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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 3074/93**of 8 November 1993****amending Regulation (EEC) No 845/93 laying down the regional base areas applicable under the support system for producers of certain arable crops**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EEC) No 1552/93 ⁽²⁾, and in particular Article 1 thereof,

Whereas Commission Regulation (EEC) No 845/93 ⁽³⁾ lays down the base areas applicable under the support system for producers of certain arable crops; whereas in the United Kingdom separate base areas were laid down for the LFA in Scotland and for other land in Scotland; whereas as a result of errors in the statistical data, the subdivision of the Scottish area into the 'LFA' and the 'non-LFA' regions was incorrect; whereas it is necessary to amend the base areas laid down for Scotland in accordance with the correct statistical data, with effect from the 1993/94 marketing year;

Whereas the relevant management committees have not delivered opinions within the time limit set by their chairmen,

Article 1

In the Annex to Regulation (EEC) No 845/93, in the section headed 'United Kingdom', in the second column headed 'All crops', the figure for 'Scotland LFA' shall be amended to read '121,0' and the figure for 'Scotland other' shall be amended to read '430,1'.

Article 2

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

This Regulation shall be applicable with effect from the 1993/94 marketing year.

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

Done at Brussels, 8 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 19.

⁽³⁾ OJ No L 88, 8. 4. 1993, p. 27.

COMMISSION REGULATION (EC) No 3075/93

of 8 November 1993

amending Regulation (EEC) No 1195/93 increasing to 2 350 000 tonnes the quantity of bread-making wheat held by the German intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 5 thereof,

Having regard to Commission Regulation (EEC) No 2131/93 of 28 July 1993 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽³⁾,

Whereas Commission Regulation (EEC) No 1195/93⁽⁴⁾, as last amended by Regulation (EEC) No 2830/93⁽⁵⁾, opened a standing invitation to tender for the export of 2 050 000 tonnes of bread-making wheat held by the German intervention agency; whereas, in a communication of 21 October 1993, Germany informed the Commission of the intention of its intervention agency to increase by 300 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 2 350 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1195/93 must therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 1195/93 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 2 350 000 tonnes of bread-making wheat to be exported to all third countries. Customs export formalities must be completed during the period 1 July 1993 to 31 January 1994.

2. The regions in which the 2 350 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.

Article 2

Annex I to Regulation (EEC) No 1195/93 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 8 November 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 122, 18. 5. 1993, p. 14.

⁽⁵⁾ OJ No L 258, 16. 10. 1993, p. 19.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg	380 678
Niedersachsen/Bremen	298 240
Nordrhein-Westfalen	227 783
Hessen	42 486
Rheinland-Pfalz	31 443
Baden-Württemberg	4 508
Bayern	449 601
Berlin/Brandenburg	58 951
Mecklenburg-Vorpommern	302 514
Sachsen	130 351
Sachsen-Anhalt	242 824
Thüringen	178 453
Saarland	1 951

COMMISSION REGULATION (EC) No 3076/93

of 8 November 1993

amending Regulation (EEC) No 1500/93 on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for export to the Commonwealth of Independent States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 7 (3) thereof,

Whereas Commission Regulation (EEC) No 1500/93 ⁽³⁾ provides for the sale of part of the intervention stocks of beef, whereas that meat must be imported into the Commonwealth of Independent States (CIS); whereas since the entry into force of the abovementioned Regulation, Azerbaijan and Georgia have become members of the CIS; whereas those two Republics should be included in the list of Republics given in Annex I of the said Regulation;

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

Annex I of Regulation (EEC) No 1500/93 is hereby amended as follows: the Republics of Azerbaijan and Georgia are added to the list of Republics of the Commonwealth of Independent States given in Annex I.

Article 2

This Regulation shall enter into force on 10 November 1993.

It shall apply to contracts concluded from that date.

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

Done at Brussels, 8 November 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 148, 19. 6. 1993, p. 19.

COMMISSION REGULATION (EC) No 3077/93**of 8 November 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 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 (EC) No 3071/93⁽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 5 November 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 9 November 1993.

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

Done at Brussels, 8 November 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 272, 4. 11. 1993, p. 20.

ANNEX

to the Commission Regulation of 8 November 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	34,35 ⁽¹⁾
1701 11 90	34,35 ⁽¹⁾
1701 12 10	34,35 ⁽¹⁾
1701 12 90	34,35 ⁽¹⁾
1701 91 00	41,65
1701 99 10	41,65
1701 99 90	41,65 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

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

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

COMMISSION REGULATION (EC) No 3078/93

of 8 November 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 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 2703/93 ⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 5

November 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 2703/93 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 9 November 1993.

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

Done at Brussels, 8 November 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 245, 1. 10. 1993, p. 108.

ANNEX

to the Commission Regulation of 8 November 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁹⁾
0709 90 60	86,67 ⁽²⁾ ⁽³⁾
0712 90 19	86,67 ⁽²⁾ ⁽³⁾
1001 10 00	43,40 ⁽¹⁾ ⁽⁵⁾
1001 90 91	78,63
1001 90 99	78,63 ⁽⁹⁾
1002 00 00	112,66 ⁽⁶⁾
1003 00 10	119,26
1003 00 20	119,26
1003 00 80	119,26 ⁽⁹⁾
1004 00 00	90,74
1005 10 90	86,67 ⁽²⁾ ⁽³⁾
1005 90 00	86,67 ⁽²⁾ ⁽³⁾
1007 00 90	99,31 ⁽⁴⁾
1008 10 00	25,19 ⁽⁹⁾
1008 20 00	24,11 ⁽⁴⁾
1008 30 00	22,65 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	22,65
1101 00 00	148,64 ⁽⁹⁾
1102 10 00	195,25
1103 11 30	101,02
1103 11 50	101,02
1103 11 90	171,63
1107 10 11	150,84
1107 10 19	115,46
1107 10 91	223,16 ⁽¹⁰⁾
1107 10 99	169,50 ⁽⁹⁾
1107 20 00	195,73 ⁽¹⁰⁾

⁽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.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

COMMISSION REGULATION (EC) No 3079/93**of 8 November 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 Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 12 (4) thereof,

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

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 5 November 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 9 November 1993.

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

Done at Brussels, 8 November 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 8 November 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	11	12	1	2
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	13,96	12,49
1001 90 99	0	0	13,96	12,49
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	19,55	17,50
1102 10 00	0	0	0	0
1103 11 30	0	0	0	0
1103 11 50	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	11	12	1	2	3
1107 10 11	0	0	24,85	22,23	22,23
1107 10 19	0	0	18,57	16,61	16,61
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DIRECTIVE 93/95/EEC

of 29 October 1993

amending Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment (PPE)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

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

In cooperation with the European Parliament ⁽²⁾,

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

Whereas measures to establish the internal market in personal protective equipment (PPE) have to be adopted pursuant to Directive 89/686/EEC ⁽⁴⁾;

Whereas Article 5 (3) of that Directive states that PPE for which harmonized standards are not available may continue on a transitional basis, until 31 December 1992, to be subject to national arrangements already in force on the date of adoption of the Directive;

Whereas it emerges from information received from the Member States and the trade that the transitional period is too short to enable the Directive to be properly applied;

Whereas the harmonized standards will make a significant contribution towards facilitating the placing on the market and the free movement of personal protective equipment;

Whereas, however, some of the harmonized standards will not be available on the date of application of Directive

89/686; whereas, therefore, the establishment and uniformity of a single market in these products cannot be ensured;

Whereas the introduction of a new system of control and certification and the establishment of the provisions and mechanisms needed for the proper functioning of the Directive are not sufficiently advanced;

Whereas the absence of harmonized standards could lead to a situation in which an adequate degree of protection and conformity control as regards helmets for users of two-wheeled motor vehicles was no longer ensured; whereas the protection of persons in the event of an accident might thus be jeopardized; whereas, in order to avoid a deterioration in safety and control such helmets should be excluded from the scope of Directive 89/686/EEC pending the introduction of specific requirements for such helmets,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 89/686/EEC is hereby amended as follows:

1. Article 5 (3) shall be deleted;
2. the last indent of Article 8 (4) (a) shall be deleted;
3. Article 16 shall be replaced by the following:

'Article 16

1. Before 31 December 1991, Member States shall adopt and publish the laws, regulations and administrative provisions necessary in order to comply with this Directive. They shall forthwith inform the Commission thereof.

⁽¹⁾ OJ No C 36, 10. 2. 1993, p. 18.

⁽²⁾ OJ No C 194, 19. 7. 1993, p. 154 and the Decision of 27 October 1993 (not yet published in the Official Journal).

⁽³⁾ OJ No C 129 10. 5. 1993, p. 1.

⁽⁴⁾ OJ No L 399, 30. 12. 1989, p. 18.

They shall apply the measures in question with effect from 1 July 1992.

2. Furthermore, Member States shall allow, for the period until 30 June 1995, the placing on the market and putting into service on PPE in conformity with the national regulations in force in their territory on 30 June 1992.

3. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.';

4. the following item 5 shall be added to Annex I:

'5. Helmets and visors intended for users of two- or three-wheeled motor vehicles'.

Article 2

1. Within three months of adoption of this Directive, Member States shall adopt and publish the laws, regulations and administrative provisions necessary to comply

with it. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

2. Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 29 October 1993.

For the Council

The President

R. URBAIN

COMMISSION

COMMISSION DECISION

of 4 October 1993

defining the distinction between 'other taxes linked to production' and 'intermediate consumption' for the purpose of the implementation of Article 1 of Council Directive 89/130/EEC, Euratom on the harmonization of the compilation of gross national product at market prices

(93/570/EEC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Directive 89/130/EEC, Euratom of 13 February 1989 on the harmonization of the compilation of gross national product at market prices⁽¹⁾, and in particular Article 1 thereof,

Whereas for the purpose of the definition of gross national product at market prices (GNP_{mp}) pursuant to Article 1 of Directive 89/130/EEC, Euratom it is necessary to clarify the distinction between payments of other taxes linked to production and the purchase of services into intermediate consumption as used for the purpose of the European System of Integrated Economic Accounts;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee established by Article 6 of Directive 89/130/EEC, Euratom,

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of the implementation of Article 1 of Directive 89/130/EEC, Euratom, the provisions concerning the distinction between other taxes linked to production and the purchase of services into intermediate consumption shall be as defined in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 October 1993.

For the Commission

Henning CHRISTOPHERSEN

Vice-President

⁽¹⁾ OJ No L 49, 21. 2. 1989, p. 26.

ANNEX

For the purpose of applying Article 1 of Council Directive 89/130/EEC, Euratom the following explanation aims to clarify Article 2 of that Directive regarding the definitions of intermediate consumption (P 20) and other taxes linked to production (R 222).

It is possible to distinguish, within the transactions of a producer unit, between the purchase of a service from a non-market producer for intermediate consumption (P 20) and the payment of 'other taxes linked to production' (R 222) using the following criteria :

a payment made by a producer unit to a non-market unit of general government is regarded as a purchase of services if :

- the payment is given as consideration for a service rendered to the producer unit,
- the payment is clearly related to the cost of providing the service,
- a service of a similar nature could be obtained from a market producer unit ;

if those conditions are not met, the payment is recorded as 'other taxes linked to production' (R 222).

COMMISSION DECISION

of 11 October 1993

amending Decision 92/81/EEC on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural products are processed and marketed in the Netherlands

(Only the Dutch text is authentic)

(93/571/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 7 (2) thereof,

Whereas on 13 December 1991 the Commission adopted Decision 92/81/EEC⁽³⁾ which establishes the Community support framework for Community structural assistance in the Netherlands under Regulation (EEC) No 866/90 for the period from 1 January 1991 to 31 December 1993;

Whereas the reconstituted and supplementary financial resources require a revision of the financial arrangements envisaged for Community budgetary assistance;

Whereas the Monitoring Committee established for the implementation of Regulations (EEC) No 866/90 and (EEC) No 867/90 in the Netherlands decided on 10 December 1992 to amend the financing plan in the Community support framework;

Whereas the Decision by the Monitoring Committee implies the financial reprogramming of assistance from the EAGGF Guidance Section as far as the total amount and the amounts for each sector laid down in Article 2 of Decision 92/81/EEC are concerned;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee for Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 of Decision 92/81/EEC is hereby amended as follows:

'The financial arrangements envisaged for budgetary assistance from the Community shall be broken down as follows:

(ECU '000 at constant 1993 prices)

1. Meat	7 994
2. Eggs and poultrymeat	4 110
3. Potatoes	3 150
4. Fruit and vegetables	4 592
5. Diverse vegetable crops	1 255
6. Miscellaneous marketing and processing	582

Total 21 684

The resultant national financing requirement is about ECU 8 374 233 for the public sector and ECU 137 426 638 for the private sector.'

Article 2

This Decision is addressed to the Kingdom of the Netherlands and the Ministry of Agriculture, Nature Management and Fisheries.

Done at Brussels, 11 October 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.⁽³⁾ OJ No L 31, 7. 2. 1992, p. 44.

COMMISSION DECISION

of 19 October 1993

concerning the placing on the market of a product containing genetically modified organisms pursuant to Article 13 of Council Directive 90/220/EEC

(93/572/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms (GMOs)⁽¹⁾, and in particular Article 13 thereof,

Whereas, in accordance with Part C of Council Directive 90/220/EEC, there is a Community procedure enabling the competent authority of a Member State to give consent to the placing on the market of products containing GMOs;

Whereas, a notification concerning the placing on the market of such a product (a live vaccine) has been submitted to the competent authorities of a Member State; whereas, in consequence, the competent authority has forwarded the dossier thereon to the Commission with a favourable opinion;

Whereas the Commission has forwarded the dossier to the competent authorities of all Member States; whereas the competent authority of another Member State has raised an objection to the said dossier;

Whereas, therefore, in accordance with Article 13 (3), the Commission is required to take a decision in accordance with the procedure provided for in Article 21 of Directive 90/220/EEC;

Whereas under Directive 90/220/EEC only the risks related to the use of the genetically modified organism are evaluated; whereas other aspects of the vaccine are evaluated under specific Community product legislation;

Whereas the Commission having examined the dossier and having taken into account all the information submitted by the authorities of the Member States, including extensive evidence of testing, has found that the potential risks for human health and the environment presented by the use of the genetically modified virus contained in Raboral V-RG (Vaccinia virus, Copenhagen strain, tk-phenotype, expressing glycoprotein G of the rabies virus, ERA strain) when used as an oral live anti-

rabies vaccine for foxes and administered in bait, are not expected to be significant;

Whereas, the information submitted and the evidence from testing indicate in particular that the genetic modification of the virus is not expected to result in any post-release shift in biological interactions or host range or in any known or predictable effects on non-target organisms in the environment or other potentially significant interaction with the environment or in any increase in pathogenicity as compared to the parental virus strain and/or in any increase in the capacity of the Raboral V-RG virus to recombine with other related viruses;

Whereas, consequently, the Commission can take a favourable decision on the placing on the market of the said product under Directive 90/220/EEC;

Whereas this Decision is in accordance with the opinion of the Committee of Member States Representatives established under Article 21 of Directive 90/220/EEC,

HAS ADOPTED THIS DECISION:

Article 1

1. A favourable decision is hereby taken, according to which, consent, subject to paragraph 2 below, shall be given under Article 13 of Directive 90/220/EEC by the authorities of Belgium for the placing on the market of the following product, notified by Rhône Mérieux (Ref. C/B/92/B28 and C/F/93/03-02):

— Raboral V-RG

(Vaccinia virus, Copenhagen strain, tk-phenotype, expressing glycoprotein G of the rabies virus, ERA strain)

— Oral live anti-rabies vaccine for foxes, to be administered in bait.

2. The conditions of use and labelling shall be as follows:

- (i) Raboral is an oral vaccine against rabies administered in bait to foxes and shall not be used for human vaccination;
- (ii) Raboral shall only be made available to and used by duly designated competent administrative authorities or their authorized agents;

⁽¹⁾ OJ No L 117, 8. 5. 1990, p. 15.

- (iii) Raboral baits shall be distributed manually or by low-altitude aerial drops, at approximately 15 vaccine-baits per square kilometre, and shall not be distributed in inhabited areas, roads, rivers or other bodies of water ;
- (iv) Raboral shall only be made available to the third parties indicated in (ii) above in the form indicated in the notification, that is, in liquid form, as a viral suspension in a polyethylene sachet, itself enclosed in a bait for foxes, which is resistant to temperature variation and shock. The packaging shall be sealed bags or cases of 200 vaccine-baits contained in secondary packaging (carton). The labelling on each vaccine-bait shall be 'vaccine — do not touch'. On the packaging the labelling shall be in conformity with the veterinary legislation in force ;
- (v) Raboral vaccine and vaccine-baits shall be destroyed by Rhône-Mêrieux or the duly designated competent

administrative authorities, by incineration, when the vaccine-baits are out of date or are otherwise rendered unsuitable for use due to, for example, accidents during the production, storage, delivery or distribution of the vaccine or vaccine-baits.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 19 October 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

COMMISSION DECISION

of 20 October 1993

authorizing Member States to permit temporarily the marketing of forest reproductive material not satisfying the requirements of Council Directive 66/404/EEC

(93/573/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 66/404/EEC of 14 June 1966 on the marketing of forest reproductive material ⁽¹⁾, as last amended by Commission Decision 91/44/EEC ⁽²⁾, and in particular Article 15 thereof,

Having regard to the requests submitted by certain Member States,

Whereas production of reproductive material of the species set out in the Annexes is at present insufficient in all Member States, as well as in Austria, for which the Council has stated the equivalence of the reproductive material there harvested, with the result that their requirements for reproductive material conforming to the provisions of Directive 66/404/EEC cannot be met;

Whereas third countries are not in a position to supply sufficient reproductive material of the relevant species which can afford the same guarantees as Community reproductive material and which conforms to the provisions of the abovementioned Directive;

Whereas the Member States should therefore be authorized to permit, for a limited period, the marketing of reproductive material of the relevant species which satisfies less stringent requirements to cover the shortage of reproductive material satisfying the requirements of Directive 66/404/EEC;

Whereas, for genetic reasons, the reproductive material must be collected at places of origin within the natural range of the relevant species and strictest possible guarantees should be given to ensure the identity of the material;

Whereas, furthermore, reproductive material should be marketed only if it is accompanied by a document bearing certain details of the reproductive material in question;

Whereas each of the Member States should furthermore be authorized to permit the marketing in its territory of seed and plants which satisfy less stringent requirements in respect of provenance, as laid down in Directive

66/404/EEC, if the marketing of such material has been authorized in the other Member States under this Decision;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Committee on Seeds and Propagating Material for Agriculture, Horticulture and Forestry,

HAS ADOPTED THIS DECISION:

Article 1

1. Member States are authorized to permit the marketing in their territory of seed satisfying less stringent requirements in respect of provenance on the terms set out in Annex I hereto and on condition that the proof specified in Article 2 is furnished with regard to the place of provenance of the seed and the altitude at which it was collected.

2. Member States are authorized to permit the marketing in their territory of plants produced in the Community from the abovementioned seed.

Article 2

1. The proof referred to in Article 1 (1) shall be deemed to be furnished where the reproductive material is of the category 'source-identified reproductive material' as defined in the Organization for Economic Cooperation and Development (OECD) scheme for the control of forest reproductive material moving in international trade, or of another category defined in that scheme.

2. Where the OECD scheme referred to in paragraph 1 is not used at the place of provenance of the reproductive material, other official evidence shall be admissible.

3. Where official evidence cannot be provided, Member States may accept other non-official evidence.

Article 3

Member States are authorized on the terms set out in Annex II hereto and on condition that the proof specified in Article 2 is furnished with regard to the place of provenance of the seed, to permit the marketing in their territory of plants produced in third countries from seed satisfying less stringent requirements in respect of provenance.

⁽¹⁾ OJ No 125, 11. 7. 1966, p. 2326/66.

⁽²⁾ OJ No L 23, 29. 1. 1991, p. 32.

Article 4

The Member States other than the applicant Member States are also authorized to permit, on the terms set out in Annexes I and II respectively and for the purposes intended by the applicant Member States, the marketing in their territory of the seeds and plants authorized to be marketed under this Decision.

Article 5

The authorizations provided for in Articles 1 (1) and 3 in so far as they concern the first placing of forest reproductive material on the market of the Community, shall expire on 30 November 1994. Such authorizations, in so far as they concern subsequent placing on the market of the Community, shall expire on 31 December 1996.

Article 6

Member States shall, before 1 January 1997, notify the Commission of the quantities of seed or, where appro-

priate, plants satisfying less stringent requirements which have been approved for marketing in their territory under this Decision. The Commission shall inform the other Member States thereof.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 20 October 1993.

For the Commission

René STEICHEN

Member of the Commission

LEGEND

1. *Member States*

B	=	Kingdom of Belgium
D	=	Federal Republic of Germany
DK	=	Kingdom of Denmark
E	=	Kingdom of Spain
F	=	French Republic
GB	=	United Kingdom
GR	=	Greece
I	=	Italian Republic
IRL	=	Ireland
L	=	Grand Duchy of Luxembourg
NL	=	Kingdom of the Netherlands
P	=	Republic of Portugal

2. *States of provenance*

CDN	=	Canada
CDN (QCI)	=	Canada (Queen Charlotte Island)
CDN (BC)	=	Canada (British Columbia)
CH	=	Switzerland
CROATIA	=	Croatia
CS	=	Czech Republic and/or Slovak Republic
D (neue Bundesländer)	=	Germany (new Länder)
EEC	=	European Economic Community
J	=	Japan
PEOPLE'S REPUBLIC OF CHINA	=	People's Republic of China
PL	=	Poland
R	=	Romania
SLOVENIA	=	Slovenia
USA	=	United States of America
YUGOSLAV REPUBLIC OF MACEDONIA	=	Yugoslav Republic of Macedonia

3. *Other abbreviations*

max. alt.	=	maximum altitude
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ANEXO I — BILAG I — ANLAGE I — ΠΑΡΑΡΤΗΜΑ I — ANNEX I — ANNEXE I — ALLEGATO I — BIJLAGE I — ANEXO I

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Abies alba Mill.		Pinus strobus L.		Pseudotsuga taxifolia (Poir.) Britt.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	25	R	40	CDN (Ontario), USA, Slovenia, Croatia	500	USA (Washington, West of Cascades) (max. alt. 610 m)
D	100	D (neue Bundesländer), CS, R, CH, Yugoslav Republic of Macedonia	50	USA (Appalachians), EEC	2 000	D (neue Bundesländer), USA (Washington, Oregon), CDN (BC)
DK	750	R	20	USA	60	USA
E	300	EEC	—	—	300	USA (Oregon, Washington)
F	—	—	—	—	3 000	USA (California, Oregon, Washington, EC-stands with SIA Category)
GB	5	PL (zone VIII)	5	USA (Eastern States)	400	EEC, CDN (BC), USA (Washington, Oregon)
GR	—	—	—	—	—	—
I	—	—	30	USA (Eastern States)	250	USA (Western States)
IRL	—	—	—	—	150	USA (Washington)
L	—	—	—	—	10	USA (Washington)
NL	40	R	25	CDN, USA	—	—
P	5	P	1	P	250	P

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Larix leptolepis (Sieb. & Zucc.) Gord.		Picea sitchensis Trautv. & Mey.	
	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência	kg	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
B	60	J (Hokkaido, Nagano)	50	USA (Washington)
D	50	D (neue Bundesländer) J	100	D (neue Bundesländer) CDN (QCI and West Coast), USA (Washington)
DK	75	J	250	CDN (QCI)
E	50	J, EEC	50	USA
F	100	J	200	USA (California : zones 091 and 092 ; Washington ; Oregon : zones 041, 051 to 053, 061, 062, 071, 072, 081, 082, 090)
GB	350	EEC, People's Republic of China, J (Hokkaido, Nagano)	700	CDN (QCI), EEC USA (Washington, Oregon)
GR	—	—	—	—
I	50	J (Hokkaido)	—	—
IRL	140	J	700	USA (Washington) CDN (QCI)
L	—	—	—	—
NL	20	J	2	USA CDN
P	2	P	5	P

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

Especies Arter Arten Είδη Species Espèces Specie Soorten Espécies	Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Plantones Frøbedsplanter Sämlinge Φυτά Seedlings Plants Piantine Plantgoed Plântulas	Procedencia Oprindelse Herkunft Προέλευση Provenance Provenance Provenienza Herkomst Proveniência
Quercus petrea	D	800 000	PL
Quercus rubra	D	1 300 000	PL

COMMISSION DECISION

of 22 October 1993

amending Decision 92/452/EEC establishing lists of embryo collection teams approved in third countries for export of bovine embryos to the Community

(93/574/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and imports from third countries of embryos of domestic animals of the bovine species⁽¹⁾, as last amended by Council Directive 90/425/EEC⁽²⁾, and in particular Article 8 thereof,Whereas Commission Decision 92/452/EEC⁽³⁾, as last amended by Decision 93/433/EEC⁽⁴⁾, establishes a list of embryo collection teams approved in third countries for the export of embryos of domestic animals of the bovine species to the Community ;

Whereas the competent authorities of Canada and the United States of America have forwarded amendments to the list of teams approved in their territories ;

Whereas it is now necessary to amend the list of approved teams as regards Canada and the United States of America ;

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

HAS ADOPTED THIS DECISION :

Article 1

- (a) In part 1 of the Annex to Decision 92/452/EEC, the following embryo collection team is deleted :

'E71	United Breeders Inc.,	Dr Ludovit Nechala'
	R.R.5, Guelph, Ontario,	
	N1R 4B6	

- (b) In part 3 of the Annex to Decision 92/452/EEC, the following embryo collection team is added :

'92PA059	Twin Lakes Genetics,	Dr Richard Byers'
E758	RD#1, Box 60B,	
	Enon Valley, PA	

Article 2

This Decision is addressed to Member States.

Done at Brussels, 22 October 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 302, 10. 10. 1989, p. 1.

⁽²⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽³⁾ OJ No L 250, 29. 8. 1992, p. 40.

⁽⁴⁾ OJ No L 201, 11. 8. 1993, p. 17.

COMMISSION DECISION

of 8 November 1993

concerning certain protection measures relating to African swine fever in Spain

(93/575/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Council Directive 92/118/EEC⁽²⁾ and, in particular, Article 10 (4) thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and, in particular, Article 9 (4) thereof,

Whereas on the basis of general disposition concerning the rules applicable to African swine fever the Council has adopted Decision 89/21/EEC⁽⁴⁾ derogating from prohibitions relating to African swine fever for certain areas of Spain as last amended by Commission Decision 93/443/EEC⁽⁵⁾; whereas the said Decision resulted in the creation of a disease-free region and an infected region;

Whereas the regionalization of Spain consequent to Decision 89/21/EEC is without prejudice to the use of the disposition concerning safeguard measures, where it is appropriate;

Whereas a case of African swine fever was confirmed in the disease-free region on 19 October 1993;

Whereas in view of the trade in live pigs, fresh pigmeat and certain meat-based products this outbreak is liable to endanger the herds of other Member States;

Whereas certain temporary measures must be adopted;

Whereas in view of the suppression of border controls between Member States it is necessary to avoid that live pigs, fresh pigmeat and certain pigmeat products can enter indirectly into a Member State by passing from the part of Spain listed in the Annex to the remaining parts of Spain;

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

HAS ADOPTED THIS DECISION:

Article 1

Spain shall not send to other Member States live animals of the porcine species coming from the area listed in the Annex.

Article 2

1. Spain shall not send to other Member States fresh pigmeat and pigmeat products obtained from pigs coming from holdings situated in the area listed in the Annex.

2. The restrictions described in paragraph 1 shall not apply to meat products which have undergone one of the treatments laid down in Article 4 (1) (a) of Council Directive 80/215/EEC of 22 January 1980 on health problems affecting intra-Community trade in meat products⁽⁶⁾ and in Article 3a (2) (b) of Decision 89/21/EEC.

3. Meat products produced in accordance with the provisions of paragraph 2 and consigned from parts of Spain listed in the Annex shall be accompanied by a health certificate referred to in Article 3 (9) (b) (ii) of Council Directive 77/99/EEC of 21 December 1976 on health problems affecting intra-Community trade in meat products⁽⁷⁾. The certificate shall bear the following words:

'Products conforming to Commission Decision 93/575/EC of 8 November 1993 concerning certain protection measures relating to African swine fever in Spain.'

Article 3

Spain ensures that live pigs, fresh pigmeat and pigmeat products which have not undergone one of the treatments referred to in Article 4 (1) (a) of Directive 80/215/EEC or in Article 3a (2) (b) of Decision 89/21/EEC are not sent from the territory of Spain listed in the Annex to the remaining parts of Spain.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽⁴⁾ OJ No L 9, 12. 1. 1989, p. 24.

⁽⁵⁾ OJ No L 205, 17. 8. 1993, p. 28.

⁽⁶⁾ OJ No L 47, 21. 2. 1980, p. 4.

⁽⁷⁾ OJ No L 26, 31. 1. 1977, p. 85.

Article 4

The Commission will follow developments in the situation and may amend this Decision in the light of such developments.

Article 5

The Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 6

This Decision is applicable until 22 November 1993.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 8 November 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Granada
