

Number and capacity of plants 'deemed to be in compliance' ⁽¹⁾ at the end of the year indicated

Class of agglomeration	(Article 5) from 10 to 15 000 p.e. 10 000 ≤ p.e. ≤ 15 000		(Article 5) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 5) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No ⁽²⁾	t.p.e. ⁽¹⁾	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year								
1995								
1998								
2000	—	—	—	—	—	—		
2005	—	—	—	—	—	—		

⁽¹⁾, ⁽²⁾ and ⁽³⁾ : see definitions for Table 3

Number and capacity of plants 'deemed to be in compliance' (1) at the end of the year indicated

Class of agglomeration	(Article 5) from 10 to 15 000 p.e. 10 000 ≤ p.e. ≤ 15 000		(Article 5) from 15 to 150 000 p.e. 15 000 < p.e. ≤ 150 000		(Article 5) more than 150 000 p.e. p.e. > 150 000		Total for all classes	
	No (2)	t.p.e. (1)	No	t.p.e.	No	t.p.e.	No	t.p.e.
Year								
1995								
1998								
2000	—	—	—	—	—	—		
2005	—	—	—	—	—	—		

(1), (2) and (3): see definitions for Table 3

INVENTORY FOR TREATMENT
ARTICLE 5 (4)

TREATMENT PLANTS

MEMBER STATE :
TABLE 5

Treatment as described by Article 5 (4)

Position as at the end of the year indicated

Year	Total number of urban waste water treatment plants in the area concerned	Total corresponding load in population equivalent	Percentage of reduction for total phosphorus	Percentage of reduction for total nitrogen
1992				

AS APPROPRIATE FOR THE APPLICATION OF ARTICLE 5 (8)
INVENTORY FOR TREATMENT
ARTICLE 5 (4)

TREATMENT PLANTS

MEMBER STATE :
TABLE 5a

Treatment as described by Article 5 (4)

Position as at the end of the year indicated

Year	Total number of urban waste water treatment plants in the area concerned	Total corresponding load in population equivalent	Percentage of reduction for total phosphorus	Percentage of reduction for total nitrogen
1992				

MEMBER STATE:
TABLE 5.1

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 5 (4) IN EACH SENSITIVE AREA

Position as at the end of the year indicated

Year	Total number of urban waste water treatment plants in the area concerned	Total corresponding load in population equivalent	Percentage of reduction for total phosphorus	Percentage of reduction for total nitrogen
1995				
1998				

MEMBER STATE:
TABLE 5.1 (a)

PROGRAMME FOR THE IMPLEMENTATION OF ARTICLE 5 (4)

Position as at the end of the year indicated

AS APPROPRIATE FOR THE APPLICATION
OF ARTICLE 5 (8)
TREATMENT PLANTS

Year	Total number of urban waste water treatment plants in the area concerned	Total corresponding load in population equivalent	Percentage of reduction for total phosphorus	Percentage of reduction for total nitrogen
1995				
1998				

MEMBER STATE:

DISPOSAL AND REUSE OF SLUDGE ARISING FROM URBAN WASTE WATER TREATMENT

Discharges expressed in tonnes of dry materials

Costs in ECU/tonne (")

[illegible]

CAPITAL INVESTMENT

PROGRAMME FOR THE IMPLEMENTATION OF THE DIRECTIVE 91/271/EEC

MEMBER STATE :

TABLE 7

Total amounts (in millions of Ecu) and nature of the investment programmes

Cumulative investments, as calculated from 1 January 1993 at 1993 prices

Period covered	Nature of the investments concerned	Article 3 Collecting systems	Articles 4, 5, 6, 7 and 14 Investment costs for urban waste water treatment plants, sludge treatment plants and disposal plants
from 1970 to 1979 ⁽¹⁾			
from 1980 to 1992 ⁽¹⁾			
from 1 January 1993 to end 1995			
from 1 January 1993 to end 1998			
from 1 January 1993 to end 2000			
from 1 January 1993 to end 2005			
⁽¹⁾ Completion optional.			

COMMISSION DECISION

of 19 August 1993

amending Decision 93/450/EEC on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/482/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP) or in the overseas countries and territories (OCT)⁽¹⁾, as last amended by Regulation (EEC) No 444/92⁽²⁾, and in particular Article 27 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3662/92⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 provides for the possibility of import licences being issued for beef and veal products; whereas, however, imports must not exceed the quantities laid down for each of those exporting third countries;

Whereas quantities expressed in terms of boned meat in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80 covered by licence applications submitted between 1 and 10 July 1993 do not exceed the quantities available for products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia; whereas import licences for the quantities applied for may accordingly be issued;

Whereas, as a result of an administrative error, certain quantities applied for under these arrangements are wrongly transcribed; whereas Commission Decision 93/450/EEC⁽⁵⁾ should be amended to take account of these quantities,

HAS ADOPTED THIS DECISION:

Article 1

Decision 90/450/EEC is amended as follows:

1. In Article 1, for the Federal Republic of Germany:
 - the quantity of '570,00 tonnes originating in Botswana' is replaced by '1 220,00 tonnes',
 - the quantity of '1 470,00 tonnes originating in Zimbabwe' is replaced by '820,00 tonnes'.
2. In Article 2 the quantity for Botswana is replaced by '8 241,00 tonnes' and the quantity for Zimbabwe is replaced by '1 831,90 tonnes'.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 August 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.⁽⁵⁾ OJ No L 209, 20. 8. 1993, p. 37.

COMMISSION DECISION

of 19 August 1993

on import licences in respect of beef and veal products originating in Botswana,
Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/483/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽¹⁾, as last amended by Regulation (EEC) No 444/92⁽²⁾, and in particular Article 27 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 3662/92⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 August 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 September 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries⁽⁵⁾, as last amended by Council Regulation (EEC) No 1601/92⁽⁶⁾,

The following Member States shall issue on 21 August 1993 import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

Federal Republic of Germany:

- 350,00 tonnes originating in Botswana,
- 45,00 tonnes originating in Madagascar,
- 750,00 tonnes originating in Namibia;

Hellenic Republic:

- 47,00 tonnes originating in Madagascar;

Italian Republic:

- 37,00 tonnes originating in Madagascar;

Kingdom of the Netherlands:

- 200,00 tonnes originating in Botswana,
- 145,00 tonnes originating in Madagascar,
- 90,00 tonnes originating in Namibia;

United Kingdom:

- 1 150,00 tonnes originating in Botswana,
- 16,00 tonnes originating in Madagascar,
- 500,00 tonnes originating in Zimbabwe,
- 800,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of September 1993 in respect of the following quantities of boned beef and veal:

- | | |
|----------------|------------------|
| — Botswana : | 6 541,00 tonnes, |
| — Kenya : | 142,00 tonnes, |
| — Madagascar : | 6 411,70 tonnes, |
| — Swaziland : | 2 868,00 tonnes, |
| — Zimbabwe : | 1 331,90 tonnes, |
| — Namibia : | 6 944,50 tonnes. |

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 August 1993.

For the Commission

René STEICHEN

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2065/93 of 27 July 1993 determining, for tobacco from the 1992 harvest, the quantity actually produced and the prices and premiums payable under the system of maximum guaranteed quantities

(Official Journal of the European Communities No L 187 of 29 July 1993)

On page 28, in the Annex, in the column 'Quantity actually produced (tonnes)' :

— in Group I, against 33 Virginia P :

for: '3 584',

read: '3 597' ;

against the total :

for: '208 330',

read: '208 343' ;

— in Group II, against 34 Burley P :

for: '752',

read: '758' ;

against the total :

for: '86 741',

read: '86 747'.
