

Official Journal

of the European Communities

ISSN 0378-6978

L 280

Volume 36

13 November 1993

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 3126/93

of 5 November 1993

**laying down, for 1993, certain measures for the conservation and management of
fishery resources applicable to vessels flying the flag of Estonia**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8 thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with the procedure provided for in the Agreement on fisheries relations between the European Economic Community and the Republic of Estonia ⁽²⁾, and in particular Articles 3 and 6 thereof, the Community and Estonia have held consultations concerning their mutual fishing rights for 1993 and the management of common biological resources;

Whereas, in the course of these consultations, the delegations of the Community and Estonia agreed to recommend to their respective authorities that certain catch quotas for 1993 should be fixed for the vessels of the other Party;

Whereas the necessary measures should be taken to implement, for 1993, the results of the consultations held between the aforesaid delegations;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽³⁾;

Whereas Article 3 (2) of Commission Regulation (EEC) No 1381/87 of 20 May 1987 establishing detailed rules concerning the marking and documentation of fishing

vessels ⁽⁴⁾ provides that all vessels with chilled or refrigerated sea-water tanks are to keep on board a document certified by a competent authority and specifying the calibration of the tanks in cubic metres at 10-centimetre intervals,

HAS ADOPTED THIS REGULATION:

Article 1

1. Vessels flying the flag of Estonia are hereby authorized until 31 December 1993 to fish for the species listed in Annex I within the geographical and quantitative limits laid down therein and in accordance with this Regulation, in the 200-nautical-mile fishing zone of the Member States in the Baltic Sea.

2. Fishing authorized under paragraph 1 shall be limited to those parts of the 200-nautical-mile fishing zone lying seawards of twelve nautical miles from the baselines from which the fishing zones of Member States are measured.

3. Notwithstanding paragraph 1, unavoidable by-catches of a species for which no quota is established in a zone shall be permitted within the limits fixed in the conservation measures in force in the zone concerned.

4. By-catches in a given zone of a species for which a quota is established in that zone shall be counted against the quota concerned.

Article 2

1. Vessels fishing within the quotas fixed in Article 1 shall comply with the conservation and control measures and all other provisions governing fishing in the zones referred to in that Article.

2. The vessels referred to in paragraph 1 shall keep a logbook in which the information set out in Annex II shall be entered.

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 56, 9. 3. 1993, p. 1.

⁽³⁾ OJ No L 207, 29. 7. 1987, p. 1. Regulation as amended by Regulation (EEC) No 3483/88 (OJ No L 306, 11. 11. 1988, p. 2).

⁽⁴⁾ OJ No L 132, 21. 5. 1987, p. 9.

3. The vessels referred to in paragraph 1 shall transmit to the Commission, in accordance with the rules laid down in Annex III, the information set out in that Annex.

4. Those vessels referred to in paragraph 1 which have chilled or refrigerated sea-water tanks shall keep on board a document certified by a competent authority and specifying the calibration of the tanks in cubic metres at 10-centimetre intervals.

5. The registration letters and numbers of the vessels referred to in paragraph 1 must be clearly marked on the bow of each vessel on both sides.

Article 3

1. Fishing within ICES sub-area III division d under the quotas fixed in Article 1 shall be permitted only where a licence has been issued by the Commission on behalf of the Community at the request of the Estonian authorities and in compliance with the conditions set out in Annexes II and III. Copies of these Annexes and the licence shall be kept on board each vessel.

The vessels to be licensed for fishing in the Community zone during a given month shall be notified at the latest by the tenth day of the preceding month. The Community shall process expeditiously requests for adjustments to a monthly list during its currency.

2. Licences shall be issued for the purposes of paragraph 1 provided that the number of licences valid at any time during a given month does not exceed:

- 20 for the fishing of cod,
- 20 for the fishing of herring and sprat.

3. When an application for a licence is submitted to the Commission, the following information must be supplied:

- (a) name of vessel;
- (b) registration number;
- (c) external identification letters and numbers;
- (d) port of registration;
- (e) name and address of the owner or charterer;
- (f) gross tonnage and overall length;
- (g) engine power;

(h) call sign and radio frequency;

(i) intended method of fishing;

(j) intended area of fishing;

(k) species for which it is intended to fish;

(l) period for which a licence is requested.

4. Each licence shall be valid for one vessel only. Where two or more vessels take part in the same fishing operation, each vessel must be in possession of a licence.

5. Licences may be cancelled with a view to the issue of new licences. Such cancellations shall take effect on the day before the date of issue of the new licences by the Commission. New licences shall take effect from their date of issue.

6. Licences shall be wholly or partially withdrawn before the date of expiry if the respective quotas fixed in Article 1 have been exhausted.

7. Licences shall be withdrawn in the event of any failure to meet the obligations laid down in this Regulation.

8. For a period not exceeding 12 months, no licence shall be issued for any vessel in respect of which the obligations laid down in this Regulation have not been met.

9. Vessels authorized to fish on 31 December may continue fishing as from the beginning of the following year until the lists of vessels permitted to fish during the year in question are submitted to, and approved by, the Commission on behalf of the Community.

Article 4

Where an infringement is duly found to have taken place, Member States shall, without delay, inform the Commission of the name of the vessel concerned and of any action they have taken.

The Commission shall submit, on behalf of the Community, to Estonia the names and characteristics of the Estonian vessels which will not be authorized to fish in the Community's fishing zone for the next month or months as a result of an infringement of Community rules.

Article 5

This Regulation shall enter into force on the date 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, 5 November 1993.

For the Council

The President

E. TOMAS

*ANNEX I***Estonian catch quotas for 1993**

Species	Area within which fishing is authorized	Quantity (tonnes)
Cod	ICES III d	200
Herring	ICES III d	2 000
Sprat	ICES III d	2 000

*ANNEX II***Details to be entered in logbook**

When fishing is conducted within the 200-nautical-mile zone off the coasts of the Member States of the Community which is covered by Community rules on fisheries, the following details are to be entered in the logbook immediately after the following events:

1. after each haul:
 - 1.1. the quantity (in kilograms live-weight) of each species caught,
 - 1.2. the date and the time of the haul,
 - 1.3. the geographical position in which the catches were made,
 - 1.4. the fishing method used;
2. after each transshipment to or from another vessel:
 - 2.1. the indication 'received from' or 'transferred to',
 - 2.2. the quantity (in kilograms live-weight) of each species transhipped,
 - 2.3. the name, external identification letters and numbers of the vessel to or from which the transshipment occurred;
3. after each landing in a port of the Community:
 - 3.1. name of the port,
 - 3.2. the quantity (in kilograms live-weight) of each species landed;
4. after each transmission of information to the Commission of the European Communities:
 - 4.1. date and time of the transmission,
 - 4.2. type of message; IN, OUT, ICES, WKL or 2 WKL,
 - 4.3. in the case of radio transmission; name of the radio station.

*ANNEX III***Information to be transmitted to the Commission**

1. The information to be transmitted to the Commission and the timetable for its transmission is as follows :

- 1.1. On each occasion the vessel enters the 200-nautical-mile zone off the coasts of the Member States of the Community which is covered by Community rules on fisheries :

- (a) the information specified under 1.5 ;
- (b) the quantity (in kilograms live-weight) of each species of fish in the hold ;
- (c) the date and ICES division within which the master intends to commence fishing.

Where the fishing operations necessitate more than one entry into the zone referred to under 1.1 on a given day, one communication shall suffice on first entry.

- 1.2. On each occasion the vessel leaves the zone referred to under 1.1 :

- (a) the information specified under 1.5 ;
- (b) the quantity (in kilograms live-weight) of each species of fish in the hold ;
- (c) the quantity (in kilograms live-weight) of each species caught since the previous transmission ;
- (d) the ICES division in which the catches were taken ;
- (e) the quantity (in kilograms live-weight) of each species transferred to and/or from other vessels since the vessel entered the zone and the identification of the vessel to which the transfer was made ;
- (f) the quantity (in kilograms live-weight) of each species landed in port of the Community since the vessel entered the zone.

Where the fishing operations necessitate more than one entry into the zones referred to under 1.1 on any given day, one single communication on the last exit will be sufficient ;

- 1.3. At three-day intervals, commencing on the third day after the vessel first enters the zone referred to under 1.1 when fishing for herring, and at weekly intervals, commencing on the seventh day after the vessel first enters the zone referred to under 1.1 when fishing for all species other than herring :

- (a) the information specified under 1.5 ;
- (b) the quantity (in kilograms live-weight) of each species caught since the previous transmission ;
- (c) the ICES division in which the catches were made.

- 1.4. On each occasion the vessel moves from one ICES division to another :

- (a) the information specified under 1.5 ;
- (b) the quantity (in kilograms live-weight) of each species caught since the previous transmission ;
- (c) the ICES division in which the catches have been taken.

- 1.5. (a) the name, call sign, external identification letters and numbers of the vessel and the name of its master ;

- (b) the licence number of the vessel is under licence ;
- (c) the serial number of the message for the voyage concerned ;
- (d) identification of the type of message ;
- (e) the date, the time and the geographical position of the vessel.

- 2.1. The information specified under point 1 shall be transmitted to the Commission of the European Communities in Brussels (telex 24 189 FISEU-B) via one of the radio stations listed under point 3 below and in the form specified under point 4.

- 2.2. If it is impossible for reasons of *force majeure* for the message to be transmitted by the vessel, it may be transmitted on the vessel's behalf by another vessel.

3. <i>Name of radio station</i>	<i>Call sign of radio station</i>
Skagen	OSP
Blåvand	OSB
Norddeich	DAF DAK
	DAH DAL
	DAI DAM
	DAJ DAN
Scheveningen	PCH
Oostende	OST
North Foreland	GNF
Humber	GKZ
Cullercoats	GCC
Wick	GKR
Portpatrick	GPK
Anglesey	GLV
Ilfracombe	GIL
Niton	GNI
Stonehaven	GND
Portishead	GKA
	GKB
	GKC
Land's End	GLD
Valentia	EJK
Malin Head	EJM
Boulogne	FFB
Brest	FFU
Saint-Nazaire	FFO
Bordeaux-Arcachon	FFC
Stockholm	SOJ
Göteborg	SOG
Ronne	OYE

4. *Form of the communications*

The information specified under point 1 shall contain the following elements which shall be given in the following order :

- name of vessel,
- call sign,
- external identification letters and numbers,
- serial number of the message for the voyage in question,
- indication of the type of message according to the following code :
 - message when entering one of the zones referred to under 1.1. : 'IN',
 - message when leaving one of the zones referred to under 1.1 : 'OUT',
 - message when moving from one ICES division to another : 'ICES',
 - weekly message : 'WKL',
 - three-day message : '2 WKL',
- the date, the time and the geographical position,
- the ICES divisions/sub-areas in which fishing is expected to commence,
- the date on which fishing is expected to commence,
- the quantity (in kilograms live-weight) of each species of fish in the hold using the code mentioned in point 5,
- the quantity (in kilograms live-weight) of each species of fish caught since the previous transmission using the code mentioned in point 5,
- the ICES division/sub-areas in which the catches were made,
- the quantity (in kilograms live-weight) of each species-transferred to and/or from other vessels since the previous transmission,

- the name and call sign of the vessel to and/or from which the transfer was made,
 - the quantity (in kilograms live-weight) of each species landed in a port of the Community since the previous transmission,
 - the name of the master.
5. The code to be used to indicate the species on board as mentioned in point 4 above :
- COD — cod (*Gadus morhua*),
 - SAL — salmon (*Salmo salar*),
 - HER — herring (*Clupea harengus*),
 - SPR — sprat (*Sprattus sprattus*).
-

COUNCIL REGULATION (EC) No 3127/93**of 5 November 1993****allocating, for 1993, catch quotas between Member States for vessels fishing in Estonian waters**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8 thereof,

Having regard to the proposal from the Commission,

Whereas, in accordance with the procedure provided for in Agreement of fisheries relations between the European Economic Community and the Republic of Estonia ⁽²⁾, and in particular Articles 3 and 6 thereof, the Community and Estonia have held consultations concerning their mutual fishing rights for 1993 and the management of common biological resources;

Whereas, in the course of these consultations, the delegations of the Community and Estonia agreed to recommend to their respective authorities that certain catch quotas for 1993 should be fixed for the vessels of the other Party;

Whereas the necessary measures should be taken to implement, for 1993, the results of the consultations held between the aforesaid delegations;

Whereas, in order to ensure their efficient management, catch possibilities available should be allocated among the Member States as quotas in accordance with Article 8 of Regulation (EEC) No 3760/92;

Whereas the fishing activities covered by this Regulation are subject to the control measures provided for by

Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Vessels flying the flag of a Member State are hereby authorized until 31 December 1993 to make catches within the quota limits set out in the Annex in waters falling within the fisheries jurisdiction of Estonia.

Article 2

1. The financial contribution provided for in Article 7 of the Fisheries Agreement with Estonia shall be set for the period referred to in Article 1 of this Regulation at ECU 177 340, payable to an account designated by Estonia.
2. The financial contribution provided for in Article 8 of the Agreement shall be set for the period referred to in the said Article 1 at ECU 20 000, payable to an account designated by Estonia.
3. The Estonian authorities shall inform the Community of the way the contributions referred to in paragraphs 1 and 2 are used at the latest nine months after payment of same.

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, 5 November 1993.

For the Council

The President

E. TOMAS

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 56, 9. 3. 1993, p. 1.

⁽³⁾ OJ No L 207, 29. 7. 1987, p. 1. Regulation as amended by Regulation (EEC) No 3483/88 (OJ No L 306, 11. 11. 1988, p. 2.)

ANNEX

Allocation of Community catch quotas in Estonian waters for 1993

Species	ICES Division	Community catch quotas (¹)	Quotas allocated to Member States (¹)	
Cod	III d	100	Denmark	70
			Germany	30
Herring	III d	2 000	Denmark	1 140
			Germany	860
Salmon	III d	2 000	Denmark	1 800
			Germany	200
Sprat	III d	2 000	Denmark	1 580
			Germany	420

(¹) Quotas are expressed in tonnes fresh round weight, except for salmon, where they relate to numbers of individual fish.

COUNCIL REGULATION (EC) No 3128/93**of 11 November 1993****amending Regulation (EEC) No 2420/92 temporarily suspending the Common Customs Tariff duties on imports of certain mixtures of residues of the maize starch industry and of residues from the extraction of maize germ oil obtained by wet milling**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas Regulation (EEC) No 2420/92⁽¹⁾ suspended the Common Customs Tariff duties on imports of certain mixtures of residues of the maize starch industry and of residues from the extraction of maize germ oil by wet milling, for the period from 1 January 1992 to 30 September 1993;

Whereas it is appropriate that the suspension of duties be prolonged until 30 June 1994;

Whereas studies are under way in order to determine the feasibility of using a method of microscopic analysis for determining the amount of residues from the extraction of maize germ oil obtained by wet milling and residues from the sifting of maize in residues of starch manufacture from maize; whereas these studies are expected to

lead to an agreement before 31 December 1993; whereas it is appropriate to suspend the use of the microscopic method for these purposes until a decision can be reached with regard to this method,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2420/92, '30 September 1993' shall be replaced by '30 June 1994'.

Article 2

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

It shall apply with effect from 1 October 1993.

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

Done at Brussels, 11 November 1993.

For the Council

The President

R. URBAIN

⁽¹⁾ OJ No L 237, 20. 8. 1992, p. 14. Regulation as last amended by Regulation (EEC) No 1993/93 (OJ No L 182, 24. 7. 1993, p. 14).

COMMISSION REGULATION (EC) No 3129/93

of 10 November 1993

concerning the stopping of fishing for hake by vessels flying the flag of the United Kingdom

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 3919/92 of 20 December 1992, fixing, for certain fish stocks and groups of stocks, the total allowable catches for 1993 and certain conditions under which they may be fished⁽³⁾, as amended by Regulation (EEC) No 927/93⁽⁴⁾, provides for hake quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks 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 hake in the waters of ICES divisions II a (EC zone), IV (EC zone) by vessels flying the flag of the United Kingdom or registered in the United Kingdom have reached the quota allocated for 1993; whereas the United Kingdom has prohibited fishing for

this stock as from 18 September 1993; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of hake in the waters of ICES divisions II a (EC zone), IV (EC zone) by vessels flying the flag of the United Kingdom or registered in the United Kingdom are deemed to have exhausted the quota allocated to the United Kingdom for 1993.

Fishing for hake in the waters of ICES divisions II a (EC zone), IV (EC zone) by vessels flying the flag of the United Kingdom or registered in the United Kingdom 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 application of this Regulation.

Article 2

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

It shall apply with effect from 18 September 1993.

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

Done at Brussels, 10 November 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. 1.

⁽⁴⁾ OJ No L 96, 22. 4. 1993, p. 1.

COMMISSION REGULATION (EC) No 3130/93
of 10 November 1993
concerning the stopping of fishing for 'other species' by vessels flying the flag of
the Netherlands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 3921/92 of 20 December 1992 allocating, for 1993, certain catch stocks quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen⁽³⁾, provides for 'other species' quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks 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 'other species' in the waters of ICES division IV (Norwegian waters south of 62 °N) by vessels flying the flag of the Netherlands or registered in the Netherlands have reached the quota allocated for 1993; whereas the Netherlands has prohibited fishing for

this stock as from 28 October 1993; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of 'other species' in the waters of ICES division IV (Norwegian waters south of 62 °N) by vessels flying the flag of the Netherlands or registered in the Netherlands are deemed to have exhausted the quotas allocated to the Netherlands for 1993.

Fishing for 'other species' in the waters of ICES division IV (Norwegian waters south of 62 °N) by vessels flying the flag of the Netherlands or registered in the Netherlands 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 application of this Regulation.

Article 2

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

It shall apply with effect from 28 October 1993.

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

Done at Brussels, 10 November 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. 44.

COMMISSION REGULATION (EC) No 3131/93
of 10 November 1993

**revoking Regulation (EEC) No 1255/93 concerning the stopping of fishing for
cod by vessels flying the flag of Germany**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European
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 Commission Regulation (EEC) No 1255/93⁽³⁾
stopped fishing for cod in the waters of ICES division
III a Kattegat by vessels flying the flag of Germany or
registered in Germany;

Whereas Denmark has transferred on 22 June 1993 to
Germany 80 tonnes of cod in the waters of ICES division
III a Kattegat; whereas fishing for cod in the waters of
ICES division III a Kattegat by vessels flying the flag of

Germany or registered in Germany should therefore be
permitted; whereas consequently it is necessary to revoke
Regulation (EEC) No 1255/93,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1255/93 is hereby revoked.

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 binding in its entirety and directly applicable in all Member
States.

Done at Brussels, 10 November 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 128, 26. 5. 1993, p. 17.

COMMISSION REGULATION (EC) No 3132/93

of 10 November 1993

concerning the stopping of fishing for cod by vessels flying the flag of Denmark

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 3923/92 of 20 December 1992 allocating, for 1993, certain catch quotas between Member States for vessels fishing in Swedish waters⁽³⁾, as amended by Regulation (EEC) No 661/93⁽⁴⁾, provides for cod quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks 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 hake in the waters of ICES division III d (Swedish waters) by vessels flying the flag of Denmark of registered in the Denmark have reached the quota allocated for 1993; whereas Denmark has prohi-

bited fishing for this stock as from 18 October 1993; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES division III d (Swedish waters) by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1993.

Fishing for cod in the waters of ICES division III d (Swedish waters) by vessels flying the flag of Denmark or registered in Denmark 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 application of this Regulation.

Article 2

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

It shall apply with effect from 18 October 1993.

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

Done at Brussels, 10 November 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. 53.

⁽⁴⁾ OJ No L 71, 24. 3. 1993, p. 2.

COMMISSION REGULATION (EC) No 3133/93**of 12 November 1993****closing an invitation to tender for the supply of cereals as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

*Article 1*Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

For lot A of Annex to Regulation (EEC) No 2934/93 the invitation to tender is closed.

Whereas, by Regulation (EEC) No 2934/93 ⁽³⁾, the Commission issued an invitation to tender for the supply of 47 890 tonnes of cereals as food aid; whereas the conditions of the supply, as regards lot A, should be reviewed and the invitation to tender for that lot should consequently be closed,*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 binding in its entirety and directly applicable in all Member States.

Done at Brussels, 12 November 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.⁽³⁾ OJ No L 265, 26. 10. 1993, p. 14.

COMMISSION REGULATION (EC) No 3134/93
of 12 November 1993
amending Regulation (EEC) No 689/92 fixing the procedure and conditions for
the taking-over of cereals by intervention agencies

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 Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 689/92⁽³⁾, as last amended by Regulation (EEC) No 1715/93⁽⁴⁾, fixes the conditions for the acceptance of cereals for intervention; whereas cereals offered must have the physical and technical characteristics required for the qualities eligible for intervention; whereas it should be laid down that common wheat presented as being of breadmaking quality must be suitable for that purpose; whereas it should be laid down that, where doubt exists, the intervention agency must verify that this is the case;

Whereas there is a particular risk after the opening of intervention in the Member States in the north of the Community from 1 November onwards;

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

The following two subparagraphs are hereby added to Article 2 (2) of Regulation (EEC) No 689/92:

'For common wheat presented as being of breadmaking quality during the 1993/94 marketing year, the intervention agency shall, in case of doubt, undertake a germination test. Where the germinative capacity is less than 85 %, the common wheat in question shall be rejected.

However, if evidence is furnished to the satisfaction of the intervention agency that the common wheat offered is of breadmaking quality, the wheat shall be accepted as such. The costs of carrying out the tests required to furnish the abovementioned evidence shall be defrayed by the supplier.'

Article 2

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

It shall apply from 1 November 1993.

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

Done at Brussels, 12 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 74, 20. 3. 1992, p. 18.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 100.

COMMISSION REGULATION (EC) No 3135/93

of 12 November 1993

fixing the maximum buying-in price and the quantities of beef bought in for the 103rd 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 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 2456/93 of 1 September 1993 laying down detailed rules for the application of Council Regulation (EEC) No 805/68 as regards the general and special intervention measures for beef⁽³⁾, 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⁽⁴⁾, as last amended by Regulation (EEC) No 2921/93⁽⁵⁾;

Whereas, in accordance with Article 13 (1) of Regulation (EEC) No 2456/93, 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 13 (2) of that Regulation, a decision may be taken not to proceed with the tendering procedure; whereas, in accordance with Article 14 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted, without, however, exceeding the average national or regional market price plus the amount mentioned in paragraph 1;

Whereas, after examination of the tenders submitted for the 103rd 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 quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate depending on the differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 13 (3) of Regulation (EEC) No 2456/93;

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 103rd 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 236,35 per 100 kilograms of carcasses or half-carcasses of quality R 3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 1 451 tonnes; the quantities offered are hereby reduced by 50 % pursuant to Article 13 (3) of Regulation (EEC) No 2456/93.

Article 3

This Regulation shall enter into force on 15 November 1993.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 225, 4. 9. 1993, p. 4.

⁽⁴⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁵⁾ OJ No L 264, 23. 10. 1993, p. 42.

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

Done at Brussels, 12 November 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3136/93
of 12 November 1993
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EEC) No 2817/93 ⁽³⁾, as amended by Regulation (EEC) No 2986/93 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2817/93 to the prices

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 referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 November 1993.

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

Done at Brussels, 12 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 257, 15. 10. 1993, p. 10.

⁽⁴⁾ OJ No L 268, 29. 10. 1993, p. 38.

ANNEX

to the Commission Regulation of 12 November 1993 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0401 10 10		17,45	0403 10 16	(¹)	2,0645/kg + 28,62
0401 10 90		16,24	0403 10 22		25,98
0401 20 11		23,57	0403 10 24		30,56
0401 20 19		22,36	0403 10 26		72,94
0401 20 91		28,15	0403 10 32	(¹)	0,1994/kg + 27,41
0401 20 99		26,94	0403 10 34	(¹)	0,2452/kg + 27,41
0401 30 11		70,53	0403 10 36	(¹)	0,6690/kg + 27,41
0401 30 19		69,32	0403 90 11		125,32
0401 30 31		134,24	0403 90 13		174,21
0401 30 39		133,03	0403 90 19		213,70
0401 30 91		223,81	0403 90 31	(¹)	1,1807/kg + 28,62
0401 30 99		222,60	0403 90 33	(¹)	1,6696/kg + 28,62
0402 10 11	(¹)	125,32	0403 90 39	(¹)	2,0645/kg + 28,62
0402 10 19	(³) (⁴)	118,07	0403 90 51		25,98
0402 10 91	(¹) (⁴)	1,1807/kg + 28,62	0403 90 53		30,56
0402 10 99	(¹) (⁴)	1,1807/kg + 21,37	0403 90 59		72,94
0402 21 11	(¹)	174,21	0403 90 61	(¹)	0,1994/kg + 27,41
0402 21 17	(¹)	166,96	0403 90 63	(¹)	0,2452/kg + 27,41
0402 21 19	(³) (⁴)	166,96	0403 90 69	(¹)	0,6690/kg + 27,41
0402 21 91	(³) (⁴)	213,70	0404 10 02		30,53
0402 21 99	(³) (⁴)	206,45	0404 10 04		174,21
0402 29 11	(¹) (³) (⁴)	1,6696/kg + 28,62	0404 10 06		213,70
0402 29 15	(¹) (⁴)	1,6696/kg + 28,62	0404 10 12		125,32
0402 29 19	(¹) (⁴)	1,6696/kg + 21,37	0404 10 14		174,21
0402 29 91	(¹) (⁴)	2,0645/kg + 28,62	0404 10 16		213,70
0402 29 99	(¹) (⁴)	2,0645/kg + 21,37	0404 10 26	(¹)	0,3053/kg + 21,37
0402 91 11	(¹)	36,14	0404 10 28	(¹)	1,6696/kg + 28,62
0402 91 19	(¹)	36,14	0404 10 32	(¹)	2,0645/kg + 28,62
0402 91 31	(¹)	45,18	0404 10 34	(¹)	1,1807/kg + 28,62
0402 91 39	(¹)	45,18	0404 10 36	(¹)	1,6696/kg + 28,62
0402 91 51	(¹)	134,24	0404 10 38	(¹)	2,0645/kg + 28,62
0402 91 59	(¹)	133,03	0404 10 48	(²)	0,3053/kg
0402 91 91	(¹)	223,81	0404 10 52	(²)	1,6696/kg + 6,04
0402 91 99	(¹)	222,60	0404 10 54	(²)	2,0645/kg + 6,04
0402 99 11	(¹)	42,04	0404 10 56	(²)	1,1807/kg + 6,04
0402 99 19	(¹)	42,04	0404 10 58	(²)	1,6696/kg + 6,04
0402 99 31	(¹) (⁴)	1,3061/kg + 25,00	0404 10 62	(²)	2,0645/kg + 6,04
0402 99 39	(¹) (⁴)	1,3061/kg + 23,79	0404 10 72	(²)	0,3053/kg + 21,37
0402 99 91	(¹) (⁴)	2,2018/kg + 25,00	0404 10 74	(²)	1,6696/kg + 27,41
0402 99 99	(¹) (⁴)	2,2018/kg + 23,79	0404 10 76	(²)	2,0645/kg + 27,41
0403 10 02		125,32	0404 10 78	(²)	1,1807/kg + 27,41
0403 10 04		174,21	0404 10 82	(²)	1,6696/kg + 27,41
0403 10 06		213,70	0404 10 84	(²)	2,0645/kg + 27,41
0403 10 12	(¹)	1,1807/kg + 28,62	0404 90 11		125,32
0403 10 14	(¹)	1,6696/kg + 28,62	0404 90 13		174,21

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0404 90 19		213,70	0406 90 31	(°) (*)	144,83
0404 90 31		125,32	0406 90 33	(°) (*)	144,83
0404 90 33		174,21	0406 90 35	(°) (*)	144,83
0404 90 39		213,70	0406 90 37	(°) (*)	144,83
0404 90 51	(°)	1,1807/kg + 28,62	0406 90 39	(°) (*)	144,83
0404 90 53	(°) (°)	1,6696/kg + 28,62	0406 90 50	(°) (*)	144,83
0404 90 59	(°)	2,0645/kg + 28,62	0406 90 61	(°) (*)	363,31
0404 90 91	(°)	1,1807/kg + 28,62	0406 90 63	(°) (*)	363,31
0404 90 93	(°) (°)	1,6696/kg + 28,62	0406 90 69	(°) (*)	363,31
0404 90 99	(°)	2,0645/kg + 28,62	0406 90 73	(°) (*)	144,83
0405 00 11	(°)	230,46	0406 90 75	(°) (*)	144,83
0405 00 19	(°)	230,46	0406 90 77	(°) (*)	144,83
0405 00 90		281,16	0406 90 79	(°) (*)	144,83
0406 10 20	(°) (*)	186,31	0406 90 81	(°) (*)	144,83
0406 10 80	(°) (*)	241,55	0406 90 85	(°) (*)	144,83
0406 20 10	(°) (*)	363,31	0406 90 89	(°) (*)	144,83
0406 20 90	(°) (*)	363,31	0406 90 93	(°) (*)	186,31
0406 30 10	(°) (*)	154,30	0406 90 99	(°) (*)	241,55
0406 30 31	(°) (*)	139,48	1702 10 10		35,32
0406 30 39	(°) (*)	154,30	1702 10 90		35,32
0406 30 90	(°) (*)	251,02	2106 90 51		35,32
0406 40 00	(°) (*)	135,97	2309 10 15		90,97
0406 90 11	(°) (*)	210,92	2309 10 19		118,13
0406 90 13	(°) (*)	151,31	2309 10 39		110,21
0406 90 15	(°) (*)	151,31	2309 10 59		89,84
0406 90 17	(°) (*)	151,31	2309 10 70		118,13
0406 90 19	(°) (*)	363,31	2309 90 35		90,97
0406 90 21	(°) (*)	210,92	2309 90 39		118,13
0406 90 23	(°) (*)	144,83	2309 90 49		110,21
0406 90 25	(°) (*)	144,83	2309 90 59		89,84
0406 90 27	(°) (*)	144,83	2309 90 70		118,13
0406 90 29	(°) (*)	144,83			

(°) The levy on 100 kg of product falling within this code is equal to the sum of the following:

- (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product; and
- (b) the other amount indicated.

(°) The levy on 100 kg of product falling within this code is equal to:

- (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
- (b) the other amount indicated.

(°) Products falling within this code and imported from a third country

- for which an IMA 1 certificate, issued in accordance with Regulation (EEC) No 1767/82, is presented,
 - for which an EUR 1 certificate, issued in accordance with Regulation (EEC) No 1316/93 for Sweden and amended Regulation (EEC) No 584/92 for Poland, the Czech and Slovak Republics and Hungary, is presented,
- shall be subject to the levies defined in the said Regulations, respectively.

(*) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.

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

COMMISSION REGULATION (EC) No 3137/93**of 12 November 1993****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 2668/93 ⁽⁵⁾, as last amended by Regulation (EC) No 3061/93 ⁽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 13 November 1993.

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

Done at Brussels, 12 November 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 245, 1. 10. 1993, p. 4.

⁽⁶⁾ OJ No L 274, 6. 11. 1993, p. 1.

ANNEX

to the Commission Regulation of 12 November 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ⁽⁶⁾		
	Arrangement in Regulation (EEC) No 3877/86 ⁽²⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Third countries (except ACP) ⁽⁵⁾
1006 10 21	—	140,78	288,76
1006 10 23	—	128,84	264,89
1006 10 25	—	128,84	264,89
1006 10 27	198,67	128,84	264,89
1006 10 92	—	140,78	288,76
1006 10 94	—	128,84	264,89
1006 10 96	—	128,84	264,89
1006 10 98	198,67	128,84	264,89
1006 20 11	—	176,87	360,95
1006 20 13	—	161,95	331,11
1006 20 15	—	161,95	331,11
1006 20 17	248,33	161,95	331,11
1006 20 92	—	176,87	360,95
1006 20 94	—	161,95	331,11
1006 20 96	—	161,95	331,11
1006 20 98	248,33	161,95	331,11
1006 30 21	—	218,53	460,92
1006 30 23	—	256,07	535,91
1006 30 25	—	256,07	535,91
1006 30 27	401,93	256,07	535,91
1006 30 42	—	218,53	460,92
1006 30 44	—	256,07	535,91
1006 30 46	—	256,07	535,91
1006 30 48	401,93	256,07	535,91
1006 30 61	—	233,09	490,88
1006 30 63	—	274,90	574,50
1006 30 65	—	274,90	574,50
1006 30 67	430,88	274,90	574,50
1006 30 92	—	233,09	490,88
1006 30 94	—	274,90	574,50
1006 30 96	—	274,90	574,50
1006 30 98	430,88	274,90	574,50
1006 40 00	—	59,11	124,23

⁽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 (EC) No 3138/93

of 12 November 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 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 2667/93 ⁽³⁾, as last amended by Regulation (EC) No 3062/93 ⁽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 13 November 1993.

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

Done at Brussels, 12 November 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 245, 1. 10. 1993, p. 7.

⁽⁴⁾ OJ No L 274, 6. 11. 1993, p. 3.

ANNEX

to the Commission Regulation of 12 November 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 11	1st period 12	2nd period 1	3rd period 2
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 (EC) No 3139/93
of 12 November 1993
repealing Regulation (EEC) No 15/93 applying the duty in the Common Customs
Tariff to imports of fresh lemons originating in Cyprus

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1252/73 of 14 May 1973 on imports of citrus fruits originating in Cyprus ⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 15/93 ⁽²⁾ applied the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus;

Whereas, pursuant to the second paragraph of Article 4 of Regulation (EEC) No 1252/73, this rule remains in force until the quotations referred to in Article 2 (1) of that Regulation, adjusted by the convention factors and following deduction of import charges other than customs duties, remain equal to or higher than the price laid down in Article 3 of that Regulation for three consecutive market days on the representative markets of the Community with the lowest quotations;

Whereas the present trend of prices of Cypriot products on the representative markets indicates that the conditions set out in the second paragraph of Article 4 of Regulation (EEC) No 1252/73 are fulfilled; whereas Regulation (EEC) No 15/93 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 15/93 is hereby repealed.

Article 2

This Regulation shall enter into force on 13 November 1993.

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

Done at Brussels, 12 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 113.

⁽²⁾ OJ No L 4, 8. 1. 1993, p. 10.

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 1/93 OF THE ACP-EEC COUNCIL OF MINISTERS
of 22 October 1993
on the application of the Fourth ACP-EEC Convention to Eritrea
(93/587/EEC)

THE ACP-EEC COUNCIL OF MINISTERS,

Having regard to the Fourth ACP-EEC Convention, signed at Lomé on 15 December 1989, hereafter referred to as 'the Convention',

Whereas Eritrea gained independence on 24 May 1993;

Whereas, before independence, the territorial entity which has become the State of Eritrea was covered by the Convention;

Whereas, in a letter dated 8 October 1993, the Government of Eritrea stated that Eritrea intended, by virtue of the principle of continued application of treaties in the event of State succession, to continue its participation in the Convention as a Contracting Party as from 24 May 1993;

Whereas, in these circumstances, it is necessary for the Contracting Parties to the Convention to agree that the Convention shall continue to apply to the territorial entity which has become the State of Eritrea,

HAS DECIDED AS FOLLOWS:

Article 1

The Convention shall continue to apply to Eritrea which, by virtue of its gaining independence on 24 May 1993, became a contracting Party as from that date.

Article 2

The particular provisions of the Convention from which the territorial entity which has become the State of Eritrea formerly benefited shall continue to apply to the State of Eritrea, in particular Articles 329, 330 and 331.

Article 3

The ACP States, the Member States and the Community are required to take the measures necessary to implement this Decision.

Article 4

This Decision shall enter into force on the day on which it is adopted.

It shall apply from 24 May 1993.

Done at Brussels, 22 October 1993.

*For the ACP-EEC
Council of Ministers*

The President

W. CLAES

COUNCIL DECISION**of 29 October 1993****on the adoption of a programme of Community action on the subject of the vocational training of indirect taxation officials (Matthaeus-Tax)**

(93/588/EEC)

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 in a single market without internal frontiers, indirect taxation officials will play an essential part in ensuring the proper operation of the internal market;

Whereas it must be ensured that the abolition of controls at internal borders does not give rise to distortions in competition, deflection of trade or increased risk of fraud and tax evasion; whereas it is consequently necessary to stimulate intensive and ongoing cooperation at all levels in the indirect taxation administrations to ensure that they work together to complete the internal market;

Whereas this will be achieved through optimizing the use of human resources in Member States and therefore through suitable vocational training;

Whereas the measures taken in this sphere by each of the national administrations are not in themselves sufficient to achieve the objective being pursued; whereas it is consequently essential to reinforce national efforts through joint action to increase the awareness of indirect taxation officials of the increasing Community dimension of their tasks and of the need to cooperate more closely together;

Whereas only a better mutual knowledge of the organization, methods and procedures applied in the different Member States can ensure the climate of mutual confidence necessary for a proper functioning of the internal market;

Whereas the experience acquired by the Community from the organization of the Matthaeus programme, intended for the customs officials of the Member States, showed the benefit of training activities, supplementing those organized at the national level, in developing a Community spirit of the officials working in the internal market; whereas this experience must, *mutatis mutandis*, be spread to the indirect taxation area;

Whereas, in these conditions, the implementation of a training programme at a Community level for indirect taxation officials (Matthaeus-Tax) constitutes one of the most appropriate ways to achieve this result;

Whereas the Commission adopted a pilot project for 1991 and 1992 based on the exchange of indirect taxation officials between national administrations and training seminars; whereas the aim of this pilot project was to collect useful information to allow the implementation of a more ambitious training programme extending over several years and supplemented by other training measures;

Whereas the experience acquired during the pilot project indicated that there was an advantage in exchange officials having an involvement in the day-to-day activities of the host service; whereas this requirement will be met most effectively if the exchange officials have sufficient knowledge of the language of the host country; whereas, for this purpose, it is essential that the national administrations organize language courses for their officials so they can participate more effectively in the programme; whereas these courses must be of an ongoing nature and must cover, as far as possible, all the official languages of the Community;

Whereas the legal status of exchange officials will be the same as that of national officials where, in performing their duties, their civil liability is put at issue by a third part and they will be informed about the civil liability rules applicable to them in the host country;

Whereas exchange officials will be bound by the same rules of professional secrecy as national officials, given that exchange officials will take part in the day-to-day work of the host administration;

Whereas the number of officials undergoing an exchange should, as far as possible, amount to some 100 each year and be increased to the extent that budgetary, training and admission capacities permit;

⁽¹⁾ OJ No C 15, 21. 1. 1993, p. 4.

⁽²⁾ OJ No C 176, 28. 6. 1993, p. 81 and Decision of 27 October 1993 (not yet published in the Official Journal).

⁽³⁾ OJ No C 108, 19. 4. 1993, p. 57.

Whereas training measures supplementary to the exchange of officials between national administrations are essential to the achievement of the objective sought; whereas these measures may involve training seminars and the establishment of common training programmes to be taught in Member States' schools;

Whereas seminars form an ideal forum for the exchange of ideas between indirect taxation officials in the Community; whereas in these seminars, suggestions may emerge which could improve the legal instruments in force and facilitate cooperation between the administrations concerned;

Whereas the said seminars should concern those indirect taxation officials who belong, as necessary, to all categories and especially trainers in national administrations' schools, officials responsible for implementing indirect taxation law, especially where it relates to the control of transactions involving other Member States, and officials responsible for combating all types of fiscal fraud;

Whereas the setting up of common training programmes, in so far as necessary, constitutes a suitable means of making comparable training available to officials throughout the Community; whereas these programmes should include the teaching of Community law as well as the study of Community institutions and their foundations, since indirect taxation officials will increasingly have to integrate these Community aspects;

Whereas the implementation of these common programmes can be accomplished only if Member States provide the necessary facilities; whereas consideration should also be given to creating a joint training centre for indirect taxation officials which should be located at the Joint Training Centre for customs officials of the Community referred to in Decision 91/341/EEC⁽¹⁾;

Whereas, for the implementation of the Matthaeus-Tax programme, the sharing of expenses under the programme between the Community and the Member States should be determined; whereas, consequently, expenses could be shared by assigning those relating to the language training of their officials to Member States and the travel and subsistence expenses of officials participating in the programme in another Member State as well as the costs relating to the organization of the seminars to the Community;

Whereas there are reasons to anticipate a programme lasting for four years;

Whereas it is necessary to ensure the uniform application of this Decision and, for that purpose, to provide for a Community procedure for the enactment of implementing rules; whereas a committee should be set up to provide a forum for close and effective cooperation between Member States and the Commission in this field,

HAS ADOPTED THIS DECISION:

Article 1

A Community action programme is hereby established for the vocational training of indirect taxation officials of national administrations (Matthaeus-Tax).

Article 2

For the purposes of this Decision:

- (a) 'indirect taxation' shall mean only those indirect taxes which are the subject of Community legislation;
- (b) 'exchange official' shall mean an official of a Member State required to visit another Member State within the context of this Decision;
- (c) 'host service' shall mean the taxation service in which the exchange official is required to perform his duties;
- (d) 'donor service' shall mean the taxation service in which the exchange official normally performs his duties.

Article 3

The objectives of the programme shall be:

- (a) to prepare indirect taxation officials of Member States for the implications arising out of the creation of the internal market and the development of administrative cooperation, and thus ensure a better application of Community law;
- (b) to make national officials aware of the Community dimension of their work and to build mutual confidence between the indirect taxation administrations of Member States;
- (c) to provide supplementary, adapted vocational training to indirect taxation officials;
- (d) to utilize to the maximum advantage the knowledge of the indirect taxation services in the Community through greater mobility of staff and thus improve the management and the effectiveness of the internal market;
- (e) to stimulate intensive and continuous cooperation at all levels of the relevant administrations with a view to them working together within the context of the internal market.

Article 4

The programme shall consist of the following training measures:

- (a) exchanges of indirect taxation officials between national administrations, in accordance with Article 5;

⁽¹⁾ OJ No L 187, 13. 7. 1991, p. 41.

- (b) training seminars for officials, particularly trainers in training schools, officials responsible for administrative cooperation as well as officials responsible for indirect taxation controls and the fight against fraud and tax evasion;
- (c) the coordinated implementation of vocational training programmes in the training schools of Member States;
- (d) the organization in Member States of language training courses for officials likely to participate in exchanges, in accordance with Article 6.

Article 5

1. Member States shall take the necessary steps to enable exchange officials to play an effective part in the host service's activities and to this end such officials shall be authorized to carry out the tasks relating to the duties entrusted to them by the host service in accordance with its legal system.
2. During the exchange, the civil liability of the exchange official in the performance of his duties shall be treated in the same way as that of the national officials in the host service.
3. Exchange officials shall be bound by the same rules of professional secrecy as national officials.

Article 6

Member States shall provide the necessary language training for those of their officials who are likely to participate in the programme.

Article 7

1. The expenses arising from the measures set out in Article 4 shall be shared between the Community and the Member States as provided for in paragraphs 2 and 3.
2. The Community shall pay the travel and subsistence expenses for exchanges of officials between national administrations as provided for in Article 4 (a).

The Community shall also pay the travel and subsistence expenses of officials participating, in another Member State, in the seminars referred to in Article 4 (b), as well as the costs relating to the organization of these seminars.

3. Member States shall pay the expenses relating to the language training of their staff as provided for in Article 6.

Article 8

The annual budget appropriations for the measures provided for in the programme shall be adopted in the context of the budgetary procedure and in compliance with the relevant financial perspective.

Article 9

The arrangements necessary for the application of this Decision are decided by the Commission in accordance with the procedure laid down in Article 10.

Article 10

1. In carrying out its tasks, the Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.
2. The Commission representative 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.
3. (a) The Commission shall adopt measures which shall apply immediately.
(b) 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 may defer application of the measures which it has decided for a period of not more than one month from the date of such communication.

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

Article 11

1. The programme will last for four years, starting from 1 July 1993.
2. The Commission shall submit an annual report on the implementation of the programmes to the European Parliament and to the Council.

Article 12

This Decision is applicable from 1 July 1993.

Article 13

This Decision is addressed to the Member States.

Done at Brussels, 29 October 1993.

For the Council

The President

R. URBAIN

COMMISSION

COMMISSION DECISION

of 28 October 1993

fixing an indicative allocation between Member States of the commitment appropriations of the Structural Funds and the financial instrument for fisheries guidance (FIFG) under Objective 1, as defined in Council Regulation (EEC) No 2052/88

(93/589/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽¹⁾, as amended by Regulation (EEC) No 2081/93⁽²⁾, and in particular Article 12 (4) thereof,

Whereas Article 12 (2) of Regulation (EEC) No 2052/88 stipulates that a considerable proportion of budgetary resources is to be concentrated on the regions whose development is lagging behind which are covered by Objective 1 and that the resources available for commitment in respect of these regions are to amount to ECU 96 346 million at 1992 prices for the period 1994 to 1999;

Whereas Regulation (EEC) No 792/93 establishing a cohesion financial instrument⁽³⁾ was adopted by the Council on 30 March 1993;

Whereas Regulation (EEC) No 792/93 makes provision for a Community financial contribution to projects in four Member States, namely Greece, Spain, Ireland and Portugal;

Whereas Article 12 (3) of Regulation (EEC) No 2052/88 stipulates that for the four Member States covered by the cohesion financial instrument the increase in commitment appropriations for the Structural Funds must permit

a doubling of commitments in real terms under Objective 1 and the cohesion financial instrument between 1992 and 1999;

Whereas the European Council at its meeting in Edinburgh on 11 and 12 December 1992 concluded that this doubling amounted to some ECU 85 billion during the period 1993 to 1999 for the said four Member States;

Whereas, consequently, the commitment appropriations to be drawn from the Structural Funds and the financial instrument for fisheries guidance for the said four Member States in the period 1994 to 1999, leaving aside 1993 and the contribution of the cohesion financial instrument, are to amount to some ECU 61 505 million;

Whereas the first subparagraph of Article 12 (4) of Regulation (EEC) No 2081/93 specifies that the Commission shall, using transparent procedures, make indicative allocations by Member State for each of Objectives 1 to 4 and 5 (b) of the Structural Fund commitment appropriations taking full account, as in the past, of the objective criteria of national prosperity, regional prosperity, population of the regions and the relative severity of structural problems, including levels of unemployment and, under the appropriate Objectives, the development needs of rural areas; whereas these criteria are to be appropriately weighted in the allocation of resources;

Whereas Article 12 (5) of Regulation (EEC) No 2052/88 stipulates that for the period 1994 to 1999, 9 % of the commitment appropriations from the Structural Funds shall be devoted to funding assistance undertaken on the initiative of the Commission in accordance with Article 5 (5) of that Regulation;

Whereas Article 11 of Council Regulation (EEC) No 4253/88⁽⁴⁾, as amended by Regulation (EEC) No 2082/93⁽⁵⁾, stipulates that a limited part of the appro-

⁽¹⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽²⁾ OJ No L 193, 31. 7. 1993, p. 5.

⁽³⁾ OJ No L 79, 1. 4. 1993, p. 74.

⁽⁴⁾ OJ No L 374, 31. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 193, 31. 7. 1993, p. 20.

priations available for Community initiatives under Objectives 1, 2 and 5 (b) may cover areas other than those referred to in Articles 8, 9 and 11a of Regulation (EEC) No 2052/88 ;

Whereas such appropriations may not have the effect of reducing the amounts allocated under Article 12 (2) of Regulation (EEC) No 2052/88 to the regions eligible under Objective 1 ;

Whereas it is therefore appropriate to set aside less than 9 % of Objective 1 resources for Community initiatives ;

Whereas, therefore, the indicative allocation of resources by Member State in the Objective 1 Community support frameworks, expressed in 1994 prices, should amount to ECU 93,81 billion, comprising ECU 59,88 billion for the four Member States covered by the cohesion financial instrument and ECU 33,93 billion for the other regions eligible under Objective 1,

HAS ADOPTED THIS DECISION :

Article 1

The indicative allocation between Member States pursuant to the first subparagraph of Article 12 (4) of Regulation (EEC) No 2052/88 in respect of the resources to be devoted to the Community support frameworks for Objective 1 as defined in the said Regulation shall be as set out in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 October 1993.

For the Commission

Bruce MILLAN

Member of the Commission

ANNEX

**INDICATIVE ALLOCATION BETWEEN MEMBER STATES OF THE COMMITMENT
APPROPRIATIONS OF THE STRUCTURAL FUNDS AND THE FINANCIAL INSTRU-
MENT FOR FISHERIES GUIDANCE (FIFG) IN RESPECT OF THE OBJECTIVE 1
COMMUNITY SUPPORT FRAMEWORKS
1994 to 1999**

(in ECU billion, at 1994 prices)

Member State	Amount
Greece	13,98
Spain	26,30
Ireland	5,62
Portugal	13,98
Total	59,88

Member State	Amount
Belgium	0,73
Germany	13,64
France	2,19
Italy	14,86
The Netherlands	0,15
United Kingdom	2,36
Total	33,93

COMMISSION DECISION

of 5 November 1993

for the purchase by the Community of foot-and-mouth disease antigens within the framework of the Community action concerning reserves of foot-and-mouth disease vaccines

(93/590/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field⁽¹⁾, as last amended by Commission Decision 93/439/EEC⁽²⁾, and in particular Article 14 thereof,

Having regard to Council Decision 91/666/EEC of 11 December 1991 establishing Community reserves of foot-and-mouth disease vaccines⁽³⁾, and, in particular, Articles 5 and 7 thereof,

Whereas, in conformity with Decision 91/666/EEC, the purchase of antigens is a part of the Community action to establish Community reserves of foot and mouth disease vaccines;

Whereas the Commission has issued a call for tenders for the supply of antigens;

Whereas the Commission has examined the submitted tenders taking into account the following factors:

- the technical requirements of Annex II to Decision 91/666/EEC and other criteria mentioned in Article 5 of that Decision,
- that some establishments are unable to supply the full number of doses of some antigens,
- the need for the producing establishment to be in full conformity with the guidelines for good manufacturing practices (GMP);

Whereas the Commission has selected Rhône-Mérieux to supply five million doses of each of subtypes A_s, A₂₂, O₁ European strain and O₁ Middle East strain as a first step; whereas the establishments which will supply the other strains in Annex I to Decision 91/666/EEC will be decided after a further call for tenders;

Whereas financial provisions should be made to allow the Commission to purchase these strains from Rhône-Mérieux;

Whereas, under the provisions of Article 7 of Decision 91/666/EEC, it is necessary to lay down the rules for the distribution of antigen reserves between the antigen banks, nominated in Article 1 of the said Decision;

Whereas it is appropriate that each strain should be divided equally between two banks; whereas the strains stored in each bank should be related geographically to the most likely area of risk;

Whereas in accordance with Article 40 of Council Decision 90/424/EEC, checks provided for in Articles 8 and 9 of Council Regulation (EEC) No 729/70 of 21 April 1970 concerning the financing of the common agricultural policy⁽⁴⁾ shall apply; whereas, moreover, certain particular provisions should be made;

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

1. The Community shall purchase five million doses of each of the following strains of foot-and-mouth disease antigen:

- A_s European,
- A₂₂ Middle East,
- O₁ Middle East,
- O₁ European,

up to a maximum cost of ECU 4 065 million.

2. The antigen mentioned in paragraph 1 shall be supplied by Rhône-Mérieux, Pirbright Laboratory, Ash Road, Surrey, United Kingdom.

Article 2

1. To meet the objectives of Article 1, the Commission shall conclude a contract, in the name of the European Community, with Rhône-Mérieux.

2. The Director General of Directorate General for Agriculture shall be authorized to sign the contract on behalf of the Commission of the European Communities.

3. Payment to Rhône-Mérieux shall be made in accordance with the terms of the contract provided for in paragraph 1.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 203, 13. 8. 1993, p. 34.

⁽³⁾ OJ No L 368, 31. 12. 1991, p. 21.

⁽⁴⁾ OJ No L 94, 28. 4. 1970, p. 13.

Article 3

The antigen shall be divided between the four antigen banks as follows:

- (a) Bayer, Cologne and the Institute for Animal health, Pirbright: 2,5 million doses of each of O₁ European strain and A₅ in each bank;
- (b) LNPPB, Lyon and IZP, Brescia: 2,5 million doses of each of O₁ Middle East strain and A₂₂ in each bank.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 5 November 1993.

For the Commission

René STEICHEN

Member of the Commission
