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## Legislation

### Contents

#### *I Acts whose publication is obligatory*

|                                                                                                                                                                                                                                        |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Commission Regulation (EC) No 3276/93 of 30 November 1993 fixing the import levies on rice and broken rice .....                                                                                                                       | 1  |
| Commission Regulation (EC) No 3277/93 of 30 November 1993 fixing the premiums to be added to the import levies on rice and broken rice .....                                                                                           | 3  |
| Commission Regulation (EC) No 3278/93 of 30 November 1993 fixing the rate of the aid for dried fodder .....                                                                                                                            | 5  |
| Commission Regulation (EC) No 3279/93 of 30 November 1993 fixing the maximum export refunds on olive oil for the first partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93 ..... | 8  |
| Commission Regulation (EC) No 3280/93 of 30 November 1993 fixing the export refunds on olive oil .....                                                                                                                                 | 10 |
| Commission Regulation (EC) No 3281/93 of 30 November 1993 fixing the aid for cotton .....                                                                                                                                              | 13 |
| Commission Regulation (EC) No 3282/93 of 30 November 1993 altering the export refunds on white sugar and raw sugar exported in the natural state .....                                                                                 | 14 |
| Commission Regulation (EC) No 3283/93 of 30 November 1993 fixing the export refunds on syrups and certain other sugar products exported in the natural state .....                                                                     | 16 |
| Commission Regulation (EC) No 3284/93 of 30 November 1993 fixing the import levies on syrups and certain other products in the sugar sector .....                                                                                      | 19 |
| Commission Regulation (EC) No 3285/93 of 30 November 1993 altering the corrective amount applicable to the refund on cereals .....                                                                                                     | 21 |
| Commission Regulation (EC) No 3286/93 of 30 November 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal .....                                                                                         | 23 |

|                                                                                                                                                                                                                                                                                    |    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| Commission Regulation (EC) No 3287/93 of 30 November 1993 fixing the premiums to be added to the import levies on cereals, flour and malt .....                                                                                                                                    | 25 |
| Commission Regulation (EC) No 3288/93 of 30 November 1993 fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex II to the Treaty .....                                                                 | 27 |
| Commission Regulation (EC) No 3289/93 of 30 November 1993 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty .....                                                                            | 32 |
| Commission Regulation (EC) No 3290/93 of 30 November 1993 fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty .....                                                           | 35 |
| Commission Regulation (EC) No 3291/93 of 30 November 1993 fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries .....                                                                                             | 38 |
| ★ Commission Regulation (EC) No 3292/93 of 30 November 1993 amending Regulation (EEC) No 2026/92 on detailed rules for the application of the specific supply measures for Madeira as regards olive oil and establishing the forecast supply balance .....                         | 39 |
| ★ Commission Regulation (EC) No 3293/93 of 30 November 1993 amending Regulation (EEC) No 2025/92 on detailed rules for the application of the specific supply measures for the Canary Islands as regards olive oil and establishing the forecast supply balance .....              | 40 |
| Commission Regulation (EC) No 3294/93 of 30 November 1993 amending Regulation (EEC) No 1198/93 increasing to 4 400 000 tonnes the quantity of bread-making wheat held by the French intervention agency for which a standing invitation to tender for export has been opened ..... | 41 |
| ★ Commission Regulation (EC) No 3295/93 of 26 November 1993 concerning the classification of certain goods in the combined nomenclature .....                                                                                                                                      | 43 |
| Commission Regulation (EC) No 3296/93 of 30 November 1993 adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for trade with Spain from 30 November 1993 .....                                                             | 45 |
| ★ Commission Regulation (EC) No 3297/93 of 30 November 1993 amending Regulation (EEC) No 1442/93 laying down detailed rules for the application of arrangements for importing bananas into the Community .....                                                                     | 46 |
| ★ Commission Regulation (EC) No 3298/93 of 30 November 1993 fixing indicative quantities for imports of bananas into the Community for the first quarter of 1994 .....                                                                                                             | 48 |
| Commission Regulation (EC) No 3299/93 of 30 November 1993 altering the import levies on products processed from cereals and rice .....                                                                                                                                             | 50 |
| ★ Commission Regulation (EC) No 3300/93 of 30 November 1993 amending Regulation (EEC) No 1274/91 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs .....                                                     | 52 |
| ★ Council Regulation (EC) No 3301/93 of 29 November 1993 opening and providing for the administration of Community tariff quotas for certain wines originating in Hungary and Romania .....                                                                                        | 55 |

**II Acts whose publication is not obligatory**

**Commission**

93/615/EC :

Commission Decision of 24 November 1993 to take no action on the tenders received in response to the invitation to tender for the private storage aid of carcasses and half-carcasses of lamb issued under Regulation (EC) No 3037/93 ..... 58

93/616/EC :

★ Commission Decision of 30 November 1993 repealing Decisions 90/552/EEC, 90/553/EEC, 91/93/EEC and 92/101/EEC ..... 59

93/617/EC :

★ Commission Decision of 30 November 1993 approving the plan presented by Germany for the eradication of classical swine fever in feral pigs in Mecklenburg-Western Pomerania, Lower Saxony and the Rhineland Palatinate ..... 60

## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EC) No 3276/93****of 30 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1544/93 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 674/91 <sup>(4)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2666/93 <sup>(5)</sup>, as last amended by Regulation (EC) No 3237/93 <sup>(6)</sup>,

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 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 75, 21. 3. 1991, p. 29.

<sup>(5)</sup> OJ No L 245, 1. 10. 1993, p. 4.

<sup>(6)</sup> OJ No L 293, 27. 11. 1993, p. 1.

## ANNEX

to the Commission Regulation of 30 November 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

| CN code    | Levies <sup>(*)</sup>                                           |                                                                   |                                                   |
|------------|-----------------------------------------------------------------|-------------------------------------------------------------------|---------------------------------------------------|
|            | Arrangement<br>in Regulation (EEC)<br>No 3877/86 <sup>(2)</sup> | ACP<br>Bangladesh<br><sup>(1)</sup> <sup>(3)</sup> <sup>(4)</sup> | Third countries<br>(except ACP)<br><sup>(5)</sup> |
| 1006 10 21 | —                                                               | 140,83                                                            | 288,86                                            |
| 1006 10 23 | —                                                               | 123,25                                                            | 253,71                                            |
| 1006 10 25 | —                                                               | 123,25                                                            | 253,71                                            |
| 1006 10 27 | 190,28                                                          | 123,25                                                            | 253,71                                            |
| 1006 10 92 | —                                                               | 140,83                                                            | 288,86                                            |
| 1006 10 94 | —                                                               | 123,25                                                            | 253,71                                            |
| 1006 10 96 | —                                                               | 123,25                                                            | 253,71                                            |
| 1006 10 98 | 190,28                                                          | 123,25                                                            | 253,71                                            |
| 1006 20 11 | —                                                               | 176,93                                                            | 361,07                                            |
| 1006 20 13 | —                                                               | 154,97                                                            | 317,14                                            |
| 1006 20 15 | —                                                               | 154,97                                                            | 317,14                                            |
| 1006 20 17 | 237,86                                                          | 154,97                                                            | 317,14                                            |
| 1006 20 92 | —                                                               | 176,93                                                            | 361,07                                            |
| 1006 20 94 | —                                                               | 154,97                                                            | 317,14                                            |
| 1006 20 96 | —                                                               | 154,97                                                            | 317,14                                            |
| 1006 20 98 | 237,86                                                          | 154,97                                                            | 317,14                                            |
| 1006 30 21 | —                                                               | 219,23                                                            | 462,31                                            |
| 1006 30 23 | —                                                               | 241,39                                                            | 506,56                                            |
| 1006 30 25 | —                                                               | 241,39                                                            | 506,56                                            |
| 1006 30 27 | 379,92                                                          | 241,39                                                            | 506,56                                            |
| 1006 30 42 | —                                                               | 219,23                                                            | 462,31                                            |
| 1006 30 44 | —                                                               | 241,39                                                            | 506,56                                            |
| 1006 30 46 | —                                                               | 241,39                                                            | 506,56                                            |
| 1006 30 48 | 379,92                                                          | 241,39                                                            | 506,56                                            |
| 1006 30 61 | —                                                               | 233,83                                                            | 492,36                                            |
| 1006 30 63 | —                                                               | 259,17                                                            | 543,04                                            |
| 1006 30 65 | —                                                               | 259,17                                                            | 543,04                                            |
| 1006 30 67 | 407,28                                                          | 259,17                                                            | 543,04                                            |
| 1006 30 92 | —                                                               | 233,83                                                            | 492,36                                            |
| 1006 30 94 | —                                                               | 259,17                                                            | 543,04                                            |
| 1006 30 96 | —                                                               | 259,17                                                            | 543,04                                            |
| 1006 30 98 | 407,28                                                          | 259,17                                                            | 543,04                                            |
| 1006 40 00 | —                                                               | 58,29                                                             | 122,59                                            |

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

<sup>(2)</sup> 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.

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

<sup>(4)</sup> 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.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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 3277/93

of 30 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1544/93 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EC) No 3238/93 <sup>(4)</sup>;

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 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(3)</sup> OJ No L 245, 1. 10. 1993, p. 7.

<sup>(4)</sup> OJ No L 293, 27. 11. 1993, p. 3.

## ANNEX

to the Commission Regulation of 30 November 1993 fixing the premiums to be added to the import levies on rice and broken rice

| CN code    | (ECU/tonne)   |                 |                 |                 |
|------------|---------------|-----------------|-----------------|-----------------|
|            | Current<br>12 | 1st period<br>1 | 2nd period<br>2 | 3rd period<br>3 |
| 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 3278/93**  
**of 30 November 1993**  
**fixing the rate of the aid for dried fodder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder<sup>(1)</sup>, as last amended by Regulation (EEC) No 2275/89<sup>(2)</sup>, and in particular Article 5 (3) thereof,

Whereas, under Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas the guide price in the dried fodder sector was fixed by Council Regulation (EEC) No 1288/93<sup>(3)</sup>;

Whereas Commission Regulation (EEC) No 3824/92<sup>(4)</sup>, as last amended by Regulation (EEC) No 1663/93<sup>(5)</sup>, lays down the list of prices and amounts fixed in ecus to be amended as a result of the monetary alignments and which are reduced from the beginning of the 1993/94 marketing year by a factor of fixed by Commission Regulation (EEC) No 537/93<sup>(6)</sup>, as amended by Regulation (EEC) No 1331/93<sup>(7)</sup>, as part of the automatic dismantling system of the negative monetary gaps; whereas this factor must be taken into account when calculating the aid from the beginning of the aforementioned marketing year;

Whereas Council Regulation (EEC) No 2065/92<sup>(8)</sup>, as amended by Regulation (EEC) No 1288/93<sup>(9)</sup>, sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1993/94 marketing year at 70 %;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder<sup>(10)</sup>, as

last amended by Regulation (EEC) No 1110/89<sup>(11)</sup>, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder<sup>(12)</sup>, as last amended by Regulation (EEC) No 1069/93<sup>(13)</sup>;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

<sup>(1)</sup> OJ No L 142, 30. 5. 1978, p. 1.

<sup>(2)</sup> OJ No L 218, 28. 7. 1989, p. 1.

<sup>(3)</sup> OJ No L 132, 29. 5. 1993, p. 1.

<sup>(4)</sup> OJ No L 387, 31. 12. 1992, p. 29.

<sup>(5)</sup> OJ No L 158, 30. 6. 1993, p. 18.

<sup>(6)</sup> OJ No L 57, 10. 3. 1993, p. 18.

<sup>(7)</sup> OJ No L 132, 29. 5. 1993, p. 114.

<sup>(8)</sup> OJ No L 215, 30. 7. 1992, p. 48.

<sup>(9)</sup> OJ No L 132, 29. 5. 1993, p. 1.

<sup>(10)</sup> OJ No L 171, 28. 6. 1978, p. 1.

<sup>(11)</sup> OJ No L 118, 29. 4. 1989, p. 1.

<sup>(12)</sup> OJ No L 179, 1. 7. 1978, p. 10.

<sup>(13)</sup> OJ No L 108, 1. 5. 1993, p. 114.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(1)</sup> are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 <sup>(2)</sup>;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid

for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

*ANNEX*

to the Commission Regulation of 30 November 1993 fixing the rate of the aid for dried fodder

Aid applicable from 1 December 1993 to dried fodder:

(ECU/tonne)

|               | Fodder dehydrated by artificial heat<br>drying<br>Protein concentrates | Fodder otherwise dried |
|---------------|------------------------------------------------------------------------|------------------------|
| December 1993 | 69,810                                                                 | 45,120                 |

Aid in case of advance fixing for the month of:

(ECU/tonne)

|               |        |        |
|---------------|--------|--------|
| January 1994  | 66,239 | 41,549 |
| February 1994 | 66,010 | 41,320 |
| March 1994    | 66,010 | 41,320 |

## COMMISSION REGULATION (EC) No 3279/93

of 30 November 1993

fixing the maximum export refunds on olive oil for the first partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EC) No 3179/93<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil<sup>(3)</sup>, and in particular Article 7 thereof,

Whereas Commission Regulation (EC) No 3142/93<sup>(4)</sup> issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93<sup>(5)</sup> prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas Article 6 of Regulation (EC) No 3142/93 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

Whereas the Management Committee for Oils and Fats has not delivered an opinion within the time limit set by its Chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The maximum export refunds for olive oil for the first partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 November 1993.

*Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 285, 20. 11. 1993, p. 9.

<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 8.

<sup>(4)</sup> OJ No L 281, 16. 11. 1993, p. 3.

<sup>(5)</sup> OJ No L 102, 28. 4. 1993, p. 14.

## ANNEX

to the Commission Regulation of 30 November 1993 fixing the maximum export refunds on olive oil for the first partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

| (ECU/100 kg)   |                      |
|----------------|----------------------|
| Product code   | Amount of refund (1) |
| 1509 10 90 100 | 37,00                |
| 1509 10 90 900 | 58,00                |
| 1509 90 00 100 | 47,00                |
| 1509 90 00 900 | 71,00                |
| 1510 00 90 100 | 8,00                 |
| 1510 00 90 900 | 33,00                |

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

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 2159/93 (OJ No L 194, 3. 8. 1993, p. 7).

## COMMISSION REGULATION (EC) No 3280/93

of 30 November 1993

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EC) No 3179/93<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil<sup>(3)</sup>, and in particular the first sentence of Article 3 (1) thereof,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72<sup>(4)</sup>, as last amended by Regulation (EEC) No 2962/77<sup>(5)</sup>;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appro-

priate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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

Whereas Council Regulation (EEC) No 990/93<sup>(8)</sup> prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

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

<sup>(2)</sup> OJ No L 285, 20. 11. 1993, p. 9.

<sup>(3)</sup> OJ No L 145, 30. 5. 1986, p. 8.

<sup>(4)</sup> OJ No L 78, 31. 3. 1972, p. 1.

<sup>(5)</sup> OJ No L 348, 30. 12. 1977, p. 53.

<sup>(6)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(7)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(8)</sup> OJ No L 102, 28. 4. 1993, p. 14.

HAS ADOPTED THIS REGULATION:

*Article 2*

*Article 1*

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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*ANNEX***to the Commission Regulation of 30 November 1993 fixing the export refunds on olive oil**

*(ECU/100 kg)*

| Product code   | Amount of refund <sup>(1)</sup> <sup>(2)</sup> |
|----------------|------------------------------------------------|
| 1509 10 90 100 | 35,00                                          |
| 1509 10 90 900 | 55,00                                          |
| 1509 90 00 100 | 45,00                                          |
| 1509 90 00 900 | 67,00                                          |
| 1510 00 90 100 | 5,00                                           |
| 1510 00 90 900 | 27,00                                          |

<sup>(1)</sup> For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 as well as for exports to third countries.

<sup>(2)</sup> Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

**NB:** The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

**COMMISSION REGULATION (EC) No 3281/93**  
**of 30 November 1993**  
**fixing the aid for cotton**

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87<sup>(1)</sup>,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton<sup>(2)</sup>, as last amended by Regulation (EEC) No 1554/93<sup>(3)</sup>, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2419/93<sup>(4)</sup>, as last amended by Regulation (EC) No 3200/93<sup>(5)</sup>;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2419/93 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 63,261 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 377, 31. 12. 1987, p. 49.

<sup>(2)</sup> OJ No L 211, 31. 7. 1981, p. 2.

<sup>(3)</sup> OJ No L 154, 25. 6. 1993, p. 23.

<sup>(4)</sup> OJ No L 222, 1. 9. 1993, p. 35.

<sup>(5)</sup> OJ No L 288, 23. 11. 1993, p. 16.

**COMMISSION REGULATION (EC) No 3282/93****of 30 November 1993****altering the export refunds on white sugar and raw sugar exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93 <sup>(2)</sup>, and in particular the second subparagraph of Article 19 <sup>(4)</sup> thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 3215/93 <sup>(3)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 3215/93 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 3215/93, are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 291, 25. 11. 1993, p. 4.

<sup>(4)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(5)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX

to the Commission Regulation of 30 November 1993 altering the export refunds on white sugar and raw sugar exported in the natural state

| Product code   | Amount of refund <sup>(2)</sup> |
|----------------|---------------------------------|
|                | — ECU/100 kg —                  |
| 1701 11 90 100 | 34,00 <sup>(1)</sup>            |
| 1701 11 90 910 | 32,09 <sup>(1)</sup>            |
| 1701 11 90 950 | <sup>(2)</sup>                  |
| 1701 12 90 100 | 34,00 <sup>(1)</sup>            |
| 1701 12 90 910 | 32,09 <sup>(1)</sup>            |
| 1701 12 90 950 | <sup>(2)</sup>                  |
|                | — ECU/1 % of sucrose × 100 kg — |
| 1701 91 00 000 | 0,3696                          |
|                | — ECU/100 kg —                  |
| 1701 99 10 100 | 36,96                           |
| 1701 99 10 910 | 36,96                           |
| 1701 99 10 950 | 36,96                           |
|                | — ECU/1 % of sucrose × 100 kg — |
| 1701 99 90 100 | 0,3696                          |

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

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

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

## COMMISSION REGULATION (EC) No 3283/93

of 30 November 1993

fixing the export refunds on syrups and certain other sugar products exported in the natural state

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93 <sup>(2)</sup>, and in particular Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar <sup>(3)</sup>, as last amended by Regulation (EEC) No 1489/76 <sup>(4)</sup>, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar <sup>(5)</sup>, as last amended by Regulation (EEC) No 1684/92 <sup>(6)</sup>;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry <sup>(7)</sup>, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75 <sup>(8)</sup>, as amended by Regulation (EEC) No 1714/88 <sup>(9)</sup>;

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 143, 25. 6. 1968, p. 6.

<sup>(4)</sup> OJ No L 167, 26. 6. 1976, p. 13.

<sup>(5)</sup> OJ No L 50, 4. 3. 1970, p. 1.

<sup>(6)</sup> OJ No L 176, 30. 6. 1992, p. 31.

<sup>(7)</sup> OJ No L 170, 27. 6. 1978, p. 9.

<sup>(8)</sup> OJ No L 25, 31. 1. 1975, p. 1.

<sup>(9)</sup> OJ No L 152, 18. 6. 1988, p. 23.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(1)</sup> are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 <sup>(2)</sup>;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 990/93 <sup>(3)</sup> prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situa-

tions as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(3)</sup> OJ No L 102, 28. 4. 1993, p. 14.

## ANNEX

to the Commission Regulation of 30 November 1993 fixing the export refunds on syrups and certain other sugar products exported in the natural state

| Product code   | Amount of refund                                    |
|----------------|-----------------------------------------------------|
|                | — ECU/100 kg dry matter —                           |
| 1702 40 10 100 | 36,96 <sup>(1)</sup> <sup>(2)</sup>                 |
| 1702 60 10 000 | 36,96 <sup>(1)</sup> <sup>(2)</sup>                 |
|                | — ECU/1 % sucrose × 100 kg —                        |
| 1702 60 90 000 | 0,3696 <sup>(1)</sup> <sup>(2)</sup>                |
|                | — ECU/100 kg dry matter —                           |
| 1702 90 30 000 | 36,96 <sup>(1)</sup> <sup>(2)</sup>                 |
|                | — ECU/1 % sucrose × 100 kg —                        |
| 1702 90 60 000 | 0,3696 <sup>(1)</sup> <sup>(2)</sup>                |
| 1702 90 71 000 | 0,3696 <sup>(1)</sup> <sup>(2)</sup>                |
| 1702 90 90 900 | 0,3696 <sup>(1)</sup> <sup>(2)</sup> <sup>(3)</sup> |
|                | — ECU/100 kg dry matter —                           |
| 2106 90 30 000 | 36,96 <sup>(1)</sup> <sup>(2)</sup>                 |
|                | — ECU/1 % sucrose × 100 kg —                        |
| 2106 90 59 000 | 0,3696 <sup>(1)</sup> <sup>(2)</sup>                |

<sup>(1)</sup> The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

<sup>(2)</sup> Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

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

<sup>(4)</sup> The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

**NB:** The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 2159/93 (OJ No L 194, 3. 8. 1993, p. 7).

## COMMISSION REGULATION (EC) No 3284/93

of 30 November 1993

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93 <sup>(2)</sup>, and in particular Article 16 (8) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar <sup>(3)</sup>, as last amended by Regulation (EEC) No 1428/78 <sup>(4)</sup>, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by

at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas Commission Regulation (EEC) No 1724/93 <sup>(5)</sup> lays down the prices and amounts fixed in ecus applicable in the sugar sector for the 1993/94 marketing year as a result of the monetary realignments during the 1992/93 marketing year;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 11 (1) of Council Regulation (EEC) No 1766/92 <sup>(6)</sup>, as amended by Regulation (EEC) No 2193/93 <sup>(7)</sup>, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community <sup>(8)</sup>, no levies shall apply on imports of products originating in the overseas countries and territories;

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 151, 30. 6. 1968, p. 42.

<sup>(4)</sup> OJ No L 171, 28. 6. 1978, p. 34.

<sup>(5)</sup> OJ No L 159, 1. 7. 1993, p. 127.

<sup>(6)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(7)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(8)</sup> OJ No L 263, 19. 9. 1991, p. 1.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(1)</sup> are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 <sup>(2)</sup>;

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

#### Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

#### Article 2

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

### ANNEX

to the Commission Regulation of 30 November 1993 fixing the basic amount of the import levy on syrups and certain other products in the sugar sector

(ECU)

| CN code    | Basic amount per percentage point of sucrose content and per 100 kg net of the product in question <sup>(1)</sup> | Amount of levy per 100 kg of dry matter <sup>(1)</sup> |
|------------|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| 1702 20 10 | 0,4200                                                                                                            | —                                                      |
| 1702 20 90 | 0,4200                                                                                                            | —                                                      |
| 1702 30 10 | —                                                                                                                 | 51,67                                                  |
| 1702 40 10 | —                                                                                                                 | 51,67                                                  |
| 1702 60 10 | —                                                                                                                 | 51,67                                                  |
| 1702 60 90 | 0,4200                                                                                                            | —                                                      |
| 1702 90 30 | —                                                                                                                 | 51,67                                                  |
| 1702 90 60 | 0,4200                                                                                                            | —                                                      |
| 1702 90 71 | 0,4200                                                                                                            | —                                                      |
| 1702 90 90 | 0,4200                                                                                                            | —                                                      |
| 2106 90 30 | —                                                                                                                 | 51,67                                                  |
| 2106 90 59 | 0,4200                                                                                                            | —                                                      |

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

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

**COMMISSION REGULATION (EC) No 3285/93****of 30 November 1993****altering the corrective amount applicable to the refund on cereals**

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<sup>(1)</sup>, as amended by Regulation (EEC) No 2193/93<sup>(2)</sup>, and in particular Article 13 (4) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 2997/93<sup>(3)</sup>;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 1 (1), points (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(3)</sup> OJ No L 270, 30. 10. 1993, p. 5.

## ANNEX

to the Commission Regulation of 30 November 1993 altering the corrective amount  
applicable to the refund on cereals

(ECU/tonne)

| Product code   | Destination (1) | Current<br>12 | 1st period<br>1 | 2nd period<br>2 | 3rd period<br>3 | 4th period<br>4 | 5th period<br>5 | 6th period<br>6 |
|----------------|-----------------|---------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| 0709 90 60 000 | —               | —             | —               | —               | —               | —               | —               | —               |
| 0712 90 19 000 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1001 10 00 200 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1001 10 00 400 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1001 90 91 000 | 01              | 0             | 0               | 0               | 0               | 0               | —               | —               |
| 1001 90 99 000 | 01              | 0             | 0               | 0               | 0               | 0               | —               | —               |
| 1002 00 00 000 | 01              | 0             | 0               | 0               | 0               | 0               | —               | —               |
| 1003 00 10 000 | 01              | 0             | 0               | 0               | 0               | 0               | —               | —               |
| 1003 00 20 000 | 01              | 0             | 0               | 0               | 0               | 0               | —               | —               |
| 1003 00 80 000 | 01              | 0             | 0               | 0               | 0               | 0               | —               | —               |
| 1004 00 00 200 | 01              | 0             | 0               | 0               | 0               | 0               | —               | —               |
| 1004 00 00 400 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1005 10 90 000 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1005 90 00 000 | 01              | 0             | 0               | 0               | — 70,00         | — 70,00         | —               | —               |
| 1007 00 90 000 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1008 20 00 000 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1101 00 00 100 | 01              | 0             | 0               | 0               | — 10,00         | — 10,00         | —               | —               |
| 1101 00 00 130 | 01              | 0             | 0               | 0               | — 10,00         | — 10,00         | —               | —               |
| 1101 00 00 150 | 01              | 0             | 0               | 0               | — 10,00         | — 10,00         | —               | —               |
| 1101 00 00 170 | 01              | 0             | 0               | 0               | — 10,00         | — 10,00         | —               | —               |
| 1101 00 00 180 | 01              | 0             | 0               | 0               | — 10,00         | — 10,00         | —               | —               |
| 1101 00 00 190 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1101 00 00 900 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1102 10 00 500 | 01              | 0             | 0               | 0               | 0               | 0               | —               | —               |
| 1102 10 00 700 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1102 10 00 900 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1103 11 30 200 | 01              | 0             | 0               | 0               | 0               | 0               | 0               | 0               |
| 1103 11 30 900 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1103 11 50 200 | 01              | 0             | 0               | 0               | 0               | 0               | 0               | 0               |
| 1103 11 50 400 | 01              | 0             | 0               | 0               | 0               | 0               | 0               | 0               |
| 1103 11 50 900 | —               | —             | —               | —               | —               | —               | —               | —               |
| 1103 11 90 200 | 01              | 0             | 0               | 0               | 0               | 0               | 0               | 0               |
| 1103 11 90 800 | —               | —             | —               | —               | —               | —               | —               | —               |

(1) The destinations are identified as follows:

01 all third countries.

NB: The zones are those defined in Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

## COMMISSION REGULATION (EC) No 3286/93

of 30 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 <sup>(1)</sup>, as amended by Regulation (EEC) No 2193/93 <sup>(2)</sup>, 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 <sup>(3)</sup>,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2703/93 <sup>(4)</sup> 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 29

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 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 245, 1. 10. 1993, p. 108.

## ANNEX

to the Commission Regulation of 30 November 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

| CN code    | Third countries <sup>(8)</sup>      |
|------------|-------------------------------------|
| 0709 90 60 | 81,76 <sup>(2)</sup> <sup>(3)</sup> |
| 0712 90 19 | 81,76 <sup>(2)</sup> <sup>(3)</sup> |
| 1001 10 00 | 6,19 <sup>(1)</sup> <sup>(7)</sup>  |
| 1001 90 91 | 91,71                               |
| 1001 90 99 | 91,71 <sup>(8)</sup>                |
| 1002 00 00 | 112,66 <sup>(6)</sup>               |
| 1003 00 10 | 119,27                              |
| 1003 00 20 | 119,27                              |
| 1003 00 80 | 119,27 <sup>(9)</sup>               |
| 1004 00 00 | 90,74                               |
| 1005 10 90 | 81,76 <sup>(2)</sup> <sup>(3)</sup> |
| 1005 90 00 | 81,76 <sup>(2)</sup> <sup>(3)</sup> |
| 1007 00 90 | 97,09 <sup>(4)</sup>                |
| 1008 10 00 | 23,95 <sup>(5)</sup>                |
| 1008 20 00 | 23,78 <sup>(4)</sup>                |
| 1008 30 00 | 22,31 <sup>(5)</sup>                |
| 1008 90 10 | <sup>(7)</sup>                      |
| 1008 90 90 | 22,31                               |
| 1101 00 00 | 165,92 <sup>(9)</sup>               |
| 1102 10 00 | 195,25                              |
| 1103 11 30 | 43,29                               |
| 1103 11 50 | 43,29                               |
| 1103 11 90 | 189,07                              |
| 1107 10 11 | 174,12                              |
| 1107 10 19 | 132,85                              |
| 1107 10 91 | 223,18 <sup>(10)</sup>              |
| 1107 10 99 | 169,51 <sup>(9)</sup>               |
| 1107 20 00 | 195,75 <sup>(10)</sup>              |

<sup>(1)</sup> Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

<sup>(2)</sup> 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.

<sup>(3)</sup> Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

<sup>(4)</sup> 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.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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).

<sup>(7)</sup> The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

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

<sup>(9)</sup> 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.

<sup>(10)</sup> 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 3287/93

of 30 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<sup>(1)</sup>, as amended by Regulation (EEC) No 2193/93<sup>(2)</sup>, 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<sup>(3)</sup>,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93<sup>(4)</sup> 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 29 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 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 159, 1. 7. 1993, p. 11.

## ANNEX

to the Commission Regulation of 30 November 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

(ECU/tonne)

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

## B. Malt

(ECU/tonne)

| CN code    | Current<br>12 | 1st period<br>1 | 2nd period<br>2 | 3rd period<br>3 | 4th period<br>4 |
|------------|---------------|-----------------|-----------------|-----------------|-----------------|
| 1107 10 11 | 0             | 0               | 0               | 0               | 0               |
| 1107 10 19 | 0             | 0               | 0               | 0               | 0               |
| 1107 10 91 | 0             | 0               | 0               | 0               | 0               |
| 1107 10 99 | 0             | 0               | 0               | 0               | 0               |
| 1107 20 00 | 0             | 0               | 0               | 0               | 0               |

## COMMISSION REGULATION (EC) No 3288/93

of 30 November 1993

fixing the rates of the refunds applicable to certain cereal and rice-products  
exported in the form of goods not covered by Annex II to the Treaty

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<sup>(1)</sup>, as amended by Regulation (EEC) No 2193/93<sup>(2)</sup>, and in particular the third subparagraph of Article 13 thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 1544/93<sup>(4)</sup>, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 17 (1) of Regulation (EEC) No 1418/76 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds<sup>(5)</sup>, as last amended by Regulation (EEC) No 3381/90<sup>(6)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted pursuant to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors<sup>(7)</sup>, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products<sup>(8)</sup>, as amended by Regulation (EEC) No 2026/83<sup>(9)</sup>, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products<sup>(10)</sup>, as last amended by Regulation (EEC) No 2805/93<sup>(11)</sup>, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC<sup>(12)</sup>, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(5)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(6)</sup> OJ No L 327, 27. 11. 1990, p. 4.

<sup>(7)</sup> OJ No L 159, 1. 7. 1993, p. 112.

<sup>(8)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(9)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(10)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(11)</sup> OJ No L 256, 14. 10. 1993, p. 7.

<sup>(12)</sup> OJ No L 275, 29. 9. 1987, p. 36.

1902 19 according to their destination ;

Whereas, for the application of Article 4 (2) (b) of Regulation (EEC) No 3035/80, it is necessary to differentiate the refunds ;

Whereas Council Regulation (EEC) No 990/93<sup>(1)</sup> prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro) ; whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof ; whereas account should be taken of this fact when fixing the refunds ;

Whereas in particular the export refund for unprocessed starches falling within CN code 1108 is granted only if the dry matter content is at least 77 % in the case of potato starch and at least 84 % in the case of cereal starches ;

Whereas with regard to potatoes, only potato starches are subject to common organization of the market, consequently steps should be taken to specify the terms that these potato starches should meet in order to qualify for refunds ;

Whereas, in respect of glucose syrup and maltodextrine syrup, the dry extract content for which the rate of refund is set should be specified ;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION :

#### *Article 1*

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex I to Regulation (EEC) No 1722/93 the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided

for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1722/93, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1722/93 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

#### *Article 2*

1. The refund for starches and potato starch falling within CN code 1108 or products falling within Annex A to Regulation (EEC) No 1766/92 resulting from the processing of these starches and potato starch is granted only on production of a declaration from the suppliers of those products attesting that they have been directly produced from cereals, potatoes or rice excluding all use of subproducts obtained in the production of other agricultural products or goods.

The above declaration can be considered valid, until revocation, for all supplies from the same producer ; it shall be verified in accordance with the provisions of Article 8 (1) and the first indent of paragraph 2 of Regulation (EEC) No 3035/80.

2. Where the dry-extract content of potato starch assimilated to maize starch pursuant to Article 1 (2) (a) of Regulation (EEC) No 3035/80 is 80 % or higher, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 80 % the rate of the refund shall be the amount laid down in the Annex multiplied by 1/80th of the actual dry-extract percentage.

For all other starches with a dry-extract content of 87 % or more, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 87 % the amount of the refund shall be the rate laid down in the Annex multiplied by 1/87th of the actual dry-extract percentage.

<sup>(1)</sup> OJ No L 102, 28. 4. 1993, p. 14.

3. For the purposes of paragraph 1 above, the dryextract content of starches shall be determined using the method applied to flour in Annex II to Commission Regulation (EEC) No 1908/84<sup>(1)</sup>, as last amended by Regulation (EEC) No 2507/87<sup>(2)</sup>.

4. At the time of application for the export refund for the goods the applicant must declare the dry-extract content of the starches concerned, unless this information has been recorded by the competent authorities referred to in Article 3 (2) of Regulation (EEC) No 3035/80, in accordance with the provisions of that paragraph.

#### *Article 3*

1. If the dry extract content of glucose syrup or maltodextrine syrup falling within CN code 1702 30 59, 1702 30 99, 1702 40 90, 1702 90 50 or 2106 90 55 is greater than or equal to 78 %, the rate of refund shall be that set in accordance with the Annex ; if the dry extract content of the said syrups is less than 78 %, the rate

applied shall be equal to the rate of refund set in accordance with the Annex multiplied by the actual percentage of dry extract and divided by 78.

2. For the purposes of the preceding paragraph, the dry matter content of glucose syrup or maltodextrine syrup shall be determined in accordance with Method 2 described in Annex II to Council Directive 79/796/EEC<sup>(3)</sup>, or in accordance with any other appropriate method of analysis which offer at least the same guarantees.

3. When applying for the export refund, the applicant must state the dry extract content of the glucose syrup and maltodextrine syrup used, unless this information has been recorded by the competent body referred to in Article 3 (2) of Regulation (EEC) No 3035/80, as provided for in that paragraph.

#### *Article 4*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

Martin BANGEMANN

*Vice-President*

<sup>(1)</sup> OJ No L 178, 5. 7. 1984, p. 22.

<sup>(2)</sup> OJ No L 235, 20. 8. 1987, p. 10.

<sup>(3)</sup> OJ No L 239, 22. 9. 1979, p. 24.

## ANNEX

to the Commission Regulation of 30 November 1993 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

| CN code    | Description of products (1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Rate of refund per 100 kg of basic product (2)                      |
|------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| 1001 10 00 | Durum wheat :<br>— used unprocessed :<br>— — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America<br>— — in all other cases<br>— used in the form of :<br>— — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104<br>— — hulled grains of CN code 1104 and starch of CN code 1108<br>— — germ of CN code 1104<br>— — gluten of CN code 1109<br>— — other (except flours of CN code 1101 and groats and meal of CN code 1103)             | <br><br>—<br>—<br><br>—<br>—<br>—<br>—<br>—                         |
| 1001 90 99 | Common wheat and meslin :<br>— used unprocessed :<br>— — on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America<br>— — in all other cases<br>— used in the form of :<br>— — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104<br>— — hulled grains of CN code 1104 and starch of CN code 1108<br>— — germ of CN code 1104<br>— — gluten of CN code 1109<br>— — other (except flours of CN code 1101, and groats and meal of CN code 1103) | <br><br>1,852<br>3,086<br><br>1,852<br>2,777<br>1,080<br>—<br>3,086 |
| 1002 00 00 | Rye :<br>— used unprocessed<br>— used in the form of :<br>— — pellets of CN code 1103, or pearled grains of CN code 1104<br>— — rolled or flaked grains and hulled grains of CN code 1104<br>— — germ of CN code 1104<br>— — starch of CN code 1108 19 90<br>— — gluten of CN code 2303 10 90<br>— — other (except flours of CN code 1102)                                                                                                                                                                                                | <br>3,086<br><br>1,852<br>2,777<br>1,133<br>3,237<br>—<br>3,086     |
| 1003 00 80 | Barley :<br>— used unprocessed<br>— used in the form of :<br>— — flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104<br>— — pellets of CN code 1103<br>— — germs of CN code 1104<br>— — starch of CN code 1108 19 90<br>— — gluten of CN code 2303 10 90<br>— — other                                                                                                                                                                                                            | <br>6,824<br><br>4,777<br>4,094<br>1,133<br>3,237<br>—<br>6,824     |

| CN code    | Description of products (*)                                                                                                                                                                                                                                                                                                                                                                                | Rate of refund<br>per 100 kg of basic<br>product (2)                              |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| 1004 00 00 | Oats :<br>— used unprocessed<br>— used in the form of :<br>— — pellets of CN code 1103, and pearled grains of CN code 1104<br>— — rolled or flaked grains and hulled grains of CN code 1104<br>— — germs of CN code 1104<br>— — starch of CN code 1108 19 90<br>— — gluten of CN code 2303 10 90<br>— — other                                                                                              | 6,152<br><br><br>3,691<br>5,537<br>1,133<br>3,237<br>—<br>6,152                   |
| 1005 90 00 | Maize (Corn) :<br>— used unprocessed<br>— used in the form of :<br>— — flours of CN codes 1102 20 10 and 1102 20 90<br>— — groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104<br>— — pellets of CN code 1103<br>— — hulled or perled grains of CN code 1104<br>— — germs of CN code 1104<br>— — starch of CN code 1108 12 00<br>— — gluten of CN code 2303 10 11<br>— — other (3) | 3,237<br><br>2,266<br>2,590<br>1,942<br>2,913<br>1,133<br>3,237<br>1,295<br>3,237 |
| 1006 20    | Round grain husked rice<br>Medium grains husked rice<br>Long grain husked rice                                                                                                                                                                                                                                                                                                                             | 18,910<br>16,836<br>16,836                                                        |
| ex 1006 30 | Round grain wholly-milled rice<br>Medium grain wholly-milled rice<br>Long grain wholly-milled rice                                                                                                                                                                                                                                                                                                         | 24,400<br>24,400<br>24,400                                                        |
| 1006 40 00 | Broken rice :<br>— used unprocessed<br>— used in the form of :<br>— — flour of CN code 1102 30, groats and meal or pellets of CN code 1103<br>— — flaked grains of CN 1104 19 91<br>— — starch of CN code 1108 19 10<br>— — other                                                                                                                                                                          | 5,300<br><br>5,300<br>3,180<br>5,300<br>—                                         |
| 1007 00 90 | Sorghum                                                                                                                                                                                                                                                                                                                                                                                                    | 6,152                                                                             |
| 1101 00 00 | Wheat or meslin flour :<br>— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America<br>— in all other cases                                                                                                                                                                                                                                                       | 2,277<br>3,796                                                                    |
| 1102 10 00 | Rye flour                                                                                                                                                                                                                                                                                                                                                                                                  | 4,228                                                                             |
| 1103 11 30 | Durum wheat groats :                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                   |
| 1103 11 50 | Durum wheat meal :<br>— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America<br>— in all other cases                                                                                                                                                                                                                                                            | —<br>—                                                                            |
| 1103 11 90 | Common wheat groats and spelt :<br>— on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America<br>— in all other cases                                                                                                                                                                                                                                               | —<br>—                                                                            |

(1) The quantities of semi-processed products used must be multiplied, as the case may be, by the coefficients shown in Annex I to Commission Regulation (EEC) No 1620/93 (OJ No L 155, 26. 6. 1993, p. 29).

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

(3) For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

## COMMISSION REGULATION (EC) No 3289/93

of 30 November 1993

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 2071/92 <sup>(2)</sup>, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds <sup>(3)</sup>, as last amended by Regulation (EEC) No 3381/90 <sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates <sup>(5)</sup>, as last amended by Regulation (EEC) No 1435/90 <sup>(6)</sup>;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs <sup>(7)</sup>, as last amended by Regulation (EC) No 3049/93 <sup>(8)</sup>, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 990/93 <sup>(9)</sup> prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.

<sup>(2)</sup> OJ No L 215, 30. 7. 1992, p. 64.

<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(4)</sup> OJ No L 327, 27. 11. 1990, p. 4.

<sup>(5)</sup> OJ No L 169, 18. 7. 1968, p. 6.

<sup>(6)</sup> OJ No L 138, 31. 5. 1990, p. 8.

<sup>(7)</sup> OJ No L 55, 1. 3. 1988, p. 31.

<sup>(8)</sup> OJ No L 273, 5. 11. 1993, p. 7.

<sup>(9)</sup> OJ No L 102, 28. 4. 1993, p. 14.

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

*Article 2*

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

*Article 3*

This Regulation shall enter into force on 1 December 1993.

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

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

Done at Brussels, 30 November 1993.

*For the Commission*

Martin BANGEMANN

*Vice-President*

## ANNEX

to the Commission Regulation of 30 November 1993 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

| CN code       | Description                                                                                                                                                                                                                                                                                                                                                                  | (ECU/100 kg)<br>Rate of<br>refund (*) |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|
| ex 0402 10 19 | Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):<br>a) On exportation of goods of CN code 3501<br>b) On exportation of other goods                                                                                                                                  | —<br>60,00                            |
| ex 0402 21 19 | Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):<br>a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported<br>b) On exportation of other goods              | 52,64<br>110,00                       |
| ex. 0405 00   | Butter, with a fat content by weight of 82 % (PG 6):<br>a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported<br>b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat<br>c) On exportation of other goods | 26,00<br>166,00<br>160,00             |

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

## COMMISSION REGULATION (EC) No 3290/93

of 30 November 1993

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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 market in sugar <sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93 <sup>(2)</sup>, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds <sup>(3)</sup>, as last amended by Regulation (EEC) No 3381/90 <sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry <sup>(5)</sup>, as last amended by Regulation (EEC) 464/91 <sup>(6)</sup>, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products <sup>(7)</sup>, as amended by Regulation (EEC) No 2026/83 <sup>(8)</sup>, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products <sup>(9)</sup>, as last amended by Regulation (EEC) No 2805/93 <sup>(10)</sup>, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(4)</sup> OJ No L 327, 27. 11. 1990, p. 4.

<sup>(5)</sup> OJ No L 94, 9. 4. 1986, p. 9.

<sup>(6)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(7)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(8)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(9)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(10)</sup> OJ No L 256, 14. 10. 1993, p. 7.

Whereas Council Regulation (EEC) No 990/93<sup>(1)</sup> prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the

basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

#### *Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

Martin BANGEMANN

*Vice-President*

<sup>(1)</sup> OJ No L 102, 28. 4. 1993, p. 14.

## ANNEX

to the Commission Regulation of 30 November 1993 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

|                                                                                                                                                                                                                                         | — Rate of refund<br>in ECU/100 kg <sup>(*)</sup> —                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| White sugar :                                                                                                                                                                                                                           | 36,96                                                                          |
| Raw sugar :                                                                                                                                                                                                                             | 34,00                                                                          |
| Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) : | $36,96^{(*)} \times \frac{S^{(*)}}{100}$ or                                    |
|                                                                                                                                                                                                                                         | the rate fixed above for 100 kg of white or raw sugar used for the dissolution |
| For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :                                                                                                       |                                                                                |
| Molasses :                                                                                                                                                                                                                              | —                                                                              |
| Isoglucose <sup>(?)</sup> :                                                                                                                                                                                                             | 36,96 <sup>(?)</sup>                                                           |

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

(\*) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(?) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(?) Amount of refund per 100 kilograms of dry matter.

(\*) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

## COMMISSION REGULATION (EC) No 3291/93

of 30 November 1993

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93 <sup>(2)</sup>, and in particular Article 16 (5) thereof,

Whereas Article 16 a (1) of Regulation (EEC) No 1785/81 provides for a reduced rate levy to apply during the period 1 January to 30 June 1993 to Portuguese imports of certain quantities of raw sugar originating in specified third countries and for use by Portuguese refineries;

Whereas Article 16 a (2) of Regulation (EEC) No 1785/81 stipulates that this reduced levy is to equal the intervention price for raw sugar as indicated in Article 3 (2) of that Regulation applicable when the sugar is imported, less an amount equal to the average of the spot prices, adjusted where necessary to the cif stage, quoted on the London market during the first 20 days of the month preceding that for which the reduced levy amount is set;

Whereas pursuant to Article 16 a (5) the reduced levy is to be set each month for the following month;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(3)</sup> are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 <sup>(4)</sup>;

Whereas application of the abovementioned provisions gives a reduced rate import levy for the raw sugar concerned of the amount indicated in this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 24,14 per 100 kg.

*Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## COMMISSION REGULATION (EC) No 3292/93

of 30 November 1993

amending Regulation (EEC) No 2026/92 on detailed rules for the application of the specific supply measures for Madeira as regards olive oil and establishing the forecast supply balance

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 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(1)</sup>, as last amended by Commission Regulation (EEC) No 1974/93<sup>(2)</sup>, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 2026/92 of 22 July 1992 on detailed rules for the application of the specific supply measures for Madeira as regards olive oil and establishing the forecast supply balance<sup>(3)</sup>, as amended by Regulation (EEC) No 3019/93<sup>(4)</sup>, fixes the forecast supply balance for olive oil for Madeira for the period 1 November 1993 to 31 October 1994;

Whereas Article 5 of Council Regulation (EEC) No 1650/86<sup>(5)</sup> provides for the option of fixing the export refund amounts on olive oil by tender; whereas where refunds are so fixed, account should be taken of these amounts when fixing the aid for the supply of olive oil of Community origin under the specific supply measures for Madeira;

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

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

Done at Brussels, 30 November 1993.

*Article 1*

Regulation (EEC) No 2026/92 is hereby amended as follows:

Article 1 (2) is replaced by the following:

'2. Pursuant to Article 3 (2) of Regulation (EEC) No 1600/92, the amounts of aid for the supply of olive oil of Community origin under the specific supply arrangements for Madeira shall be equal, for each type of oil,

— to the average of the maximum export refund amounts set by tendering procedure for oil in small containers in the course of the month preceding that of submission of the certificate application, plus ECU 1 per 100 kg, or

— to the average of the export refund amounts fixed in accordance with the procedure laid down in Article 3 of Regulation (EEC) No 1650/86 for oil in small containers in the course of the month preceding that of submission of the certificate application, plus ECU 1 per 100 kg,

whichever is the greater.'

*Article 2*

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

It shall apply with effect from 1 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 1.

<sup>(2)</sup> OJ No L 180, 23. 7. 1993, p. 26.

<sup>(3)</sup> OJ No L 207, 23. 7. 1992, p. 18.

<sup>(4)</sup> OJ No L 270, 30. 10. 1993, p. 58.

<sup>(5)</sup> OJ No L 145, 30. 5. 1986, p. 8.

**COMMISSION REGULATION (EC) No 3293/93  
of 30 November 1993**

**amending Regulation (EEC) No 2025/92 on detailed rules for the application of  
the specific supply measures for the Canary Islands as regards olive oil and  
establishing the forecast supply balance**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products <sup>(1)</sup>, as last amended by Commission Regulation (EEC) No 1974/93 <sup>(2)</sup>, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 2025/92 of 22 July 1992 on detailed rules for the application of the specific supply measures for the Canary Islands as regards olive oil and establishing the forecast supply balance <sup>(3)</sup>, as last amended by Regulation (EEC) No 3020/93 <sup>(4)</sup>, fixes the forecast supply balance for olive oil for the Canary Islands for the period 1 November 1993 to 31 October 1994;

Whereas Article 5 of Council Regulation (EEC) No 1650/86 <sup>(5)</sup> provides for the option of fixing the export refund amounts on olive oil by tender; whereas where refunds are so fixed, account should be taken of these amounts when fixing the aid for the supply of olive oil of Community origin under the specific supply measures for the Canary Islands;

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

*Article 1*

Regulation (EEC) No 2025/92 is hereby amended as follows:

Article 1 (2) is replaced by the following:

'2. Pursuant to Article 3 (2) of Regulation (EEC) No 1601/92, the amounts of aid for the supply of olive oil of Community origin under the specific supply arrangements for the Canary Islands shall be equal, for each type of oil,

— to the average of the maximum export refund amounts set by tendering procedure for oil in small containers in the course of the month preceding that of submission of the certificate application, plus ECU 1 per 100 kg; or

— to the average of the export refund amounts fixed in accordance with the procedure laid down in Article 3 of Regulation (EEC) No 1650/86 for oil in small containers in the course of the month preceding that of submission of the certificate application, plus ECU 1 per 100 kg,

whichever is the greater.'

*Article 2*

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

It shall apply with effect from 1 November 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 173, 27. 6. 1992, p. 13.

<sup>(2)</sup> OJ No L 180, 23. 7. 1993, p. 26.

<sup>(3)</sup> OJ No L 207, 23. 7. 1992, p. 15.

<sup>(4)</sup> OJ No L 270, 30. 10. 1993, p. 60.

<sup>(5)</sup> OJ No L 145, 30. 5. 1986, p. 8.

## COMMISSION REGULATION (EC) No 3294/93

of 30 November 1993

amending Regulation (EEC) No 1198/93 increasing to 4 400 000 tonnes the quantity of bread-making wheat held by the French 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<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 2193/93<sup>(2)</sup>, and in particular Article 5,

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<sup>(3)</sup>,

Whereas Commission Regulation (EEC) No 1198/93<sup>(4)</sup>, as last amended by Regulation (EC) No 3160/93<sup>(5)</sup>, opened a standing invitation to tender for the export of 4 000 000 tonnes of bread-making wheat held by the French intervention agency; whereas, in a communication of 25 November 1993, France informed the Commission of the intention of its intervention agency to increase by 400 000 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 French intervention agency for which a standing invitation to tender for export has been opened should be increased to 4 400 000 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 1198/93 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 1198/93 is replaced by the following:

*Article 2*

1. The invitation to tender shall cover a maximum of 4 400 000 tonnes of bread-making wheat to be exported to all third countries.
2. The regions in which the 4 400 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.

*Article 2*

Annex I to Regulation (EEC) No 1198/93 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, 30. November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(3)</sup> OJ No L 191, 31. 7. 1993, p. 76.

<sup>(4)</sup> OJ No L 122, 18. 5. 1993, p. 23.

<sup>(5)</sup> OJ No L 283, 18. 11. 1993, p. 9.

## ANNEX

## ANNEX I

| (tonnes)          |          |
|-------------------|----------|
| Place of storage  | Quantity |
| Amiens            | 223 000  |
| Bordeaux          | 55 000   |
| Clermont-Ferrand  | 10 000   |
| Châlons-sur-Marne | 544 000  |
| Dijon             | 110 000  |
| Lille             | 507 000  |
| Lyon              | 23 000   |
| Nancy             | 90 000   |
| Nantes            | 115 000  |
| Orléans           | 920 000  |
| Paris             | 310 000  |
| Poitiers          | 385 000  |
| Rennes            | 145 000  |
| Rouen             | 518 000  |
| Toulouse          | 49 000   |
| Ghent (Belgium)   | 396 000' |

## COMMISSION REGULATION (EC) No 3295/93

of 26 November 1993

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987<sup>(1)</sup> on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EC) No 3080/93<sup>(2)</sup>, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is appropriate that, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 6 of Commission Regulation (EEC) No 3796/90<sup>(3)</sup>, amended by Regulation (EEC) No 2674/92<sup>(4)</sup> by the holder thereof during a certain period if such

holder has concluded a contract as referred to in points (a) or (b) of the second subparagraph of Article 14, (3) of Council Regulation (EEC) No 1715/90<sup>(5)</sup>;

Whereas the Nomenclature Committee has not delivered an opinion within the time limit set by its chairman, as regards product No 1 in the annexed table;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Nomenclature Committee as regards product No 2 in the annexed table,

HAS ADOPTED THIS REGULATION:

*Article 1*

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

*Article 2*

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 6 of Regulation (EEC) No 3796/90 by the holder thereof during a period of 60 days from the date of application of this Regulation if such holder has concluded a contract referred to in points (a) or (b) of the second subparagraph of Article 14 of Regulation (EEC) No 1715/90.

*Article 3*

This Regulation shall enter into force on the 21st day following its publication in the *Official Journal of the European Communities*.

<sup>(1)</sup> OJ No L 256, 7. 9. 1987, p. 1.

<sup>(2)</sup> OJ No L 277, 10. 11. 1993, p. 1.

<sup>(3)</sup> OJ No L 365, 28. 12. 1990, p. 17.

<sup>(4)</sup> OJ No L 271, 16. 9. 1992, p. 5.

<sup>(5)</sup> OJ No L 160, 26. 6. 1990, p. 1.

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

Done at Brussels, 26 November 1993.

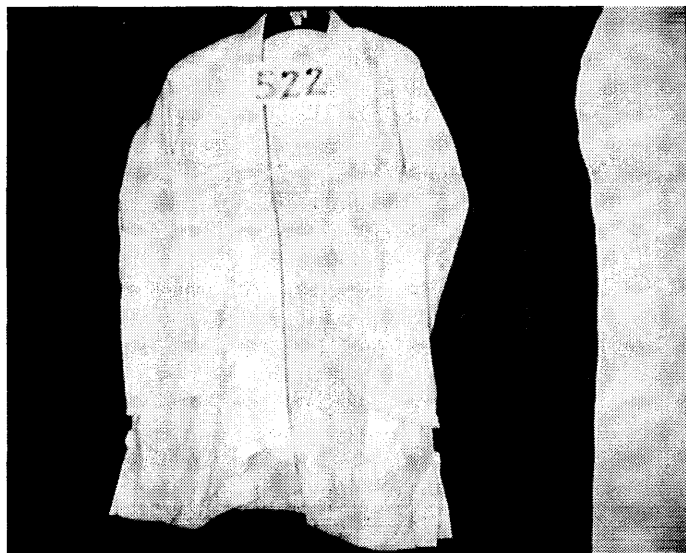
*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

ANNEX

| Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Classification<br>CN code | Reasons                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | (2)                       | (3)                                                                                                                                                                                                                                                                     |
| <p>1. Judo jacket of 100 % unbleached cotton woven fabric, made up of two heavyweight woven fabrics of different construction, loose-fitting, opening fully at the front, with no fastening. The garment has long sleeves, lateral side vents at the bottom, and an internal reinforcement in the form of partial lining.</p> <p>This jacket has external reinforcement made up of a third woven fabric around the collar and opening. The garment consists of two panels sewn together widthwise, the upper panel also being sewn under the sleeves lengthwise.</p> <p>(See photograph No. 522)(<sup>(*)</sup>).</p> | 6204 32 90                | Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature, note 8 to Chapter 62 and the texts of CN codes 6204, 6204 32 and 6204 32 90.                                                               |
| <p>2. A curtain made up of embroidery on a ground fabric accounting for 90,2 % of the total weight and consisting of 52,7 % linen and 47,3 % cotton. The embroidered part, accounting for 9,8 % of the total weight, is of 100 % cotton.</p>                                                                                                                                                                                                                                                                                                                                                                          | 6303 99 90                | Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature, by note 7 (c) and subheading note 2 (B) (c) to Section XI, note 1 to Chapter 63 and by the texts of CN codes 6303, 6303 99 and 6303 99 90. |



(<sup>(\*)</sup>) Photographs are of a purely illustrative nature.

**COMMISSION REGULATION (EC) No 3296/93****of 30 November 1993****adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for trade with Spain from 30 November 1993**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal, and in particular Articles 85 (1) thereof,

Whereas Commission Regulation (EEC) No 1112/93 of 6 May 1993 laying down detailed rules for the application of the supplementary trade mechanism in the beef and veal sector between the Community as constituted at 31 December 1985 and Spain and Portugal and repealing Regulations (EEC) No 3810/91 and (EEC) No 3829/92<sup>(1)</sup>, as amended by Regulation (EEC) No 2628/93<sup>(2)</sup>, set the indicative ceilings applicable in the beef and veal sector and the maximum quantities for which STM licences may be issued in November and December 1993;

Whereas Article 85 (1) of the Act of Accession makes provision for the Commission to take the interim protective measures necessary if the indicative ceiling for the year in course or part of it is reached or exceeded;

Whereas an examination of licence application lodged from 29 and 30 November 1993 shows that the quantities

applied for are likely to bring about a serious disturbance of the market for live animals; whereas any further issuing of STM licences for the products in question should be suspended by way of an interim protective measure from 30 November 1993,

HAS ADOPTED THIS REGULATION:

*Article 1*

For live animals of the bovine species, other than purebred breeding animals and animals for bullfights, the issuing of STM licences in response to applications submitted from 30 November 1993 onwards is suspended for the time being.

*Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 113, 7. 5. 1993, p. 10.

<sup>(2)</sup> OJ No L 240, 25. 9. 1993, p. 22.

**COMMISSION REGULATION (EC) No 3297/93****of 30 November 1993****amending Regulation (EEC) No 1442/93 laying down detailed rules for the application of arrangements for importing bananas into the Community**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EEC) No 1442/93 <sup>(2)</sup> as last amended by Regulation (EEC) No 3026/93 <sup>(3)</sup> lays down the detailed rules for the application of the arrangements for importing bananas into the Community, particularly as regards determining the reference quantities for the operators and the conditions governing the grant of import licences;

Whereas Article 9 (2) of Regulation (EEC) No 1442/93 lays down the procedure for the submission of import licence applications; whereas the time period for the submission of such applications should be adjusted and greater latitude should be given to new operators so that they might make better use over an annual period of the annual quantity allocated to them pursuant to Article 4 (4) of the aforementioned Regulation;

Whereas with a view to knowing the real level of banana imports into the Community and to ensure monitoring of the import arrangements, the exemption to the requirement to apply for an import licence for small quantities laid down in the fourth indent of Article 5 (1) of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products <sup>(4)</sup>, as last amended by Regulation (EEC) No 1963/93 <sup>(5)</sup>, should be waived;

Whereas the provisions of this Regulation must enter into force immediately before the period in which applications for licences for the first quarter of 1994 are submitted;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

Regulation (EEC) No 1442/93 is hereby amended as follows:

1. Article 9 (2) is replaced by the following:

'2. During the first seven days of the last month of the quarter preceding the quarter for which the licences are issued, category A and B operators shall submit to the competent authorities of the Member State in which they submitted their applications for registration as referred to in Article 4, their import licence applications in respect of the following quarter for up to the percentage authorized in the quarter in question of the total annual quantity allocated to them pursuant to the second subparagraph of Article 6.

During the first seven days of the last month of the quarter preceding the quarter for which the licences are issued, category C operators shall submit their import licence applications for up to the total annual quantity allocated to them pursuant to Article 4 (4).'

2. Article 20 is replaced by the following:

*'Article 20*

The provisions of Regulation (EEC) No 3719/88 shall apply with the exception of the fourth indent of Article 5 (1) and Article 8 (4) and (5) thereof and save as otherwise provided for in this Regulation.

Article 33 (5) of the abovementioned Regulation shall apply.'

*Article 2*

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

<sup>(1)</sup> OJ No L 47, 25. 2. 1993, p. 1.

<sup>(2)</sup> OJ No L 142, 12. 6. 1993, p. 6.

<sup>(3)</sup> OJ No L 270, 30. 10. 1993, p. 71.

<sup>(4)</sup> OJ No L 331, 2. 12. 1988, p. 1.

<sup>(5)</sup> OJ No L 177, 21. 7. 1993, p. 19.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 3298/93

of 30 November 1993

fixing indicative quantities for imports of bananas into the Community for the first quarter of 1994

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EEC) No 1442/93 <sup>(2)</sup>, as last amended by Regulation (EC) No 3297/93 <sup>(3)</sup>, provides in Article 9 (1) for the fixing of indicative quantities for the purposes of issuing import licences for each quarter using the data and forecasts relating to the Community market on the basis of the forecast supply balance for production and consumption in the Community and of imports and exports as referred to in Article 16 of Regulation (EEC) No 404/93;

Whereas, only a few months after the introduction of the new common organization of the market in bananas, it is not possible to establish a forecast supply balance in accordance with the aforementioned Article 16 in the absence of economic data sufficiently precise to assess the trend in the Community market; whereas, in particular, the forecasts relating to consumption demand differ appreciably, depending on the Community region concerned, in an unstable market situation and where the fluidity of intra-Community trade is not as yet secured; whereas, furthermore, the data relating to the quantities of bananas marketed in the Community during 1993 and in particular the actual imports during the months in which the new tariff quota scheme has applied are not available;

Whereas, Article 9 (1) of Regulation (EEC) No 1442/93 notwithstanding, an indicative quantity for the first quarter of 1994 should therefore be established not on the basis of a forecast supply balance but on the basis of the analysis which may currently be made of the market; whereas this indicative quantity should be fixed on the basis of the average volume of bananas marketed in the Community in this same period in the years 1988 to 1992, while at the same time providing for some progressive increase so as to bring about a harmonious and gradual opening of the market and better trade fluidity within the Community;

Whereas to these same ends, the quantity authorized as laid down in Article 9 (1) of Regulation (EEC) No

1442/93 which each category A and B operator may request for the first quarter of 1994 and the indicative quantities provided for in Article 14 (1) of the same Regulation for the purposes of issuing the licences for imports of traditional ACP bananas should be fixed;

Whereas the provisions of this Regulation must enter into force immediately before the period in which licence applications for the first quarter of 1994 are submitted;

Whereas the Management Committee for Bananas has not delivered its opinion within the time limit laid down by the chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The indicative quantities referred to in Article 9 (1) of Regulation (EEC) No 1442/93 for imports of bananas into the Community under the tariff quota laid down in Articles 18 and 19 of Regulation (EEC) No 404/93 are hereby fixed for the first quarter of 1994 at 520 000 tonnes.

*Article 2*

The quantity authorized for each category A and B operator for the first quarter of 1994 as provided for in Article 9 (2) of Regulation (EEC) No 1442/93 is hereby fixed at 32 % of the total annual quantity which has been allocated to him pursuant to the second subparagraph of Article 6 of the aforementioned Regulation.

*Article 3*

The indicative quantities referred to in Article 14 (1) of Regulation (EEC) No 1442/93 for imports of traditional ACP bananas for the first quarter of 1994 are hereby fixed at 30 % of the traditional quantities laid down for each country of origin in the Annex to Regulation (EEC) No 404/93.

*Article 4*

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

<sup>(1)</sup> OJ No L 47, 25. 2. 1993, p. 1.

<sup>(2)</sup> OJ No L 142, 12. 6. 1993, p. 6.

<sup>(3)</sup> See page 46 of this Official Journal.

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

Done at Brussels, 30 November 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

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## COMMISSION REGULATION (EC) No 3299/93

of 30 November 1993

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(1)</sup>, as amended by Regulation (EEC) No 2193/93<sup>(2)</sup>, and in particular Article 11 (3) thereof,

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

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 3263/93<sup>(6)</sup>;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74<sup>(7)</sup>, as last amended by Regulation (EEC) No 1740/78<sup>(8)</sup>, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93<sup>(9)</sup> as fixed in the Annex to Regulation (EC) No 3263/93 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(3)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 293, 27. 11. 1993, p. 54.

<sup>(7)</sup> OJ No L 168, 25. 6. 1974, p. 7.

<sup>(8)</sup> OJ No L 202, 26. 7. 1978, p. 8.

<sup>(9)</sup> OJ No L 155, 26. 6. 1993, p. 29.

## ANNEX

to the Commission Regulation of 30 November 1993 altering the import levies on products processed from cereals and rice

(ECU/tonne)

| CN code    | Import levies (7) |                                     |
|------------|-------------------|-------------------------------------|
|            | ACP               | Third countries<br>(other than ACP) |
| 1103 21 00 | 163,46            | 169,50                              |
| 1104 19 10 | 163,46            | 169,50                              |
| 1104 29 11 | 120,78            | 123,80                              |
| 1104 29 31 | 145,30            | 148,32                              |
| 1104 29 91 | 92,63             | 95,65                               |
| 1104 30 10 | 68,11             | 74,15                               |
| 1108 11 00 | 199,78            | 220,33                              |
| 1109 00 00 | 363,24            | 544,58                              |

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

## COMMISSION REGULATION (EC) No 3300/93

of 30 November 1993

amending Regulation (EEC) No 1274/91 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1907/90 of 26 June 1990 on certain marketing standards for eggs<sup>(1)</sup>, as amended by Regulation (EEC) No 2617/93<sup>(2)</sup> and in particular Articles 10 (3) and 20 (1) thereof,

Having regard to Council Regulation (EEC) No 2617/93, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 1274/91<sup>(3)</sup>, as last amended by Regulation (EEC) No 2221/92<sup>(4)</sup>, provides for the detailed rules necessary for the implementation of such marketing standards;

Whereas in order to ensure the supply of the consumer with good quality produce it is appropriate to provide for more frequent collection of eggs and for stricter quality criteria for eggs marketed as 'extra';

Whereas the introduction of the mandatory indication of the date of minimum durability followed by appropriate storage recommendations on grade A egg packs by Regulation (EEC) No 2617/93 makes it necessary to adapt the detailed rules on date indications laid down in Regulation (EEC) No 1274/91;

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

HAS ADOPTED THIS REGULATION:

#### Article 1

Regulation (EEC) No 1274/91 is amended as follows:

1. in Article 1 (1), the second subparagraph is deleted;
2. in Article 5 (1), the second indent is replaced by the following: 'Air space: height not exceeding 6 mm, stationary; however, for eggs to be marketed as "extra", it shall not exceed 4 mm';

3. Articles 14, 15 and 16 are replaced by the following:

#### Article 14

1. The indication of the date of minimum durability referred to in Articles 10 and 15 of Regulation (EEC) No 1907/90 shall be made at the time of packaging in accordance with Article 9 (2) of Council Directive 79/112/EEC<sup>(5)</sup>. It shall comprise one or more of the following:

- Consúmase preferentemente antes del...
- Mindst holdbar til...
- Mindestens haltbar bis...
- Ανάλωση κατά προτίμηση πριν από...
- Best before...
- À consommer de préférence avant le...
- Da consumarsi preferibilmente entro...
- Ten minste houdbaar tot...
- A consumir de preferência antes de...

For this purpose the date shall be indicated by two sets of figures representing, in the following order:

- the day, from 1 to 31,
- the month; from 1 to 12.

2. Large packs, and small packs even when contained in large packs, shall bear on the outer surface in clearly visible and legible type an indication to advise consumers to keep eggs refrigerated after purchase.

3. In case of loose egg sales, wording equivalent to the indication referred to in paragraph 2 shall be indicated in such a manner as to be clearly visible and unequivocal to the consumer.

#### Article 15

The indication of the packing date referred to in Articles 10 and 15 of Regulation (EEC) No 1907/90 shall comprise one or more of the following:

- Embalado el:...
- Pakket den:...
- Verpakt am:...
- Ημερομηνία συσκευασίας:...
- Packing date:...
- Emballé le:...
- Data d'imballaggio:...
- Verpakt op:...
- Embalado em:...

followed by the two sets of figures as referred to in the second subparagraph of Article 14 (1).

<sup>(1)</sup> OJ No L 173, 6. 7. 1990, p. 5.

<sup>(2)</sup> OJ No L 240, 25. 9. 1993, p. 1.

<sup>(3)</sup> OJ No L 121, 16. 5. 1991, p. 11.

<sup>(4)</sup> OJ No L 218, 1. 8. 1992, p. 81.

*Article 16*

1. In addition to the date of minimum durability and/or the packing date, the recommended sell-by date may be indicated by the operator at the time of packing on eggs or on packs containing them or on both.

2. The recommended sell-by date is an indication of the last date eggs should be offered for sale to the consumer, after which there remains a storage period of seven days. It shall be fixed in such a way that grade "A" eggs will retain the characteristics described in Article 5 (1) until the end of that storage period when properly stored. The date of minimum durability corresponds to the end of this storage period.

The indication must be worded in such a way that the meaning of the recommended sell-by date is clear.

3. The laying date may be indicated by the operator on packs at the time of packing, in which case it shall also be indicated on the eggs contained in the packs. The laying date may, however, also be stamped on eggs at the farm.

4. For the indication of the dates referred to in this Article on eggs, and in the case of the sell-by and laying dates also on packs, one or more of the terms listed in Annex I shall be used.

5. The dates referred to in this Article shall be indicated by two sets of figures, as referred to the second subparagraph of Article 14 (1).

(<sup>(\*)</sup>) OJ No L 33, 8. 2. 1979, p. 1.';

4. in the introductory phrase of Article 17, the reference to 'Article 15' is replaced by a reference to 'Article 16';

5. Article 21 (1) is replaced by the following:

'1. The bands and labels provided for in Article 11 of Regulation (EEC) No 1907/90 shall be white and the indications shall be printed in black on these bands and labels.';

6. Article 24 (1) is replaced by the following:

'1. The band or label referred to in Article 12 of Regulation (EEC) No 1907/90 must be printed or affixed in such a way that none of the information on the pack is obscured by the position of the band or label. The following indication shall be printed on the

band or label in italics: "extra until ..." followed by the two sets of figures as referred to in the second subparagraph of Article 14 (1) indicating the seventh day after packing, at least 1 cm high.';

7. Article 25 (2) (e) is replaced by the following:

'(e) — for grade A eggs: the original date of minimum durability, and below this the words "regraded eggs",

— for eggs of other grades: the words "packing date:", followed by the date of first packing; and below this the word "regraded:", followed by the date of the regrading, in the same manner as provided for in the second subparagraph of Article 14 (1).';

8. Article 26 (2) (e) is replaced by the following:

'(e) — for grade A eggs: the original date of minimum durability, and below this the words "repacked eggs",

— for eggs of other grades: the words "packing date:", followed by the date of first packing; and below this the word "repacked:", followed by the date of repacking, in the same manner as provided for in Article 14 (1).';

9. Annex I is replaced by the Annex to this Regulation.

*Article 2*

Until 30 September 1994 operators may continue to use existing packing material bearing indications in accordance with the provisions applicable before 1 December 1993.

However, indication of the date of minimum durability and of the advice to keep eggs refrigerated after purchase on such packs shall be made at the latest as from 1 June 1994 by affixing a band or label bearing the indications referred to in Article 14 (1) and (2) of Regulation (EEC) No 1274/91.

As from 1 June 1994, the indication referred to in the second sentence of Article 24 (1) of Regulation (EEC) No 1274/91 shall always be shown on the band or label.

*Article 3*

This Regulation shall enter into force on 1 December 1993.

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

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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**ANNEX**

**ANNEX I**

**1. Date of minimum durability :**

consumo preferente  
Mindst holdbar til  
Mind. haltbar  
Ανάλωση πριν από  
Best before  
à cons. de préf. av. or DCR <sup>(1)</sup>  
da cons. pref. entro  
tenm. houdb. tot  
Cons. de pref. antes de

**2. Packing date :**

Embalaje  
Pakket  
Verp.  
Συσκευασία  
Packed  
Emb. le  
Imball. il  
Verp.  
Emb.

**3. Sell-by date :**

vender antes  
Sidste salgsdato  
Verkauf bis  
Πώληση  
Sell by  
à vend. préf. av. or DVR <sup>(1)</sup>  
data vend. racc.  
uit. verk. dat.  
Vend. de pref. antes de

**4. Laying date :**

Puesta  
Læggedato  
Gelegt  
Ωροτοκία  
Laid  
Pondu le  
Deposto il  
Gelegd  
Postura

---

<sup>(1)</sup> If the terms DVR or DCR are used, the indication on the pack must be worded in such a way that the meaning of these initials is clear.

## COUNCIL REGULATION (EC) No 3301/93

of 29 November 1993

opening and providing for the administration of Community tariff quotas for  
certain wines originating in Hungary and Romania

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 in accordance with the agreements in the form of exchanges of letters between the European Community, of the one part, and the Republic of Hungary, and Romania, of the other part, approved by Council Decisions of 23 November 1993 <sup>(1)</sup>, the Community is to open tariff quotas subject to reduced customs duties for certain wines originating in the said countries; whereas access to those quotas shall be confined to the wines in question accompanied by a document issued by a mutually recognized official body certifying that the wines are those covered by the agreement and originating in the countries concerned;

Whereas those quotas should be opened on an annual basis running from 1 January to 31 December; whereas, since the agreements enter into force after 1 January 1993, the annual quota-volumes should be adjusted *pro rata temporis*;

Whereas it is necessary, in particular, to ensure for all the parties concerned equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rate laid down for the quotas to all imports or re-imports into all Member States of the products meeting

the conditions specified until the quotas have been used up;

Whereas the decision to open the tariff quotas should be taken by the Community in compliance with its international obligations; whereas, to ensure the efficiency of a common administration of these quotas, there is no obstacle to authorizing Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission, and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within, and represented by, the Benelux economic union, all transactions concerning the administration of the quantities drawn by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

## Article 1

1. From 1 to 31 December 1993, and without prejudice to paragraph 2, the customs duties applicable on importation of the following products originating in Hungary and Romania shall be suspended at levels and within the limits of tariff quotas as indicated with respect to each product:

(a) *Wines originating in Hungary:*

| Order No | CN code <sup>(1)</sup> | Description <sup>(2)</sup>                                                                                                                       | Volume of quota (hl) | Quota duty (% basic) |
|----------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|----------------------|
| 09.7007  | ex 2204 29             | Wine of fresh grapes                                                                                                                             | 5 833                | 80                   |
| 09.7009  | ex 2204 10             | Quality sparkling wine, in containers holding not more than 2 litres                                                                             | 208                  | 80                   |
| 09.7011  | ex 2204 21             | Quality wine, including wine of superior quality and quality wine bearing the geographical indication 'Tokaj' and wine bearing the name 'Tajbor' | 9 583                | 80                   |

<sup>(1)</sup> See the Taric codes in the Annex.

<sup>(2)</sup> Despite the rules for interpreting the combined nomenclature, the description of the products should be taken as a guide only, as the applicability of the preferential arrangements is determined, in the context of this Annex, by the scope of the CN codes. Where ex CN codes are mentioned the applicability of the preferential arrangements is determined on the basis of the CN code and the corresponding description, taken together.

<sup>(1)</sup> Not yet published in the Official Journal.

(b) *Wines originating in Romania:*

| Order No | CN code <sup>(1)</sup>                 | Description <sup>(2)</sup>                                      | Volume of quota (hl) | Quota duty (% basic) |
|----------|----------------------------------------|-----------------------------------------------------------------|----------------------|----------------------|
| 09.7013  | ex 2204 10<br>ex 2204 21<br>ex 2204 29 | Wine of fresh grapes, including sparkling wine and liqueur wine | 9 167                | 80                   |

<sup>(1)</sup> See the Taric codes in the Annex.

<sup>(2)</sup> Despite the rules for interpreting the combined nomenclature, the description of the products should be taken as a guide only, as the applicability of the preferential arrangements is determined, in the context of this Annex, by the scope of the CN codes. Where ex CN codes are mentioned the applicability of the preferential arrangements is determined on the basis of the CN code and the corresponding description, taken together.

2. Admission under the tariff quotas referred to in paragraph 1 shall be confined to wines accompanied by a document VI 1 or an extract VI 2, completed in accordance with the provisions of Regulation (EEC) No 3590/85<sup>(1)</sup>. Document VI 1 must include in Box 15 one of the following endorsements, certified by the appropriate Hungarian or Romanian body:

## (a) quota No 09.7009:

'This is to certify that the wine referred to in this document is a quality sparkling wine in accordance with Hungarian Law No 36/1970 on wine-growing and implementing Regulation No 40/1977 (MEM), as amended by Regulations No 7/1990 (FM) and No 23/1992 (FM)'.

## (b) quota No 09.7011:

'This is to certify that the wine referred to in this document is a quality wine, including wine of superior quality and quality wine bearing the geographical indication "Tokaj" and wine bearing the name "Tajbor" in accordance with Hungarian Law No 36/1970 on wine-growing and implementing Regulation No 40/1977 (MEM), as amended by Regulations No 7/1990 (FM) and No 23/1992 (FM)'.

Furthermore, the wines in question shall remain subject to observance of the free-at-frontier reference prices. In order for these wines to benefit from the tariff quotas, Article 54 of Regulation (EEC) No 822/87<sup>(2)</sup> must be complied with.

*Article 2*

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate

<sup>(1)</sup> OJ No L 343, 20. 12. 1985, p. 20. Regulation as last amended by Regulation (EEC) No 2039/88 (OJ No L 179, 9. 7. 1988, p. 29).

<sup>(2)</sup> OJ No L 84, 27. 3. 1987, p. 1. Regulation as last amended by Regulation (EEC) No 1566/93 (OJ No L 154, 25. 6. 1993, p. 39).

administrative measures in order to ensure effective administration thereof.

*Article 3*

If an importer presents, in a Member State, a declaration of entry into free circulation, including a request for preferential benefit for a product covered by this Regulation, and if this declaration is accepted by the customs authorities, the Member State concerned shall draw from the tariff quota, by means of notification to the Commission, a quantity corresponding to these needs.

The drawing requests, with indication of the date of acceptance of the said declaration, must be communicated to the Commission without delay.

The drawings are granted by the Commission on the basis of the date of acceptance of the declaration of entry into free circulation by the customs authorities of the Member State concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn, it shall return them as soon as possible to the tariff quota.

If the quantities requested are greater than the available balance of the quota, allocation shall be made on a *pro rata* basis with respect to the requests. The Commission shall inform the Member State of the drawings made.

*Article 4*

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota-volume so permits.

*Article 5*

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

*Article 6*

This Regulation shall enter into force on 1 December 1993.

| Order No | CN code    | Taric code                                                                                                                                                                                                                                                                                                                      |
|----------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          |            | 2204 21 59*91<br>2204 21 59*99<br>2204 21 90*10<br>2204 21 90*90                                                                                                                                                                                                                                                                |
| 09.7013  | ex 2204 10 | 2204 10 19*91<br>2204 10 19*99<br>2204 10 90*91<br>2204 10 90*99                                                                                                                                                                                                                                                                |
|          | ex 2204 21 | 2204 21 25*94<br>2204 21 25*95<br>2204 21 29*95<br>2204 21 29*96<br>2204 21 35*11<br>2204 21 35*19<br>2204 21 35*94<br>2204 21 35*95<br>2204 21 35*96<br>2204 21 39*11<br>2204 21 39*19<br>2204 21 39*94<br>2204 21 39*95<br>2204 21 39*96<br>2204 21 49*19<br>2204 21 49*29<br>2204 21 59*19<br>2204 21 59*39<br>2204 21 90*10 |
|          | ex 2204 29 | 2204 29 25*91<br>2204 29 29*91<br>2204 29 35*91<br>2204 29 35*92<br>2204 29 35*93<br>2204 29 39*91<br>2204 29 39*92<br>2204 29 39*93<br>2204 29 49*19<br>2204 29 49*39<br>2204 29 59*19<br>2204 29 59*39<br>2204 29 90*19                                                                                                       |

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 24 November 1993

**to take no action on the tenders received in response to the invitation to tender for the private storage aid of carcasses and half-carcasses of lamb issued under Regulation (EC) No 3037/93**

(93/615/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat<sup>(1)</sup>, as last amended by Regulation (EEC) No 363/93<sup>(2)</sup>, and in particular Article 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat<sup>(3)</sup>, as amended by Regulation (EEC) No 1258/91<sup>(4)</sup>, and in particular Article 12 (1) (f) thereof,

Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat<sup>(5)</sup>, as last amended by Regulation (EEC) No 1258/91, completes the provisions of Regulation (EEC) No 3446/90 and provides in particular for detailed rules on the tendering procedure;

Whereas Commission Regulation (EC) No 3037/93<sup>(6)</sup> invites tenders for the fixing of aid for the private storage of carcasses and half-carcasses of lamb;

Whereas according to Article 12 (1)(f) of Regulation (EEC) No 3446/90 on the basis of the tenders received it is necessary to fix a maximum amount for private storage aid or make no award;

Whereas examination of the offers received, in the light of the current market situation, leads to no award of aid;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Sheep and Goats,

HAS ADOPTED THIS DECISION:

*Article 1*

For the invitation to tender opened by Regulation (EC) No 3037/93, no award of aid is made.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 24 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 289, 7. 10. 1989, p. 1.

<sup>(2)</sup> OJ No L 42, 19. 2. 1993, p. 1.

<sup>(3)</sup> OJ No L 333, 30. 11. 1990, p. 39.

<sup>(4)</sup> OJ No L 120, 15. 5. 1991, p. 15.

<sup>(5)</sup> OJ No L 333, 30. 11. 1990, p. 46.

<sup>(6)</sup> OJ No L 272, 4. 11. 1993, p. 13.

## COMMISSION DECISION

of 30 November 1993

repealing Decisions 90/552/EEC, 90/553/EEC, 91/93/EEC and 92/101/EEC

(93/616/EC)

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

Having regard to Council Directive 92/36/EEC of 29 April 1992 amending, with regard to African horse sickness, Directive 90/426/EEC on animal health conditions governing the movement and import from third countries of equidae<sup>(1)</sup>, and in particular the second paragraph of Article 2 thereof,

Whereas, on account of outbreaks of African horse sickness in Spain and Portugal, the Commission adopted Decision 90/553/EEC of 9 November 1990, determining the limits of the territory infected with African horse sickness<sup>(2)</sup>, as last amended by Decision 92/531/EEC<sup>(3)</sup>, Decision 90/553/EEC of 9 November 1990, establishing the identification mark for equidae vaccinated against African horse sickness<sup>(4)</sup>, Decision 91/93/EEC of 11 February 1991, determining the period of the year during which Portugal may dispatch certain equidae from the part of its territory considered to be infected with African horse sickness<sup>(5)</sup> and Decision 92/101/EEC of 28 January 1992, determining the period of the year during which Spain may dispatch certain equidae from the part of its territory considered to be infected with African horse sickness<sup>(6)</sup>;

Whereas Portugal has been considered not to be infected with African horse sickness since 9 December 1992;

whereas with effect from 1 December 1993 Spain too should be considered not to be infected with African horse sickness; whereas Decisions 90/552/EEC, 90/553/EEC, 91/93/EEC and 92/101/EEC should therefore be repealed;

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*

Decisions 90/552/EEC, 90/553/EEC, 91/93/EEC and 92/101/EEC are hereby repealed.

*Article 2*

This Decision is addressed to the Member States.

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 157, 10. 6. 1992, p. 28.

<sup>(2)</sup> OJ No L 313, 13. 11. 1990, p. 38.

<sup>(3)</sup> OJ No L 334, 19. 11. 1992, p. 34.

<sup>(4)</sup> OJ No L 313, 13. 11. 1990, p. 40.

<sup>(5)</sup> OJ No L 50, 23. 2. 1991, p. 27.

<sup>(6)</sup> OJ No L 39, 15. 2. 1992, p. 46.

## COMMISSION DECISION

of 30 November 1993

approving the plan presented by Germany for the eradication of classical swine fever in feral pigs in Mecklenburg-Western Pomerania, Lower Saxony and the Rhineland Palatinate

(Only the German text is authentic)

(93/617/EC)

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

Having regard to Council Directive 80/217/EEC of 22 January 1980 introducing Community measures for the eradication of classical swine fever<sup>(1)</sup>, as last amended by Decision 93/384/EEC<sup>(2)</sup>, and in particular Article 6a (3) thereof,

Whereas, Germany has communicated to the Commission a plan for the eradication of classical swine fever in feral pigs in Mecklenburg-Western Pomerania, Lower Saxony and the Rhineland Palatinate;

Whereas the plan has been examined and found to comply with Directive 80/217/EEC;

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*

The plan submitted by Germany for the eradication of classical swine fever in feral pigs in Mecklenburg-Western

Pomerania, Lower Saxony and the Rhineland Palatinate is hereby approved.

*Article 2*

Germany shall bring into force before 1 December 1993 the laws, regulations and administrative provisions for implementing the plan referred to in Article 1.

*Article 3*

This Decision is addressed to Germany.

Done at Brussels, 30 November 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 47, 21. 2. 1980, p. 11.

<sup>(2)</sup> OJ No L 166, 8. 7. 1993, p. 34.