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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 2552/93

of 13 September 1993

imposing a definitive anti-dumping duty on imports of artificial corundum originating in the People's Republic of China, the Russian Federation and Ukraine, with the exception of those imports sold for export to the Community by companies whose undertakings have been accepted

THE COUNCIL 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 12 thereof,

Having regard to the proposal from the Commission, submitted after consultations within the Advisory Committee as provided for pursuant to the above Regulation,

Whereas :

- (1) In 1991, the Commission, by Decision 91/512/EEC⁽²⁾, accepted undertakings in connection with the anti-dumping proceedings concerning imports of artificial corundum originating in the Soviet Union, Hungary, Poland, Czechoslovakia, the People's Republic of China, Brazil and Yugoslavia, and terminated the investigation. No residual anti-dumping duties were imposed at that time since, in particular, the USSR and Chinese exporters, which actually gave the undertakings, held a monopoly on exports of the product concerned from their countries.
- (2) Subsequently, the USSR exporter, V/O Stankoimport, lost its monopoly on exports. Exports are now carried out by a number of new exporters, located in the Russian Federation and Ukraine. As far as China is concerned, undertakings were accepted from six trade organizations authorized by the

Chinese Chamber of Commerce to export this product from China. The Commission has now found that exports are being made from China by other exporters and trade organizations previously unknown to the Commission. It has also been established that exports of artificial corundum from China, the Russian Federation and Ukraine have taken place in substantial quantities and at prices well below the undertaking prices.

- (3) The effect of this development is that the existing measures for China, the Russian Federation and Ukraine have become ineffective. Furthermore, the current situation discriminates against the exporters which undertook not to sell artificial corundum below certain price levels and thus to eliminate the injurious effect of dumping.
- (4) The Council, therefore, considers that the facts as outlined above now require the imposition of a definitive anti-dumping duty, on the basis of the findings set out in Decision 91/512/EEC which the Council still considers valid, on imports of artificial corundum originating in the People's Republic of China, the Russian Federation and Ukraine. The Council further considers that the findings of the investigation carried out prior to its adoption remain reliable and that duties may therefore still be based on them. The exporters which had undertakings accepted and respected their provisions should continue to be exempt from the anti-dumping duty.
- (5) Consequently, a definitive anti-dumping duty should be imposed at the rates corresponding to those established in the above investigation, i.e. 30,8 % in respect of the People's Republic of China and 9,8 % in respect of the Russian Federation and Ukraine.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 275, 2. 10. 1991, p. 27.

- (6) Article 15 (1) of Regulation (EEC) No 2423/88 provides for measures to lapse after five years from the date on which they entered into force or were last modified or confirmed. Although the measures provided for by this Regulation imposing definitive anti-dumping duties are linked to the undertakings accepted by Decision 91/512/EEC, this Regulation does not amend or confirm the latter within the meaning of Article 15 (1) of Regulation (EEC) No 2423/88 and consequently the date on which the undertakings were due to expire pursuant to Article 15 (1) remains unchanged,

HAS ADOPTED THIS REGULATION :

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of artificial corundum falling within CN code ex 2818 00 00 and originating in the People's Republic of China, the Russian Federation and Ukraine.
2. The rate of the duty is as follows :
 - People's Republic of China : 30,8 %,
 - Russian Federation : 9,8 %,
 - Ukraine : 9,8 %.
3. The duty shall be levied on the net, free-at-Community-frontier price, not cleared through customs.
4. The provisions in force with regard to customs duties shall apply.

5. The duties shall not apply to imports of the product defined in paragraph 1, exported into the Community by the following companies which gave price undertakings :

The People's Republic of China :

- China National Machinery and Equipment Import and Export Corporation, Beijing,
- China No 2 Grinding Wheel Plant, Zhengzhou, Henan,
- China No 4 Grinding Wheel Plant, Shangdian, Zi Bo, Shandong,
- Shandong Machinery and Equipment Import and Export Corporation, Qingdao,
- CMEC Guangdong Co. Ltd, Guangzhou, Guangdong,
- China Abrasives Export United Corp., Henan.

The Russian Federation :

- V/O Stankoimport, Moscow.

Article 2

This Regulation shall enter into force on the 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, 13 September 1993.

For the Council

The President

Ph. MAYSTADT

COUNCIL REGULATION (EEC) No 2553/93

of 13 September 1993

amending Regulation (EEC) No 2089/84 imposing a definitive anti-dumping duty on imports of certain ball bearings originating in Japan and Singapore

THE COUNCIL 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 Articles 7, 14 and 15 thereof,

Having regard to the proposal submitted by the Commission, after consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. PROCEDURE

- (1) In July 1984, a definitive anti-dumping duty of 33,89 % was imposed on imports of single-row deep-groove radial ball bearings originating in Japan and Singapore, by Regulation (EEC) No 2089/84⁽²⁾.
- (2) Regulation (EEC) No 2089/84 was amended with regard to imports originating in Japan, following a review initiated pursuant to Article 14 of Regulation (EEC) No 2423/88, by Regulation (EEC) No 2685/90⁽³⁾.
- (3) As regards the imports originating in Singapore, the Commission published a notice of impending expiry of this measure in March 1989⁽⁴⁾, in accordance with Article 15 (2) of Regulation (EEC) No 2423/88.
- (4) In April 1989, the Commission received a request for a review of the measure from the Federation of European Bearing Manufacturers' Associations (Febma), on behalf of producers representing allegedly a major proportion of all Community production of the ball bearings in question.
- (5) After consultation, the Commission published a notice of intention to carry out a review of the measure in July 1989⁽⁵⁾, in accordance with Article 15 (3) of Regulation (EEC) No 2423/88.
- (6) In September 1989 the Commission announced by a notice in the *Official Journal of the European*

Communities⁽⁶⁾ the initiation of a review of anti-dumping measures concerning imports into the Community of certain ball bearings originating in Singapore, and started an investigation.

- (7) The Commission officially advised the exporters and importers known to be concerned, the representatives of the exporting country and the Community industry (Febma), and gave the parties concerned the opportunity to make their views known in writing and to request a hearing.
- (8) The exporters, certain importers and the Community producers represented by Febma made their views known in writing.
- (9) The Commission sought and verified all information it deemed necessary for the purposes of this proceeding and carried out investigations at the premises of the following :

(a) *Community producers*

- FAG Kugelfischer Georg Schäfer KGaA, Schweinfurt, Germany,
- Georg Müller Nürnberg AG, Nürnberg, Germany,
- Gebrüder Reinfurt GmbH & Co. KG, Würzburg, Germany,
- SKF Industrie SpA, Turin, Italy,
- SKF Roulements Spécialisés (ADR), Thomery, France,
- SKF France, Clamart, France,
- ROL Rolamentos Portugueses Sarl, Caldas da Rainha, Portugal ;

(b) *Singapore producers*

- NMB Singapore Ltd, Chai-Chee, Singapore,
- Pelmec Singapore Ltd, Jurong, Singapore ;

(c) *Related importers into the Community*

- NMB Minebea GmbH, Langen, Germany,
- NMB (UK) Ltd, Bracknell, United Kingdom,
- NMB Italia Srl, Mazzo di Rho, Milan, Italy,
- NMB France Sarl, Argenteuil, France.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 193, 21. 7. 1984, p. 1.

⁽³⁾ OJ No L 256, 20. 9. 1990, p. 1. (Corrigendum OJ No L 7, 10. 1. 1991, p. 38).

⁽⁴⁾ OJ No C 74, 22. 3. 1989, p. 10.

⁽⁵⁾ OJ No C 175, 11. 7. 1989, p. 3.

⁽⁶⁾ OJ No C 240, 20. 9. 1989, p. 4.

The above Singapore producers and Community importers are all subsidiaries of Minebea Co. Ltd, Japan ('Minebea').

- (10) The information gathered in this investigation concerns the period between 1985 and 1991.
- (11) Parties were informed in writing of the Commission's findings and were granted a period within which to make representations subsequent to the disclosure.

The oral and written comments submitted by the parties were considered and, where appropriate, the Commission's findings were modified to take account of them.

B. PRODUCT UNDER CONSIDERATION

- (12) The products concerned are single-row deep-groove radial ball bearings with a greatest external diameter not exceeding 30 mm, as defined in Regulation (EEC) No 2089/84.

C. CURRENT SITUATION OF THE COMMUNITY INDUSTRY

(i) *Current weak position of Community industry*

- (13) The investigation established that the Community industry is in a very weak position. In particular, pre-tax profitability is inadequate at 3,5 % of turnover, and there has been a substantial fall in its production, capacity utilization, employment and share of the Community market between 1985 and 1991.

(ii) *Impact of imports from Singapore*

- (14) Since the volume of imports originating in Singapore has fallen from 25 million pieces in 1985 to 1,8 million pieces in 1991 (market share declining from 10 to 0,6 % over this period), the Commission concluded that these imports are not contributing significantly to the current situation of the Community industry, and that the weak position of the Community industry is due to factors other than dumped imports from Singapore. The Council supports this conclusion.

D. EFFECTS OF THE EXPIRY OF THE ANTI-DUMPING MEASURES

- (15) The fact that the dumped imports are not currently causing injury is not by itself a reason for removing existing anti-dumping measures. In such circum-

stances and in the framework of a review in accordance with Article 15 of Regulation (EEC) No 2423/88, the Commission has to consider whether the expiry of the anti-dumping measures would lead again to injury or threat of injury. In this regard, the Commission must determine whether a recurrence of injury to the Community industry caused by dumping would be foreseeable and imminent in the absence of measures. While this determination has to be based on factual information available it is, by its very nature, judgmental.

- (16) To this end the Commission considered in the present case whether, in the event of the removal of the measures, there would be a significant increase in imports from the Singapore plants. In this respect, two aspects in particular were examined — firstly, the existing pattern of production and sales in the Singapore plants and secondly, whether a change in this pattern could be anticipated.

I. The existing pattern of production and sales in the Singapore plants

(i) *Development of production and capacity in Singapore*

- (17) The installed capacity of Minebea's Singapore factories (NMB and Pelmecc Singapore) has remained fairly constant since 1985, and the rate of capacity utilization of these factories is very high. There is therefore little spare capacity available for expanding existing production.

(ii) *Developments in domestic demand and geographical spread of exports*

- (18) The domestic market in Singapore has grown substantially since the original investigation and this market is served mostly by NMB and Pelmecc Singapore, absorbing an increasing amount of their production. Apart from the Singapore market, these two factories now sell their output almost entirely to the Asian and United States markets, with very little exported to the Community or EFTA countries.

(iii) *Conclusion*

- (19) The Commission concluded that in view of the existing pattern of production and sales and the absence of any significant spare capacity in the Singapore plants, it is unlikely that, based on the existing situation in Singapore, there will be a significant increase in imports to the Community. The Council supports this conclusion.

II. Possibilities of change in the existing pattern of production and sales in the Singapore plants

Given the multinational character of Minebea, the Commission examined whether the sourcing of exports to the Community could be switched from other Minebea locations to the Singapore plants so that additional exports to the Community could be made from Singapore.

(i) *Developments in sourcing*

(a) Thailand

- (20) Following the imposition of the anti-dumping duty on imports originating in Singapore in 1984, Minebea embarked upon a massive expansion of its bearing manufacture in Thailand, and the capacity in Thailand is now double that of Singapore. Minebea is the only producer of ball bearings in these two countries.

- (21) Since Minebea has switched the sourcing of its exports to the Community almost exclusively to Thailand, Thai-made bearings now have 25 % of the Community market, compared to the 0,6 % share held by Singapore-made bearings.

(b) United Kingdom

- (22) In 1991 Minebea began producing ball bearings in the United Kingdom, and installed capacity will shortly be increased to 60 million pieces per year.

- (23) In view of the rapid build-up in Minebea's production in the United Kingdom, almost all of which is intended for sale in the Community market, it is clear that Minebea's United Kingdom made bearings will represent an increasing proportion over the next few years of Minebea's total Community market share, in view of the fact that the full capacity of the United Kingdom factory will have to be used to make it profitable. In consequence, sourcing from Minebea's third country plants will probably decline, at least in relative terms.

(ii) *Competitive advantage of Minebea's Thai factories*

- (24) The Commission's investigation has confirmed that the Minebea plants in Thailand do have substantial competitive advantages over those in Singapore, in terms of lower labour costs and overheads, more modern, efficient machinery and greater economies of scale.

- (25) At the moment only a small number of bearing types exported to the Community by Minebea are sourced in Singapore.

Although some of the other types exported to the Community from Thailand are also produced in Singapore, they are manufactured in lower quantities and in the form of variants produced for Japanese or United States customers. Many types exported to the Community from Thailand are not produced at all in Singapore. It would however be possible for Minebea to switch the production of these types from Thailand to Singapore, but this could probably not be done immediately and would make the bearings more expensive to produce, given the higher costs of the Singapore operations.

- (26) In this regard, while there are still anti-dumping and countervailing duties on Thai-produced ball bearings of around 13 %, the cost differences between Thailand and Singapore are such that these duties do not make it less attractive to produce in and export from Thailand in comparison with Singapore.

- (27) Febma argued that the competitive advantage of Thailand over Singapore is not sufficient to prevent a switch of sourcing to Singapore in the absence of anti-dumping measures, since Singapore-made bearings benefit from generalized scheme of preferences (GSP) treatment.

The Commission's investigation has, however, shown that the treatment granted by the Community gives imports from Singapore no significant advantage since the GSP ceiling is very low (ECU 2 million) and, in any event, the same treatment is granted for the same value of Thai-made bearings.

(iii) *Conclusion*

- (28) Given the competitive advantage of the Thai factories and the need to run the United Kingdom plant at full capacity, the Commission concluded that even in the absence of the anti-dumping duty on imports from Singapore, it is likely that the great majority of Minebea's sales of ball bearings in the Community would be sourced from countries other than Singapore. The Council supports this conclusion.

III. General conclusion on impact of expiry of the measures

- (29) The Commission therefore concluded that it is not foreseeable that the expiry of the anti-dumping measures would result in dumped imports of ball bearings from Singapore regaining a significant share of the Community market, and that conse-

quently such expiry would not lead to an imminent recurrence of material injury to the Community industry. The Commission therefore considered that the review should be terminated and the anti-dumping duty allowed to expire. The Council supports these conclusions.

E. EFFECTIVE DATE OF EXPIRY OF ANTI-DUMPING DUTY

- (30) The Singapore producers pointed to the unusual length of the review investigation, which was opened in September 1989, and argued that the date of expiry of the anti-dumping duty should be retroactive.
- (31) The Commission is of the opinion that this argument is valid. It considers that in this case it is not reasonable that the duty should have been levied for such a long period following the opening of the review investigation.
- (32) The date on which the duty should cease to apply should be 21 September 1990, which coincides with the entry into force of Regulation (EEC) No 2685/90 amending, following a review, the definitive anti-dumping duty imposed on imports of ball bearings originating in Japan by Regulation (EEC) No 2089/84, the same Regulation which also imposed the anti-dumping duty on ball bearings originating in Singapore. The decision that the expiry of the anti-dumping duty imposed on imports originating in Singapore should take effect from that date would avoid any discrimination between the review investigations concerning

imports of the same product from those two countries.

- (33) The Council supports these conclusions and considers that the anti-dumping duty imposed on imports of certain ball bearings originating in Singapore, by Regulation (EEC) No 2089/84, should be repealed with effect from 21 September 1990. The relevant legislation in force concerning the repayment of customs duties should apply.
- (34) The Council, however, recalls that should there be any significant increase of imports of ball bearings originating in Singapore at dumped prices, the Community institutions would, on the basis of a complaint by the Community industry, re-open expeditiously a new anti-dumping proceeding concerning such imports,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2089/84 imposing a definitive anti-dumping duty on imports of certain ball bearings originating in Japan and Singapore is hereby amended by means of the deletion of the words 'and Singapore' from Article 1 (1) and of the list headed 'SINGAPORE' in Article 1 (2).

Article 2

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

It shall apply with effect from 21 September 1990.

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

Done at Brussels, 13 September 1993.

For the Council

The President

Ph. MAYSTADT

COUNCIL REGULATION (EEC) No 2554/93

of 13 September 1993

repealing Article 1 (4) of Regulation (EEC) No 2849/92 modifying the definitive anti-dumping duty on imports of ball bearings with a greatest external diameter exceeding 30 mm originating in Japan imposed by Regulation (EEC) No 1739/85

THE COUNCIL 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⁾,

Having regard to the proposal from the Commission, submitted after consultations within the Advisory Committee as provided for by the above Regulation,

Whereas :

- (1) Regulation (EEC) No 2849/92⁽²⁾ modified the definitive anti-dumping duties applicable to imports of all bearings with a greatest external diameter exceeding 30 mm originating in Japan.
- (2) Article 1 (4) of Regulation (EEC) No 2849/92 provides for a specific definition of the customs valuation of the products concerned and Article 1 (5) of the same Regulation provides that the basic

provisions in force concerning customs duties shall apply.

- (3) Article 1 (4) and (5) contain provisions that concern the same customs valuation but their application can lead to different results.
- (4) It therefore appears appropriate to avoid any such conflict in valuation based on these two different provisions and, since the basic provisions in force concerning customs duties lay down the general rules, it is considered appropriate that these provisions should prevail. It is therefore necessary to repeal Article 1 (4) of Regulation (EEC) No 2849/92,

HAS ADOPTED THIS REGULATION :

Article 1

Article 1 (4) of Regulation (EEC) No 2849/92 is hereby repealed.

Article 2

This Regulation shall enter into force on the 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, 13 September 1993.

For the Council

The President

Ph. MAYSTADT

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 286, 1. 10. 1992, p. 2.

COMMISSION REGULATION (EEC) No 2555/93
of 17 September 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 2407/93 ⁽⁵⁾, as
amended by Regulation (EEC) No 2497/93 ⁽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 18 September
1993.

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

Done at Brussels, 17 September 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 222, 1. 9. 1993, p. 5.

⁽⁶⁾ OJ No L 230, 11. 9. 1993, p. 1.

ANNEX

to the Commission Regulation of 17 September 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ^(*)		
	Arrangement in Regulation (EEC) No 3877/86 ^(*)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾) (⁽⁴⁾)	Third countries (except ACP) (⁽⁵⁾)
1006 10 21	—	142,08	291,36
1006 10 23	—	148,89	304,98
1006 10 25	—	148,89	304,98
1006 10 27	228,74	148,89	304,98
1006 10 92	—	142,08	291,36
1006 10 94	—	148,89	304,98
1006 10 96	—	148,89	304,98
1006 10 98	228,74	148,89	304,98
1006 20 11	—	178,50	364,20
1006 20 13	—	187,01	381,23
1006 20 15	—	187,01	381,23
1006 20 17	285,92	187,01	381,23
1006 20 92	—	178,50	364,20
1006 20 94	—	187,01	381,23
1006 20 96	—	187,01	381,23
1006 20 98	285,92	187,01	381,23
1006 30 21	—	221,50	466,85
1006 30 23	—	283,29	590,35
1006 30 25	—	283,29	590,35
1006 30 27	442,76	283,29	590,35
1006 30 42	—	221,50	466,85
1006 30 44	—	283,29	590,35
1006 30 46	—	283,29	590,35
1006 30 48	442,76	283,29	590,35
1006 30 61	—	236,25	497,20
1006 30 63	—	304,08	632,86
1006 30 65	—	304,08	632,86
1006 30 67	474,65	304,08	632,86
1006 30 92	—	236,25	497,20
1006 30 94	—	304,08	632,86
1006 30 96	—	304,08	632,86
1006 30 98	474,65	304,08	632,86
1006 40 00	—	81,73	169,46

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2556/93

of 17 September 1993

fixing the premiums to be added to the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 2408/93 ⁽³⁾, as amended by Regulation (EEC) No 2498/93 ⁽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,

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 18 September 1993.

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

Done at Brussels, 17 September 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 222, 1. 9. 1993, p. 8.

⁽⁴⁾ OJ No L 230, 11. 9. 1993, p. 3.

ANNEX

to the Commission Regulation of 17 September 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 9	1st period 10	2nd period 11	3rd period 12
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 2557/93

of 16 September 1993

re-establishing the levying of customs duties on products falling within CN code 6911, originating in the Philippines, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded for 1993 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN code 6911, originating in the Philippines, the individual ceiling was fixed at ECU 882 000; whereas on 19 August 1993, imports of these products into the Community originating in the Philippines reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against the Philippines,

HAS ADOPTED THIS REGULATION:

Article 1

As from 21 September 1993, the levying of customs duties, suspended for 1993 pursuant to Council Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products, originating in the Philippines:

Order No	CN code	Description
10.0720	6911	Tableware, kitchenware, other household articles and toilet articles, of porcelain or china

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, 16 September 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 2558/93

of 16 September 1993

re-establishing the levying of customs duties on products of category 38 A (order No 40.0381), originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

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

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries⁽¹⁾, extended for 1993 by Council Regulation (EEC) No 3917/92⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded for 1993 for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of category 38 A (order No 40.0381), originating in China, the relevant ceiling amounts to four tonnes;

Whereas on 27 April 1993 imports of the products in question into the Community, originating in China, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to China,

HAS ADOPTED THIS REGULATION:

Article 1

As from 21 September 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in China:

Order No	Category (unit)	CN code	Description
40.0381	38 A (tonnes)	6002 43 11 6002 93 10	Knitted or crocheted synthetic curtain fabrics including net curtain fabric

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, 16 September 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 2559/93

of 16 September 1993

re-establishing the levying of customs duties on products of category 68 (order No 40.0680), originating in India, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

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

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries⁽¹⁾, extended for 1993 by Regulation (EEC) No 3917/92⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded for 1993 for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of category 68 (order No 40.0680), originating in India, the relevant ceiling amounts to 91 tonnes;

Whereas on 27 April 1993 imports of the products in question into the Community, originating in India, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to India,

HAS ADOPTED THIS REGULATION:

Article 1

As from 21 September 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in India:

Order No	Category (unit)	CN code	Description
40.0680	68 (tonnes)	6111 10 90 6111 20 90 6111 30 90 ex 6111 90 00 ex 6209 10 00 ex 6209 20 00 ex 6209 30 00 ex 6209 90 00	Babies' garments and clothing accessories, excluding babies' gloves, mittens and mitts of categories 10 and 87, and babies' stockings, socks and sock-ettes, other than knitted or crocheted of category 88

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, 16 September 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 2560/93

of 16 September 1993

re-establishing the levying of customs duties on products of category 4 (order No 40.0040), originating in Sri Lanka, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries⁽¹⁾, extended for 1993 by Regulation (EEC) No 3917/92⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded for 1993 for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of category 4 (order No 40.0040), originating in Sri Lanka, the relevant ceiling amounts to 1 883 000 pieces;

Whereas on 20 August 1993 imports of the products in question into the Community, originating in Sri Lanka, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Sri Lanka,

HAS ADOPTED THIS REGULATION:

Article 1

As from 21 September 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Sri Lanka:

Order No	Category (unit)	CN code	Description
40.0040	4 (1 000 pieces)	6105 10 00	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undershirts and the like, knitted or crocheted
		6105 20 10	
		6105 20 90	
		6105 90 10	
		6109 10 00	
		6109 90 10	
		6109 90 30	
		6110 20 10	
		6110 30 10	

Article 2

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

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

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

Done at Brussels, 16 September 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 2561/93
of 16 September 1993
concerning the stopping of fishing for cod and haddock by vessels flying the flag
of a Member State

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3925/92 of 20 December 1992 allocating, for 1993, certain catch quotas between the Member States for vessels fishing in Faroese waters⁽³⁾ provides for cod and haddock quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stock subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod and haddock in Faroese waters by vessels flying the flag of a Member State or

registered in a Member State have reached the quota allocated for 1993,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod and haddock in Faroese waters by vessels flying the flag of a Member State or registered in a Member State are deemed to have exhausted the quota allocated to the Community for 1993.

Fishing for cod and haddock in Faroese waters by vessels flying the flag of a Member State or registered in a Member State is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

Article 2

This Regulation shall enter into force on the 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, 16 September 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.
⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.
⁽³⁾ OJ No L 397, 31. 12. 1992, p. 63.

COMMISSION REGULATION (EEC) No 2562/93

of 17 September 1993

laying down detailed rules for the application of Regulation (EEC) No 2055/93 allocating a special reference quantity to certain producers of milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2055/93 of 19 July 1993 allocating a special reference quantity to certain producers of milk and milk products⁽¹⁾, and in particular Article 8 thereof,

Whereas Regulation (EEC) No 2055/93 lays down the conditions under which special reference quantities are granted to dairy producers who, as a result of an undertaking given pursuant to Council Regulation (EEC) No 1078/77⁽²⁾, as last amended by Regulation (EEC) No 1300/84⁽³⁾, have been unable to obtain reference quantities for a holding or part of a holding pursuant to Article 3a of Council Regulation (EEC) No 857/84⁽⁴⁾, repealed by Regulation (EEC) No 3950/92⁽⁵⁾; whereas rules of procedure should be laid down so that Regulation (EEC) No 2055/93 can be implemented under conditions which ensure that the rights and obligations of all the parties concerned are respected;

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

HAS ADOPTED THIS REGULATION:

Article 1

The request referred to in Article 1 of Regulation (EEC) No 2055/93 shall be made by the producer concerned to the competent authority designated by the Member State in accordance with the procedure laid down by the latter.

Article 2

1. The competent authority shall acknowledge receipt of the request and verify compliance with the conditions laid down in Article 1 of Regulation (EEC) No 2055/93.

2. The criteria to be taken into account when establishing a producer's ability to increase output on his holding up to the amount of the special reference quantity applied for shall include, in particular:

- the quantity of milk marketed before 1 April 1993 in excess of the reference quantity allocated to the producer,
- the number and breed of female domestic bovine animals at least six months old, suitable for producing milk for marketing, kept by the producer on the holding at the time of the request,
- the holding's area under forage within the meaning of Article 1 (1) (d) of Commission Regulation (EEC) No 1391/78⁽⁶⁾,
- the investment carried out with a view to increasing milk production on the holding.

3. Before 1 March 1994 the competent authority shall notify the producer of the special reference quantity allocated to him, calculated in accordance with Article 1 (2) of Article 2 of Regulation (EEC) No 2055/93, as appropriate.

Article 3

In the case referred to in Article 4 (3) of Regulation (EEC) No 2055/93, the producer shall notify his intentions in advance to the competent authority, which shall issue him with an acknowledgement of receipt.

Article 4

The Member States shall inform the Commission:

- before 1 November 1993, of the competent authority, the procedure referred to in Article 1 and the criteria adopted other than those laid down in Article 2,
- before 1 April 1994, of the number of requests and the quantities involved, distinguishing between cases covered by the first and second indents of Article 1 (1), the first, second and third subparagraphs of Article 1 (2) and Article 3 (2) of Regulation (EEC) No 2055/93 and the criteria laid down for applying the latter provision.

Article 5

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

⁽¹⁾ OJ No L 187, 29. 7. 1993, p. 8.

⁽²⁾ OJ No L 131, 26. 5. 1977, p. 1.

⁽³⁾ OJ No L 125, 12. 5. 1984, p. 3.

⁽⁴⁾ OJ No L 90, 1. 4. 1984, p. 13.

⁽⁵⁾ OJ No L 405, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 167, 24. 6. 1978, p. 45.

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

Done at Brussels, 17 September 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 2563/93

of 17 September 1993

enabling Member States to authorize preventive withdrawals of apples

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 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 15a (2) thereof,

Member States may authorize producer organizations established on their territory to undertake preventive withdrawals of apples during the 1993/94 marketing year.

Article 2

Whereas Commission Regulation (EEC) No 1569/79 of 26 July 1979 on preventive withdrawals of apples and pears⁽³⁾, as last amended by Regulation (EEC) No 2647/92⁽⁴⁾, lays down the circumstances under which preventive withdrawals may be authorized;

1. Preventive withdrawals may not relate to more than 330 280 tonnes distributed by Member States in the following manner:

Whereas, for the 1993/94 marketing year, apple production is estimated at 8 485 700 tonnes; whereas expected surpluses in relation to production of 7 660 00 tonnes amount to 825 700 tonnes; whereas preventive withdrawals may relate to no more than 40 % of this quantity, that is, 330 280 tonnes;

Belgium	21 500 tonnes
Denmark	1 000 tonnes
Germany	38 300 tonnes
Greece	11 900 tonnes
France	95 600 tonnes
Ireland	400 tonnes
Italy	93 500 tonnes
Luxembourg	80 tonnes
Netherlands	13 500 tonnes
United Kingdom	8 900 tonnes
Spain	35 700 tonnes
Portugal	9 900 tonnes.

Whereas the quantity should be distributed among the various Member States in proportion to the surpluses anticipated in each one of them in respect of varieties subject to withdrawals;

2. Preventive withdrawals may relate only to apples of class II of the varieties referred to in the Annex.

Whereas the prices communicated in accordance with the provisions of the first subparagraph of Article 17 (1) of Regulation (EEC) No 1035/72 have stood on several representative markets of the Community below the basic price;

Article 3

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

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, 17 September 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 189, 27. 7. 1979, p. 47.

⁽⁴⁾ OJ No L 266, 12. 9. 1992, p. 12.

*ANNEX***List of varieties of apples which may be the subject of preventive withdrawals**

Golden Delicious
Imperatore
Red Delicious and mutations
Stark Delicious
Starkcrimson
Black Stayman
Staymanred
Stayman Winesap
Richared
Macintosh Red
Belle de Boskoop
Delicious Pilafa
Granny Smith
Bramley's Seedling
Ingrid Marie
Glocken Apfel
Jonagold and mutations
Bravo de Esmolfe
Casa nova de Alcobaça
Riscadinha
Gola and mutations.

COMMISSION REGULATION (EEC) No 2564/93**of 17 September 1993****amending Regulation (EEC) No 3061/84 laying down detailed rules for the application of the system of production aid for olive oil**

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2046/92 ⁽²⁾, and in particular Article 5 (5) thereof,

Whereas Article 12b (2) of Commission Regulation (EEC) No 3061/84 of 31 October 1984 laying down detailed rules for the application of the system of production aid for olive oil ⁽³⁾, as last amended by Regulation (EEC) No 1814/93 ⁽⁴⁾, lays down the time limit for the payment of the balance of aid to producers whose average production is at least 500 kg of oil;

Whereas, because of the additional checks resulting from the establishment of the register of olive cultivation in Italy, the time limit should be extended as a special measure for the period strictly necessary for payment in Italy of the outstanding amounts;

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

HAS ADOPTED THIS REGULATION:

Article 1

The second subparagraph of Article 12b (2) of Regulation (EEC) No 3061/84 is hereby replaced by the following:

'Italy shall be authorized to pay the balance of the aid for the 1991/92 marketing year by 15 October 1993 at the latest.'

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, 17 September 1993.

For the Commission

René STEICHEN

Member of the Commission

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 288, 1. 11. 1984, p. 52.

⁽⁴⁾ OJ No L 166, 8. 7. 1993, p. 18.

COMMISSION REGULATION (EEC) No 2565/93

of 17 September 1993

amending Regulation (EEC) No 891/89 on special detailed rules for the application of the system of import and export licences for 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 Articles 9 (2) and 13 (6) 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 Articles 10 (2) and 17 (5) thereof,

Whereas, in view of the competitive situation on the world market, pursuant to Commission Regulation (EEC) No 891/89⁽⁵⁾, as last amended by Regulation (EEC) No 3570/92⁽⁶⁾, export licences for the main products with a special period of validity may be issued on application if a contract justifying a longer period than normal is in course of conclusion; whereas it is a condition of issue that this contract be submitted to the competent authority; whereas experience indicates that additional requirements should be imposed in order to guarantee satisfactory operation of the provision;

Whereas budgetary constraints or the situation on the Community or world market may make it appropriate to restrict the granting of export licences with a special period of validity; whereas for the purpose of managing the granting of such long-duration licences it should be specified that applications for the licence be accompanied by a statement from the importing country that a delivery contract is in course of conclusion, subject, if such be the case, to issue of the licence, for a quantity and delivery period corresponding to those applied for; whereas it should also be specified that licences be issued only following scrutiny by the competent authority with which the application has been lodged of the economic aspects

of the planned operation and subject to presentation of the final contract between the parties within a set time limit;

Whereas experience shows that contracts for exportation to ACP countries are often modified on the part of the countries of destination; whereas to reduce the risk involved it should be made permissible for contracts to be executed in part by delivery to another destination provided it belongs to the same group of countries;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 11 of Regulation (EEC) No 891/89 is amended as follows:

1. paragraph 1 is replaced by the following:

'1. In special cases, the period of validity of an export licence for common wheat, durum wheat, rye, barley, maize, rice, wheat or rye flour, groats and meal of durum wheat or products falling within CN code 2309 (excluding codes 2309 10 70, 2309 10 90, 2309 90 10, 2309 90 70, 2309 90 91 and 2309 90 99) containing less than 50 % by weight of milk products, may be longer than that laid down in Article 9 (1) if the interested party is in the process of concluding a contract warranting a longer period. Applicants shall submit to the competent authority a written statement from an official body or an undertaking operating in the country of destination, indicating the scheduled quantity and quality of the products, the delivery time and the price terms. The Member State shall immediately send the Commission a copy of the statement for information.'

2. the second and third subparagraphs of paragraph 2 are replaced by the following:

'For exports to an ACP country or to several countries of one of the ACP country groups specified in Annex III, signatories to the Lomé Convention, the minimum quantity provided for in the first subparagraph is reduced:

⁽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 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 362, 11. 12. 1992, p. 51.

- to 20 000 tonnes for common wheat, durum wheat, rye, barley, maize, rice, wheat or rye flour and products falling within CN code 2309 (excluding codes 2309 10 70, 2309 10 90, 2309 90 10, 2309 90 70, 2309 90 91 and 2309 90 99) containing less than 50 % by weight of milk products, and
- to 5 000 tonnes for groats and meal of durum wheat and rice.

Applications relating to several countries within a group of ACP countries must specify the name of each scheduled country of destination.';

3. paragraph 3 is replaced by the following:

'3. The Member State of the competent authority receiving the application shall examine it, in particular as to quantity, economic implications of the exportation envisaged and the practicality of execution and, if it finds the application admissible, shall notify the Commission, which shall take a decision in accordance with the procedure laid down in Article 23 of Council Regulation (EEC) No 1766/92 (*) or Article 26 of Regulation (EEC) No 1418/76. If the Commission accepts the application it shall set a time limit for presentation of the contract to the competent authority. The latter

shall inform the applicant of the Commission's decision.

(*) OJ No L 181, 1. 7. 1992, p. 21.';

4. in the first subparagraph of paragraph 4 the last sentence is replaced by the following:

'The country (or countries within a single group) of destination shall be shown in Section 7 and the licence shall carry with it the obligation to export to that country or countries. However, for up to 10 % of the quantities entered on the licence, the contract may be executed by delivery to another country indicated in Annex III as falling within the same group.'

Article 2

The Annex to this Regulation is hereby added to Regulation (EEC) No 891/89 as Annex III.

Article 3

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, 17 September 1993.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX**ANNEX III***Groups of ACP signatories to the Lomé Convention**

Group I	Group II	Group III	Group IV	Group V	Group VI	Group VII
Mauritania	Chad	Angola	Sudan	Seychelles	Haiti	Papua New Guinea
Mali	Central African Republic	Zambia	Djibouti	Comoros	Dominican Republic	Fiji
Niger	Benin	Malawi	Ethiopia	Madagascar	Antigua and Barbuda	Kiribati
Senegal	Nigeria	Mozambique	Somalia	Mauritius	Bahamas	Solomon Islands
Burkina Faso	Cameroon	Namibia	Uganda		Barbados	Samoa
Gambia	Equatorial Guinea	Botswana	Kenya		Belize	Tonga
Guinea-Bissau	São Tomé and Príncipe	Zimbabwe	Tanzania		Dominica	Tuvalu
Guinea	Gabon	Lesotho			Grenada	Vanuatu'
Cape Verde	Congo	Swaziland			Jamaica	
Sierra Leone	Zaire				Saint Christopher and Nevis	
Liberia	Rwanda				Saint Lucia	
Côte d'Ivoire	Burundi				Saint Vincent and the Grenadines	
Ghana					Trinidad and Tobago	
Togo					Guyana	
					Suriname	

COMMISSION REGULATION (EEC) No 2566/93

of 17 September 1993

determining the extent to which applications for import licences introduced under the annual cheese quota opened by the Community to Sweden may be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 1316/93 of 28 May 1993 laying down detailed rules of application for the management of an annual quota of 1 000 tonnes of cheese and curds opened by the Community to Sweden ⁽¹⁾, and in particular Article 4 (4) thereof,

Whereas applications for import licences introduced for the cheeses referred to in Regulation (EEC) No 1316/93 cover quantities in excess of those available; whereas a single percentage reduction should therefore be fixed for the quantities applied for in respect of the second period of 1 September to 31 December 1993,

Article 1

1. Applications for import licences for cheeses falling within CN code 0406 introduced in respect of the period 1 September to 31 December 1993 pursuant to Regulation (EEC) No 1316/93 shall be accepted up to a percentage of 37,40 %.

2. During the first 10 days of the period 1 January to 31 March 1994 applications for import licences may be introduced in respect of the quantity referred to in Article 1 of Regulation (EEC) No 1316/93.

Article 2

This Regulation shall enter into force on 18 September 1993.

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

Done at Brussels, 17 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 132, 29. 5. 1993, p. 73.

COMMISSION REGULATION (EEC) No 2567/93

of 17 September 1993

fixing the maximum buying-in price and the quantities of beef bought in for the 99th partial invitation to tender as a general intervention measure pursuant to Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 125/93⁽²⁾, and in particular Article 6 (8) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector⁽³⁾, as last amended by Regulation (EEC) No 1759/93⁽⁴⁾, an invitation to tender was opened by Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender⁽⁵⁾, as last amended by Regulation (EEC) No 2512/93⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R 3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 11 (2) of that Regulation, a decision may be taken not to proceed with the tendering procedure;

Whereas, after examination of the tenders submitted for the 99th partial invitation to tender and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings and prices, it has been decided not to proceed with the tendering procedure

for category A and to fix the maximum buying-in price and the quantities which may be accepted into intervention for category C;

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

HAS ADOPTED THIS REGULATION:

Article 1

For category A, no award shall be made against the 99th partial invitation to tender opened by Article 1 (1) of Regulation (EEC) No 1627/89.

Article 2

For category C:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 236,68 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 2 514 tonnes.

Article 3

This Regulation shall enter into force on 20 September 1993.

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

Done at Brussels, 17 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 59.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 231, 14. 9. 1993, p. 21.

COMMISSION REGULATION (EEC) No 2568/93
of 17 September 1993
abolishing the 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 Commission Regulation (EEC) No 2464/93⁽³⁾, as amended by Regulation (EEC) No 2510/93⁽⁴⁾, introduced a countervailing charge on apples originating in New Zealand;

Whereas the present trend of prices for products originating in New Zealand on the representative markets referred to in Commission Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by Regulation (EEC) No 249/93⁽⁶⁾, and recorded or calculated in accordance with the provisions of Article 5 of that Regulation, indi-

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2464/93 is hereby repealed.

Article 2

This Regulation shall enter into force on 18 September 1993.

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

Done at Brussels, 17 September 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 226, 7. 9. 1993, p. 11.

⁽⁴⁾ OJ No L 231, 14. 9. 1993, p. 18.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 28, 5. 2. 1993, p. 49.

COMMISSION REGULATION (EEC) No 2569/93
of 17 September 1993
amending Regulation (EEC) No 1443/93 on transitional measures for the
application of the arrangements for importing bananas into the Community in
1993

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

Having regard to Council Regulation (EEC) No 404/93, of
13 February 1993, on the common organization of the
market in bananas⁽¹⁾, and in particular Articles 20 and 30
thereof,

Whereas according to Article 3 (2) of Commission Regu-
lation (EEC) No 1443/93⁽²⁾, as last amended by Regula-
tion (EEC) No 2396/93⁽³⁾, the competent authorities of
the Member States have provided to the Commission data
on operators' reference quantities;

Whereas in order to verify these data additional time is
necessary;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 of Regulation (EEC) No 1443/93 is amended as
follows:

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

Done at Brussels, 17 September 1993.

1. in Article 5 (1) '21 September 1993' is replaced by
'28 September 1993';

2. paragraph 3 is replaced by the following:

'3. Operators shall submit their application for
licences to import under the tariff quota in the period
1 October to 31 December 1993 by 30 September
1993.

By 1 October the competent authorities of the
Member States shall notify the Commission of the
quantities of bananas covered by import licence appli-
cations in respect of each category defined in Article 2
of Regulation (EEC) No 1442/93.

Licences to import under the tariff quota in the period
1 October to 31 December 1993 shall be issued
no later than 6 October 1993.'

Article 2

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

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 142, 12. 6. 1993, p. 16.

⁽³⁾ OJ No L 221, 31. 8. 1993, p. 9.

COMMISSION REGULATION (EEC) No 2570/93**of 17 September 1993****altering the export refunds on white sugar and raw sugar exported in the natural state**

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 the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2541/93 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2541/93 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 2541/93, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 September 1993.

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

Done at Brussels, 17 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 233, 16. 9. 1993, p. 5.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 17 September 1993 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	35,26 ⁽¹⁾
1701 11 90 910	33,97 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	35,26 ⁽¹⁾
1701 12 90 910	33,97 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3833
	— ECU/100 kg —
1701 99 10 100	38,33
1701 99 10 910	37,78
1701 99 10 950	37,78
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3833

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

⁽³⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

COMMISSION REGULATION (EEC) No 2571/93

of 17 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 16

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 18 September 1993.

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

Done at Brussels, 17 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 17 September 1993 fixing the import levies on cereals
and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Third countries (*)
0709 90 60	138,13 ⁽²⁾ ⁽³⁾
0712 90 19	138,13 ⁽²⁾ ⁽³⁾
1001 10 00	70,51 ⁽¹⁾ ⁽³⁾
1001 90 91	88,07
1001 90 99	88,07 ⁽²⁾
1002 00 00	113,57 ⁽²⁾
1003 00 10	113,57
1003 00 20	113,57
1003 00 80	113,57 ⁽²⁾
1004 00 00	86,61
1005 10 90	138,13 ⁽²⁾ ⁽³⁾
1005 90 00	138,13 ⁽²⁾ ⁽³⁾
1007 00 90	142,05 ⁽⁴⁾
1008 10 00	23,45 ⁽²⁾
1008 20 00	30,88 ⁽²⁾
1008 30 00	30,88 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	30,88
1101 00 00	160,80 ⁽²⁾
1102 10 00	196,12
1103 11 30	142,53
1103 11 50	142,53
1103 11 90	183,47
1107 10 11	167,64
1107 10 19	128,01
1107 10 91	213,03
1107 10 99	161,93
1107 20 00	186,91

(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 2572/93**of 17 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 16 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 18 September 1993.

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

Done at Brussels, 17 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 17 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 9	1st period 10	2nd period 11	3rd period 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 9	1st period 10	2nd period 11	3rd period 12	4th period 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 2573/93

of 17 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 last amended by Regulation (EEC) No 2538/93⁽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 Commission 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 18 September 1993.

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

Done at Brussels, 17 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 232, 15. 9. 1993, p. 35.

⁽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 17 September 1993 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies ⁽⁶⁾	
	ACP	Third countries (other than ACP)
0714 10 10 ⁽¹⁾	108,86	115,51
0714 10 91	112,49 ⁽²⁾ ⁽⁷⁾	112,49
0714 10 99	110,68	115,51
0714 90 11	112,49 ⁽²⁾ ⁽⁷⁾	112,49
0714 90 19	110,68 ⁽²⁾	115,51
1102 90 10	202,48	208,52
1103 19 10	202,90	208,94
1103 19 30	202,48	208,52
1103 29 10	202,90	208,94
1103 29 20	202,48	208,52
1104 11 10	114,74	117,76
1104 11 90	224,98	231,02
1104 19 30	202,90	208,94
1104 21 10	179,98	183,00
1104 21 30	179,98	183,00
1104 21 50	281,23	287,27
1104 21 90	114,74	117,76
1104 29 15	149,92	152,94
1104 29 35	180,35	183,37
1104 29 95	114,97	117,99
1106 20 10	108,86 ⁽²⁾	115,51
2302 10 10	47,44	53,44
2302 10 90	101,66	107,66
2302 20 10	47,44	53,44
2302 20 90	101,66	107,66
2302 30 10	47,44 ⁽⁸⁾	53,44
2302 30 90	101,66 ⁽⁸⁾	107,66
2302 40 10	47,44	53,44
2302 40 90	101,66	107,66

⁽¹⁾ 6 % *ad valorem*, subject to certain conditions.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

⁽⁷⁾ 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.

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

⁽⁹⁾ Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.

COMMISSION REGULATION (EEC) No 2574/93
of 17 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 2547/93 ⁽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 16 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 18 September 1993.

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

Done at Brussels, 17 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 234, 17. 9. 1993, p. 9.

ANNEX

to the Commission Regulation of 17 September 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	36,09 ⁽¹⁾
1701 11 90	36,09 ⁽¹⁾
1701 12 10	36,09 ⁽¹⁾
1701 12 90	36,09 ⁽¹⁾
1701 91 00	43,24
1701 99 10	43,24
1701 99 90	43,24 ⁽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)

COUNCIL

COUNCIL DECISION

of 13 September 1993

appointing a member of the Economic and Social Committee

(93/499/Euratom, EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 193 to 195 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 165 to 167 thereof,

Having regard to the Convention on certain institutions common to the European Communities, and in particular Article 5 thereof,

Having regard to the Council Decision of 24 September 1990 appointing the members of the Economic and Social Committee for the period ending on 20 September 1994 ⁽¹⁾,

Whereas a seat has become vacant on the Economic and Social Committee following the resignation of Mr Luc Guyau, notified to the Council on 23 September 1992 ;

Having regard to the nominations submitted by the French Government on 4 February 1993,

Having obtained the opinion of the Commission of the European Communities,

HAS DECIDED AS FOLLOWS :

Sole Article

Mr Jean-Paul Bastian is hereby appointed member of the Economic and Social Committee in place of Mr Luc Guyau for the remainder of the latter's term of office, which runs until 20 September 1994.

Done at Brussels, 13 September 1993.

For the Council

The President

Ph. MAYSTADT

⁽¹⁾ OJ No L 290, 23. 10. 1990, p. 13.

COUNCIL DECISION

of 13 September 1993

concerning the promotion of renewable energy sources in the Community
(Altener programme)

(93/500/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 130s and 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, at their meeting on 29 October 1990, the Council (Environment and Energy Ministers) agreed that the Community and Member States, assuming that other leading countries would enter into similar commitments, and acknowledging the targets identified by a number of Member States for stabilizing or reducing emissions by different dates, were willing to take action aimed at reaching stabilization of the total CO₂ emissions by 2000 at the 1990 level in the Community as a whole and that Member States which start from relatively low levels of energy consumption and therefore low emissions measured on a per capita or other appropriate basis are entitled to have CO₂ targets and/or strategies corresponding to their economic and social development, while continuing to improve the energy efficiency of their economic activities;

Whereas, in its communication to the Council concerning a Community strategy to limit carbon dioxide emissions and to improve energy efficiency, the Commission indicated the action the Community should take to limit CO₂ emissions;

Whereas, at its meeting on 13 December 1991, the Council invited the Commission to put forward formal proposals for the adoption of measures as part of a Community strategy;

Whereas a significant increase in the use of renewable energy sources will contribute towards achieving the objective of stabilizing CO₂ emissions;

Whereas, pursuant to Article 130r of the Treaty, action by the Community relating to the environment should improve the quality of the environment and ensure a prudent and rational utilization of natural resources, objectives which are furthered by the use of renewable energy sources;

Whereas the development of renewable energy sources can make a significant contribution to the reduction of polluting emissions arising from the consumption of fossil fuels;

Whereas the development of renewable energy sources will contribute to the reduction of greenhouse gases and the danger of global warming; whereas wide-ranging international cooperation is therefore desirable in order to obtain significant results;

Whereas, since the Treaty does not provide for other powers to cover the energy aspects of the programme referred to in Article 2, Article 235 should also be invoked;

Whereas the Council resolution of 16 September 1986 concerning new Community energy policy objectives for 1995 and convergence of the policies of the Member States ⁽⁴⁾ states that the contribution of new and renewable energy sources to the replacement of traditional fuels should increase substantially, so that those energy sources can play a significant part in the overall energy balance sheet;

Whereas some renewable energy sources today occupy only a few market slots; whereas, if they are not yet competitive, this is to be explained in part by the fact that the present pricing system does not always take into account fully the ecological cost of the principal traditional sources of energy; whereas, in order to strengthen the future contribution of renewable energy sources to energy supplies, the Member States will have to avoid such distortions;

Whereas, by its recommendation of 9 June 1988 on developing the exploitation of renewable energy sources in the Community ⁽⁵⁾, the Council confirmed in detail its desire to pursue a policy of developing renewable energy sources;

Whereas, when reviewing the progress made towards achieving the energy objectives for 1995 provided for in its resolution of 16 September 1986, the Council stated in its conclusions of 8 November 1988 that it attributed particular importance to renewable energy sources for future energy supplies;

Whereas the development of renewable energy sources and in particular the exploitation of biomass offer secondary economic advantages in terms of employment and keeping local populations *in situ*;

⁽¹⁾ OJ No C 179, 16. 7. 1992, p. 4.

⁽²⁾ OJ No C 176, 28. 6. 1993.

⁽³⁾ OJ No C 19, 25. 1. 1993, p. 7.

⁽⁴⁾ OJ No C 241, 25. 9. 1986, p. 1.

⁽⁵⁾ OJ No L 160, 28. 6. 1988, p. 46.

Whereas the promotion and wider use of renewable energy sources throughout the Community are likely to strengthen its economic and social cohesion, as called for by Article 130a of the Treaty;

Whereas, to this end, it is appropriate to take account of the Community's indicative objectives and make provision for resources to further the attainment of those objectives, taking into consideration the particular conditions in each Member State;

Whereas provision should be made for a five-year programme;

Whereas ECU 40 million is the amount estimated as necessary in order to implement the multiannual programme; whereas this amount is intended to fund the programme for the period 1993 to 1997 provided it is consistent with the Community's medium-term financial perspective in force as from 1 January 1993;

HAS ADOPTED THIS DECISION:

Article 1

Member States shall endeavour to contribute in their energy policies to the limitation of carbon dioxide emissions by taking account of the Community's indicative objectives relating to the renewable energy sources which are set out in Annex I.

Article 2

1. The Community shall support a series of actions to promote renewable energy sources within the context of the Altener programme (specific actions for greater penetration of renewable energy sources), hereinafter referred to as 'the programme'.

2. The programme shall last five years.

3. The amount of Community funds estimated as necessary for implementation of the programme shall be ECU 40 million for the period 1993 to 1997, provided that amount is consistent with the Community's medium-term financial perspective in force as from 1 January 1993.

4. The budget authority shall determine the appropriations available for each financial year, taking into account the principles of sound management referred to in Article 2 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities⁽¹⁾.

⁽¹⁾ OJ No L 356, 31. 12. 1977, p. 1. Financial Regulation as last amended by Regulation (Euratom, ECSC, EEC) No 610/90 (OJ No L 70, 16. 3. 1990, p. 1).

Article 3

Four categories of actions on renewable energy sources shall be financed under the programme, namely:

- (a) studies and technical evaluations for defining technical standards or specifications;
- (b) measures to support the Member States' initiatives for extending or creating infrastructures concerned with renewable energy sources. These initiatives shall include:
 - training and information activities with regard to renewable energy sources at a level as close as possible to operators and the final consumers of energy,
 - sectoral actions, as referred to in Annex II;
- (c) measures to foster the creation of an information network aimed at promoting better coordination between national, Community and international activities through the establishment of appropriate means for exchanging information and at evaluating the impact of the various actions provided for in this Article;
- (d) studies, evaluations and other appropriate measures aimed at assessing the technical feasibility and the advantages for the economy and the environment of the industrial exploitation of biomass for energy purposes, in particular heat and electricity production.

Article 4

1. All costs relating to the actions referred to in Article 3 (a) shall be borne by the Community.

2. The level of funding for the actions referred to in Article 3 (b) and (c) shall be between 30 and 50 % of their total cost.

In exceptional cases duly justified to the committee provided for in Article 7 (1) such funding may exceed the 50 % limit, while not, however, exceeding 60 %.

3. The level of funding for the actions referred to in Article 3 (d) must not exceed 30 % of their total cost.

4. The balance of the funding of the actions referred to in Article 3 (b), (c) and (d) may be made up from either public or private sources or from a contribution of the two.

Article 5

1. The Commission shall establish guidelines for the support measures referred to in Article 3 (b), (c) and (d) each year, in consultation with the committee provided for in Article 7 (1).

2. The proposed initiatives referred to in Article 3 (b) and the list of bodies which are to implement them shall be submitted annually by the Member States to the Commission, which shall decide on the level and conditions of Community funding according to the procedure provided for in Article 7 (1). The Commission shall sign contracts relating to the support measures with those bodies.

Article 6

1. The Commission shall be responsible for the implementation of the programme.

2. For the implementation of the actions referred to in Article 3 (a), (b) and (c), the Commission shall apply the procedure laid down in Article 7 (1).

3. For the implementation of the actions referred to in Article 3 (d), the Commission shall apply the procedure laid down in Article 7 (2).

Article 7

1. In carrying out the activities referred to in Article 6 (2), the Commission shall be assisted by an advisory committee composed of the representatives of the Member States and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

2. In carrying out the activities referred to in Article 6 (3), the Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according

to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt measures which shall apply immediately.

However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith.

In that event, the Commission shall defer application of the measures which it has decided for a period of one month from the date of communication.

The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the previous subparagraph.

Article 8

1. During the third year of the programme, the Commission shall present a report to the European Parliament and to the Council on the results achieved. The report shall be accompanied by proposals for any amendments which might be necessary in the light of these results.

2. On expiry of the programme, the Commission shall assess the results obtained, the application of this Decision and the consistency of national and Community actions. It shall present a report thereon to the European Parliament, the Council and the Economic and Social Committee.

Article 9

This Decision shall apply from 1 January 1993 to 31 December 1997.

Article 10

This Decision is addressed to the Member States.

Done at Brussels, 13 September 1993.

For the Council

The President

Ph. MAYSTADT

*ANNEX I***Community indicative objectives for reducing carbon dioxide emissions by developing renewable energy sources**

A 180-million tonne reduction in carbon dioxide emissions could be achieved in 2005 by :

- A. increasing the contribution of renewable energy sources to the coverage of total energy demand from nearly 4 % in 1991 to 8 % in 2005⁽¹⁾.

To achieve this objective, the production of renewable energy sources should rise from nearly 43 million toe in 1991 to approximately 109 million toe in 2005 ;

- B. trebling the production of electricity from renewable energy sources (excluding large hydro-electric power stations).

To achieve this objective, the capacity and electricity production of all power stations (excluding large hydro-electric power stations) using renewable energy sources should rise from 8 GW and 25 TWh in 1991 to 27 GW and 80 TWh in 2005 ;

- C. securing for biofuels a market share of 5 % of total fuel consumption by motor vehicles.

The production in 2005 of 11 million toe of biofuels is considered necessary in order to achieve this objective.

*ANNEX II***Illustrative, non-restrictive list of sectoral actions, as referred to in the second indent of Article 3 (b)**

1. Pilot actions aimed at introducing a 'guarantee of solar results' in the market for solar collectors and solar water heaters.
2. Pilot actions relating to vehicle fleets aimed at introducing biofuels in place of petroleum products in the transport sector.
3. Pilot studies on least-cost (integrated resource) planning and demand-side management.
4. Pilot projects on third-party financing within the framework of the European network for third-party financing (without direct Community funding).
5. Guarantee of financial risks arising from the geological uncertainties surrounding the development of geothermal resources.
6. Establishment of local plans for the development of renewable energy sources.
7. Establishment and development of infrastructures in the Member States for offering investors assistance with the drawing up of pre-feasibility studies.
8. Pilot actions involving the equipping of new or existing buildings with photovoltaic modules.
9. Pilot actions relating to the planning of windfarm projects.
10. Pilot actions to integrate bioclimatic systems into architecture.

⁽¹⁾ In the energy balances on which the formulation of objective A is based, the electricity produced from the various alternative sources is accounted for in accordance with the conventions of the Statistical Office of the European Communities.