

Official Journal

of the European Communities

ISSN 0378-6978

L 301

Volume 36

8 December 1993

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EC) No 3353/93 of 22 November 1993 fixing the guide prices for the fishery products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3759/92 for the 1994 fishing year** 1
- ★ **Council Regulation (EC) No 3354/93 of 22 November 1993 fixing the guide prices for the fishery products listed in Annex II to Regulation (EEC) No 3759/92 for the 1994 fishing year** 4
- ★ **Council Regulation (EC) No 3355/93 of 22 November 1993 fixing the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604 for the 1994 fishing year** 6
- Commission Regulation (EC) No 3356/93 of 7 December 1993 amending Regulation (EEC) No 1516/93 increasing to 400 000 tonnes the quantity of bread-making wheat held by the Danish intervention agency for which a standing invitation to tender for export has been opened 7
- Commission Regulation (EC) No 3357/93 of 7 December 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal 9
- Commission Regulation (EC) No 3358/93 of 7 December 1993 fixing the premiums to be added to the import levies on cereals, flour and malt 11

II *Acts whose publication is not obligatory*

Commission

93/659/EC :

- ★ **Commission Decision of 25 November 1993 on the clearance of the accounts presented by the Member States in respect of the expenditure for 1990 of the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section** 13

Contents (continued)

Corrigenda

- * Corrigendum to Commission Regulation (EEC) No 2238/93 of 26 July 1993 on the accompanying documents for the carriage of wine products and the relevant records to be kept (OJ No L 200 of 10.8.1993) 29**

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 3353/93

of 22 November 1993

fixing the guide prices for the fishery products listed in Annex I (A), (D) and (E)
to Regulation (EEC) No 3759/92 for the 1994 fishing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, and in particular Article 9 (3) thereof,

Having regard to the proposal from the Commission,

Whereas Article 9 (1) and (2) of Regulation (EEC) No 3759/92 provides that a guide price shall be fixed for each of the products listed in Annex I (A), (D) and (E) to the Regulation at a level which will help to stabilize market prices and avoid the formation of surpluses in the Community; whereas that level must also help support producers' income and at the same time take account of consumers' interest;

Whereas the guide price shall be based on the average of prices as defined in Article 9 (2) of that Regulation and on an assessment of production and demand prospects;

Whereas the application of these criteria involves for the 1994 fishing year a decrease for certain products and the stabilization or increase of prices for others compared with prices applicable during the current fishing year;

Whereas in accordance with Articles 169 and 356 of the Act of Accession of Spain and Portugal, a ninth approximation of guide prices must take place on 1 January 1994 for Atlantic sardines of the species *Sardina pilchardus*,

HAS ADOPTED THIS REGULATION:

Article 1

The guide prices for the fishing year from 1 January to 31 December 1994 for the products listed in Annex I (A), (D) and (E) to Regulation (EEC) No 3759/92 and the commercial categories to which they relate are fixed in the Annex hereto.

Article 2

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

It shall apply from 1 January 1994.

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

Done at Brussels, 22 November 1993.

For the Council
The President
A. BOURGEOIS

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EEC) No 1891/93 (OJ No L 172, 15. 7. 1993, p. 1).

ANNEX

Species	Commercial specifications (1)			Guide price (ECU/tonne)
	Freshness category	Size	Presentation	
1. Herrings of the species <i>Clupea harengus</i>	Extra, A	1	Whole fish	From 1 January to 31 July 1994 and from 1 October to 31 December 1994 } 248 From 1 August to 30 September 1994 } 172
2. Sardines of the species <i>Sardina pilchardus</i> :				
(a) Atlantic :				
— Member States other than Spain and Portugal	Extra	3	Whole fish	436
— Spain, Portugal	Extra	3	Whole fish	417
(b) Mediterranean	Extra	3	Whole fish	430
3. Picked dogfish (<i>Squalus acanthias</i>)	Extra, A	2	Whole fish { Gutted fish with head	877 }
4. Catshanks (<i>Scyliorhinus</i> spp.)	Extra, A	1	Whole fish { Gutted fish with head	690 }
5. Redfish (<i>Sebastes</i> spp.)	A	2	Whole fish	931
6. Cod of the species <i>Gadus morhua</i>	A or A	2 3	Gutted fish with head	1 289 }
7. Coalfish (<i>Pollachius virens</i>)	A or A	2 3	Gutted fish with head	659 }
8. Haddock (<i>Melanogrammus aeglefinus</i>)	A or A	2 3	Gutted fish, with head	918 }
9. Whiting (<i>Merlangius merlangus</i>)	A or A	2 3	Gutted fish, with head	780 }
10. Ling (<i>Molva</i> spp.)	Extra, A	1, 2	Gutted fish, with head	955
11. Mackerel of the species <i>Scomber scombrus</i>	Extra or A	1 2	Whole fish	240 }
12. Mackerel of the species <i>Scomber japonicus</i>	Extra or A	1 2	Whole fish	300 }
13. Anchovies (<i>Engraulis</i> spp.)	Extra	2	Whole fish	959

Species	Commercial specifications (1)			Guide price (ECU/tonne)
	Freshness category	Size	Presentation	
14. Plaice (<i>Pleuronectes platessa</i>)	A	2	Gutted fish, with head	From 1 January to 30 April 1994 } 804 From 1 May to 31 December 1994 } 1 106
	A	3	Gutted fish, with head	
15. Hake of the species <i>Merluccius merluccius</i>	A	1	Gutted fish with head	3 132
16. Megrim (<i>Lepidorhombus</i> spp.)	Extra, A	1, 2	Whole fish, or gutted fish with head	1 959
17. Ray's bream (<i>Brama</i> spp.)	Extra, A	1	Whole fish	1 495
18. Monkfish (<i>Lophius</i> spp.)	Extra, A	2, 3	Whole, or gutted with head	2 201
	Extra, A	2, 3	Without head	4 525
19. Shrimps of the species <i>Crangon crangon</i>	A	1	Simply boiled in water	1 684
20. Edible crab (<i>Cancer pagurus</i>)	—	1	Whole	1 467
21. Norway lobster (<i>Nephrops norvegicus</i>)	E, A	1, 2	Whole	4 259
	E, A	2	Tails	6 200
22. Dab (<i>Limanda limanda</i>)	Extra, A	1	Gutted fish with head	752
23. Flounder (<i>Platichthys flesus</i>)	Extra, A	1	Gutted fish with head	450
24. Albacore or longfinned tuna (<i>Thunnus alalunga</i>)	Extra, A	1	Whole fish	1 800
		1	Gutted fish with head	2 100
25. Cuttlefish (<i>Sepia officinalis</i> and <i>Rossia macrosoma</i>)	Extra, A	1, 2	Whole fish	1 300
26. Sole (<i>Soles</i> spp.)	Extra, A	2, 3	Gutted fish with head	5 000

(1) The freshness categories, sizes and presentation are defined to Article 2 of Regulation (EEC) No 3759/92.

COUNCIL REGULATION (EC) No 3354/93

of 22 November 1993

fixing the guide prices for the fishery products listed in Annex II to Regulation (EEC) No 3759/92 for the 1994 fishing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, and in particular Article 9 (3) thereof,

Having regard to the proposal from the Commission,

Whereas Article 9 (1) of Regulation (EEC) No 3759/92 provides that a guide price shall be fixed annually for each of the products or groups of products listed in Annex II to that Regulation;

Whereas, according to the data available at present concerning prices for the products in question and the criteria laid down in Article 9 (2) of that Regulation, these

prices should be increased, maintained or decreased according to the species for the 1994 fishing year,

HAS ADOPTED THIS REGULATION:

Article 1

The guide prices for the fishing year 1 January to 31 December 1994 for the products listed in Annex II to Regulation (EEC) No 3759/92 and the commercial categories to which they relate are fixed in the Annex hereto.

Article 2

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

It shall apply from 1 January 1994.

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

Done at Brussels, 22 November 1993.

*For the Council**The President*

A. BOURGEOIS

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EEC) No 1891/93 (OJ No L 172, 15. 7. 1993, p. 1).

ANNEX

Group of products	Commercial specifications	(ECU/tonne) Guide price
1. Sea bream (<i>Dentex dentex</i> and <i>Pagellus</i> spp.)	Frozen, in lots or in original packages containing the same products	1 294
2. Squid of the species <i>Loligo patagonica</i>	Frozen, not cleaned, in original packages containing the same products	889
3. Squid (<i>Ommastresphes sagittatus</i>)	Frozen, not cleaned, in original packages containing the same products	798
4. <i>Illex argentinus</i>	Frozen, not cleaned, in original packages containing the same products	752
5. Cuttlefish of the species (<i>Sepia officinalis</i> , <i>Rossia macrosoma</i>) and <i>Sepiola rondeletti</i>	Frozen, in original packages containing the same products	1 541
6. Octopus (<i>Octopus</i> spp.)	Frozen, in original packages containing the same products	1 412
7. Lesser or Greenland halibut (<i>Reinhardtius hippoglossoides</i>)	Frozen, in original packages containing the same products	1 500
8. Whole of hake of the genus <i>Merluccius</i> spp.	Frozen, in original packages containing the same products	1 150
9. Fillets of hake of the genus <i>Merluccius</i> spp.	Frozen, in original packages containing the same products	1 450
10. — Prawns of the species <i>Parapenaeus longirostris</i>	Frozen, in original packages containing the same products	4 900
— Other species of the family <i>Penaeidae</i>		6 500

COUNCIL REGULATION (EC) No 3355/93

of 22 November 1993

fixing the Community producer price for tuna intended for the industrial manufacture of products falling within CN code 1604 for the 1994 fishing year

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, and in particular Article 17 (3) thereof,

Having regard to the proposal from the Commission,

Whereas Article 17 (1) of Regulation (EEC) No 3759/92 provides that a Community producer price shall be fixed for tunas (of the genus *Thunnus*), skipjack or stripe-bellied bonito (*Euthynnus (Katsuwonus)* pelamis) and other species of the genus *Euthynnus* intended for the industrial manufacture of products falling within CN code 1604;

Whereas, on the basis of the criteria laid down in Article 17 (2) of the abovementioned Regulation, the price for the 1994 fishing year should be decreased,

HAS ADOPTED THIS REGULATION:

Article 1

The Community producer price for the fishing year 1 January to 31 December 1994 for tunas (of the genus *Thunnus*), skipjack or stripe-bellied bonito (*Euthynnus (Katsuwonus)* pelamis) and other species of the genus *Euthynnus* for the industrial manufacture of products falling within CN code 1604 and the commercial category to which it relates are hereby fixed as follows:

(ECU/tonne)		
Product	Commercial specifications	Guide price
Yellowfin tunas (<i>Thunnus albacares</i>)	Whole, weighing more than 10 kg each	1 011

Article 2

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

It shall apply from 1 January 1994.

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

Done at Brussels, 22 November 1993.

For the Council

The President

A. BOURGEOIS

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EEC) No 1891/93 (OJ No L 172, 15. 7. 1993, p. 1).

COMMISSION REGULATION (EC) No 3356/93

of 7 December 1993

amending Regulation (EEC) No 1516/93 increasing to 400 000 tonnes the quantity of bread-making wheat held by the Danish intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 5 thereof,

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

Whereas Commission Regulation (EEC) No 1516/93⁽⁴⁾, as last amended by Regulation (EC) No 3160/93⁽⁵⁾, opened a standing invitation to tender for the export of 200 000 tonnes of bread-making wheat held by the Danish intervention agency; whereas, in a communication of 25 November 1993, Denmark informed the Commission of the intention of its intervention agency to increase by 200 000 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 Danish intervention agency for which a standing invitation to tender for export has been opened should be increased to 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 1516/93 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 1516/93 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 400 000 tonnes of bread-making wheat to be exported to all third countries.
2. The regions in which the 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 1516/93 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, 7 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 150, 22. 6. 1993, p. 24.

⁽⁵⁾ OJ No L 283, 18. 11. 1993, p. 9.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Jylland	128 925
Sjælland	182 575
Falster	60 500
Møn	28 000'

COMMISSION REGULATION (EC) No 3357/93

of 7 December 1993

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2703/93 ⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 6

December 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 8 December 1993.

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

Done at Brussels, 7 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 245, 1. 10. 1993, p. 108.

ANNEX

to the Commission Regulation of 7 December 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽¹⁾
0709 90 60	80,51 ⁽²⁾ ⁽³⁾
0712 90 19	80,51 ⁽²⁾ ⁽³⁾
1001 10 00	0 ⁽¹⁾ ⁽³⁾
1001 90 91	87,03
1001 90 99	87,03 ⁽²⁾
1002 00 00	113,74 ⁽⁶⁾
1003 00 10	117,98
1003 00 20	117,98
1003 00 80	117,98 ⁽²⁾
1004 00 00	90,74
1005 10 90	80,51 ⁽²⁾ ⁽³⁾
1005 90 00	80,51 ⁽²⁾ ⁽³⁾
1007 00 90	98,31 ⁽⁴⁾
1008 10 00	25,31 ⁽²⁾
1008 20 00	25,14 ⁽⁴⁾
1008 30 00	23,66 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	23,66
1101 00 00	160,57 ⁽²⁾
1102 10 00	196,51
1103 11 30	27,79
1103 11 50	27,79
1103 11 90	183,72
1107 10 11	165,79
1107 10 19	126,62
1107 10 91	220,88 ⁽¹⁰⁾
1107 10 99	167,79 ⁽²⁾
1107 20 00	193,75 ⁽¹⁰⁾

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

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

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

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

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

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

⁽⁹⁾ Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

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

COMMISSION REGULATION (EC) No 3358/93

of 7 December 1993

fixing the premiums to be added to the import levies on cereals, flour and malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

rate established during the reference period from 6 December 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 8 December 1993.

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

Done at Brussels, 7 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 7 December 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 12	1st period 1	2nd period 2	3rd period 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 12	1st period 1	2nd period 2	3rd period 3	4th period 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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 25 November 1993

on the clearance of the accounts presented by the Member States in respect of the expenditure for 1990 of the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section

(93/659/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EEC) No 2048/88 ⁽²⁾, and in particular Article 5 (2) thereof,

After consulting the Fund Committee,

Whereas, pursuant to Article 5 (2) (b) of Regulation (EEC) No 729/70, the Commission, on the basis of the annual accounts presented by the Member States, clears the accounts of the authorities and bodies referred to in Article 4 of that Regulation;

Whereas the Member States have transmitted to the Commission the documents required to clear the accounts for 1990; whereas on the basis of Article 5 (2) (a) of Regulation (EEC) No 729/70 the 1990 financial year began on 16 October 1989 and ended on 15 October 1990;

Whereas the Commission has carried out the checks provided for in Article 9 (2) of Regulation (EEC) No 729/70;

Whereas Article 8 of Commission Regulation (EEC) No 1723/72 of 26 July 1972 on making up accounts for the European Agricultural Guidance and Guarantee Fund,

Guarantee Section ⁽³⁾, as last amended by Regulation (EEC) No 295/88 ⁽⁴⁾, provides that the decision to clear the accounts must include the determination of the amount of expenditure incurred in each Member State during the financial year in question recognized as chargeable to the Guarantee Section of the Fund; whereas Article 102 of the Financial Regulation of 21 December 1977 ⁽⁵⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 610/90 ⁽⁶⁾, provides that the outcome of the clearance decision, that is to say, any discrepancy between the total expenditure booked to the accounts for a financial year pursuant to Articles 100 and 101 and the total expenditure recognized by the Commission when clearing the accounts, is to be booked under a single article, as additional expenditure or a reduction in expenditure;

Whereas, pursuant to Articles 2 and 3 of Regulation (EEC) No 729/70, only refunds on exports to third countries and intervention to stabilize agricultural markets, respectively granted and undertaken according to Community rules within the framework of the common organization of the agricultural markets, may be financed; whereas the inspections carried out show that part of the expenditure declared by the Member States does not meet those conditions and therefore must be disallowed; whereas the amounts declared by each of the Member States concerned, those recognized as chargeable to the EAGGF Guarantee Section and the differences between

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 13.

⁽²⁾ OJ No L 185, 15. 7. 1988, p. 1.

⁽³⁾ OJ No L 186, 16. 8. 1972, p. 1.

⁽⁴⁾ OJ No L 30, 2. 2. 1988, p. 7.

⁽⁵⁾ OJ No L 356, 31. 12. 1977, p. 1.

⁽⁶⁾ OJ No L 70, 16. 3. 1990, p. 1.

the two amounts together with the differences between the expenditure recognized as chargeable to the EAGGF Guarantee Section and that charged in respect of the year are shown in the Annex to this Decision;

Whereas the expenditure relating to implementation of the milk improvement programme declared by Greece amounting to Dr 343 019 260 is not covered by this Decision, given that further examination of this case is necessary in view of the progress made carrying out the concluded contracts; whereas these amounts have therefore been deducted from the expenditure declared by the Member State in respect of the year under consideration and will be cleared subsequently;

Whereas the expenditure disallowed under this Decision with regard to the 1990 financial year for Spain includes an amount of Pta 29 492 159 232, for Greece an amount of Dr 369 593 980 and for Italy an amount of Lit 526 309 029 147, in respect of the additional levy in the milk and milk products sector which should have been collected by those three Member States; whereas these corrections take account of the provisional increase decided by the Council in the guaranteed total quantities of milk in those three Member States for the 1993/94 marketing year; whereas the corrected amounts must be charged to the Member States in question pursuant to this Decision; whereas the Commission reserves the option of applying, in a subsequent decision on the clearance of accounts, a financial correction corresponding to the entire excess deliveries if its verifications fail to confirm the effective application of the milk quota regime in Greece, Spain and Italy within the time limits fixed by the Council; whereas this Decision is nonetheless immediately applicable;

Whereas expenditure disallowed under this Decision with respect to the 1990 financial year for Greece and Italy includes Dr 859 315 339 and Lit 15 697 544 030 respectively in respect of export refunds in the tobacco sector; whereas the same applies to Greece in respect of tobacco premiums, the amount being Dr 3 632 654 033; whereas, in view of the failure to comply with certain Community provisions, the corrected amounts should be charged to those Member States pursuant to this Decision; whereas, however, the special circumstances of these cases justify re-examination by the Commission of the disallowance during the present clearance in the light of the findings of verifications currently underway; whereas this Decision is nonetheless immediately applicable;

Whereas Commission Decision 90/644/EEC⁽¹⁾, as last amended by Decision 92/315/EEC⁽²⁾, concerning expenditure for 1988, does not cover expenditure of Dr

48 065 056 733 declared by Greece in respect of production aid for cotton; whereas Commission Decision 92/491/EEC⁽³⁾, as last amended by Decision 93/524/EEC⁽⁴⁾, concerning expenditure for 1989, does not cover expenditure of DM 760 841 808,23 in respect of export refunds, Dr 58 005 839 787 in respect of production aid for cotton, intervention storage for baled tobacco and the grubbing-up of vines, of Pta 1 766 026 057, FF 499 800 000 and Lit 103 600 591 415 for the grubbing-up of vines and £ 191 293 514 782,91 and £ 19 702 437,99 in respect of export refunds; whereas the Commission's inquiries into this expenditure have now been closed; whereas this Decision should lay down the further action to be taken with regard to these cases;

Whereas Decision 92/491/EEC fixed, subject to revision, financial corrections in respect of export refunds at Bfrs 101 462 150 for Belgium, Pta 626 592 450 for Spain, £ 191 599 097 for Ireland and £ 4 051 029 for the United Kingdom; whereas the Commission undertook to re-examine this disallowance if the Member States concerned, by carrying out additional checks on the expenditure in question, were to provide evidence to eliminate doubts as to the justification for the refunds declared; whereas the inquiry subsequently carried out in Irish export firms showed no anomalies with regard to the declaration; whereas, therefore, the amount for Ireland should be charged to the Community; whereas, on the other hand, the inquiries carried out in Belgium, Spain and the United Kingdom showed anomalies with regard to the declarations made; whereas definitive financial corrections of Bfrs 22 646 327 for Belgium, Pta 24 002 044 for Spain and £ 51 169 for the United Kingdom should therefore be fixed; whereas the amounts of Bfrs 78 815 823 for Belgium, Pta 602 590 406 for Spain and £ 3 999 860 for the United Kingdom should consequently be charged to the Community budget;

Whereas Decision 92/491/EEC fixed, subject to revision, a financial correction of Bfrs 71 307 680 in respect of the basic co-responsibility levy and the additional levy which should have been paid by Belgium in the cereals sector; whereas, however, the Commission undertook to re-examine the disallowance on condition that Belgium provided the evidence requested; whereas scrutiny of the documents provided and the findings of the inspections carried out revealed no information casting doubt on the justification for the financial correction or showing that the situation with regard to checks on collection of the levy had substantially changed; whereas, on the other

⁽¹⁾ OJ No L 350, 14. 12. 1990, p. 82.

⁽²⁾ OJ No L 166, 20. 6. 1992, p. 36.

⁽³⁾ OJ No L 298, 14. 10. 1992, p. 23.

⁽⁴⁾ OJ No L 252, 9. 10. 1993, p. 27.

hand, the correction can be reduced by Bfrs 30 275 887 on the basis of that information; whereas, therefore, this amount should be charged to the Community budget;

Whereas Decision 92/491/EEC fixed, subject to revision, financial corrections at DM 4 217 752 for Germany in respect of export refunds for beef and veal and DM 1 609 109 in respect of private storage for beef, at FF 1 500 000 for France in respect of the late payment of part of the minimum price in the context of production aid for peas and field beans, at Lit 1 241 513 490 for Italy in respect of financial compensation for withdrawals of fruit and vegetables and at Esc 80 074 799 for Portugal in respect of financial compensation for withdrawals of fish in the fisheries sector; whereas, however, the Commission undertook to re-examine the disallowances on condition that the Member States provided the evidence requested; whereas, on the basis of the evidence provided by the Member States in question, the abovementioned amounts can be charged to the Community budget;

Whereas Commission Decision 92/491/EEC fixed, subject to revision, a financial correction of Dr 120 296 927 for Greece in respect of export refunds granted in the cereals sector in view of the illegal grant of national export subsidies; whereas, however, the Commission undertook to re-examine the disallowance; whereas the additional verifications carried out by the Commission revealed no information casting doubt on the justification for the financial correction; whereas, therefore, that correction should now become definitive;

Whereas the Court of Justice, by its judgment of 22 June 1993 in Case C-56/91 *Greece v. Commission* ⁽¹⁾, annulled the accounts clearance decision for 1988 in respect of Greece in so far as it had adopted a financial correction of Dr 245 233 relating to the sale by Greece of beef held in intervention storage; whereas, as a result, and in accordance with Article 176 of the Treaty, the abovementioned amount must be charged in this clearance of accounts to the Community budget for 1988;

Whereas, in its judgment of 14 July 1967 in Joined Cases 5, 7 and 13 to 24/66, *Kampffmeyer and Others v. Commission* ⁽²⁾ and its judgment of 30 November 1967 in Case 30/66 *Firma Becher v. Commission* ⁽³⁾, the Court of Justice found that the Commission bore non-contractual liability to make good the damage caused by Decision 63/553/EEC ⁽⁴⁾, whereby it had authorized Germany to maintain a protective measure in the cereals sector;

whereas, in the abovementioned judgments, the court also decided that the amounts to be actually paid to the parties concerned depended on the question of damages and the interest which would be awarded under German law; whereas under national legal procedures Germany fully compensated the parties concerned; whereas, on the basis of the information forwarded by the German Government and in accordance with the joint liability of the German Government and the Commission for the damage caused, the Commission should charge DM 955 721, being half of the amount paid by Germany, to the Community budget;

Whereas, in respect of Belgium, the inquiries regarding exceptional market support measures in the pigmeat sector and the processing of butter into butteroil are now closed, as are the inquiries in respect of Italy regarding the quality of durum wheat bought into intervention and inspection of withdrawals of fruit and vegetables, the inquiry in respect of the Netherlands regarding the eligibility of butter bought into intervention between 1982 and 1987 and the inquiries in respect of Ireland and Italy with regard to public storage in the context of intervention in the beef and veal sector; whereas this Decision lays down the further action to be taken with regard to these cases;

Whereas Article 8 of Regulation (EEC) No 729/70 provides that the financial consequences arising from irregularities or negligence are not to be borne by the Community if they are the result of irregularities or negligence attributable to administrative authorities or other bodies of the Member States; whereas some of those financial consequences which cannot be borne by the Community budget should be included within the scope of this Decision;

Whereas this Decision is without prejudice to any financial consequences which may be determined in any subsequent clearance of accounts in respect of national aid or infringements for which the procedures started under Articles 93 and 169 of the Treaty are now being implemented or were terminated after 30 April 1993;

Whereas this Decision is without prejudice to any financial consequences determined by the Commission, during a subsequent accounts clearance procedure from current investigations underway at the time of this Decision, from irregularities within the meaning of Article 8 of Regulation (EEC) No 729/70 or from judgments of the Court of Justice in cases now pending and relating to matters covered by this Decision,

⁽¹⁾ Not yet published in the ECR.

⁽²⁾ [1967] ECR, p. 245.

⁽³⁾ [1967] ECR, p. 286.

⁽⁴⁾ OJ No 146, 11. 10. 1963, p. 2479/63.

HAS ADOPTED THIS DECISION:

to in Article 3 of Commission Regulation (EEC) No 2776/88 ⁽¹⁾ for the month of November 1993.

Article 1

The Member States' accounts concerning expenditure financed by the EAGGF Guarantee Section in respect of 1990 are hereby cleared as indicated in the Annex.

Article 2

The amounts arising under points 3 of the Annex are to be taken into account as part of the expenditure referred

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 25 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 249, 8. 9. 1988, p. 9.

ANNEX

BELGIUM

EAGGF Guarantee Section expenditure Financial year: 1990	Bfrs
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	36 708 849 337
(b) Expenditure declared during the preceding year but excluded from that clearance	0
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, coming under the present clearance (a + b + c)	36 708 849 337
(e) Expenditure disallowed	244 678 086
(f) Total expenditure recognized (d + e)	36 953 527 423
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	37 223 301 336
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Total expenditure charged, coming under the present clearance (a + b + c)	37 223 301 336
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	269 773 913

DENMARK

EAGGF Guarantee Section expenditure Financial year : 1990	Dkr
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	8 873 891 435,98
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	8 873 891 435,98
(e) Expenditure disallowed	- 12 741 507,81
(f) Total expenditure recognized (d + e)	8 861 149 928,17
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	8 886 515 021,72
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	8 886 515 021,72
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	25 365 093,55

GERMANY

EAGGF Guarantee Section expenditure Financial year: 1990	DM
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	9 443 565 291,45
(b) Expenditure declared during the preceding year but excluded from that clearance	760 841 808,23
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	10 204 407 099,68
(e) Expenditure disallowed	— 12 138 098,27
(f) Total expenditure recognized (d + e)	10 192 269 001,41
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	9 444 879 736,04
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	760 841 808,23
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	10 205 721 544,27
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	13 452 542,86

GREECE

EAGGF Guarantee Section expenditure Financial year: 1990	Dr
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	375 713 512 722
(b) Expenditure declared during the preceding year but excluded from that clearance	106 070 896 520
(c) Expenditure declared, excluded from the present clearance	– 343 019 260
(d) Expenditure declared, coming under the present clearance (a + b + c)	481 441 389 982
(e) Expenditure disallowed	– 5 068 077 463
(f) Total expenditure recognized (d + e)	476 373 312 519
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	376 000 997 503
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	106 070 896 520
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	– 343 019 260
(d) Total expenditure charged, coming under the present clearance (a + b + c)	481 728 874 763
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d – 1f)	5 355 562 244

SPAIN

EAGGF Guarantee Section expenditure Financial year: 1990	Pta
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	277 982 315 185
(b) Expenditure declared during the preceding year but excluded from that clearance	1 766 026 057
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, coming under the present clearance (a + b + c)	279 748 341 242
(e) Expenditure disallowed	- 29 224 069 973
(f) Total expenditure recognized (d + e)	250 524 271 269
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	277 910 254 332
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	1 766 026 057
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Total expenditure charged, coming under the present clearance (a + b + c)	279 676 280 389
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	29 152 009 120

FRANCE

EAGGF Guarantee Section expenditure Financial year: 1990	FF
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	35 969 122 771,86
(b) Expenditure declared during the preceding year but excluded from that clearance	499 800 000,—
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	36 468 922 771,86
(e) Expenditure disallowed	— 115 180 309,60
(f) Total expenditure recognized (d + e)	36 353 742 462,26
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	35 969 357 000,—
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	499 800 000,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	36 469 157 000,—
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	115 414 537,74

IRELAND

EAGGF Guarantee Section expenditure Financial year : 1990	£ Irl
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	1 285 174 312,84
(b) Expenditure declared during the preceding year but excluded from that clearance	293 514 782,91
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	1 578 689 095,75
(e) Expenditure disallowed	— 2 546 763,54
(f) Total expenditure recognized (d + e)	1 576 142 332,21
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	1 287 100 278,51
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	293 514 782,91
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	1 580 615 061,42
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	4 472 729,21

ITALY

EAGGF Guarantee Section expenditure Financial year: 1990	Lit
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	6 370 613 428 380
(b) Expenditure declared during the preceding year but excluded from that clearance	103 600 591 415
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	6 474 214 019 795
(e) Expenditure disallowed	— 586 129 215 541
(f) Total expenditure recognized (d + e)	5 888 084 804 254
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	6 394 446 710 610
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	103 600 591 415
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	6 498 047 302 025
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	609 962 497 771

LUXEMBOURG

EAGGF Guarantee Section expenditure Financial year: 1990	Lfrs
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	190 405 951
(b) Expenditure declared during the preceding year but excluded from that clearance	0
(c) Expenditure declared, excluded from the present clearance	0
(d) Expenditure declared, coming under the present clearance (a + b + c)	190 405 951
(e) Expenditure disallowed	31 116 620
(f) Total expenditure recognized (d + e)	221 522 571
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	221 522 571
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0
(d) Total expenditure charged, coming under the present clearance (a + b + c)	221 522 571
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	0

NETHERLANDS

EAGGF Guarantee Section expenditure Financial year : 1990	Fl
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	6 650 953 782,54
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	6 650 953 782,54
(e) Expenditure disallowed	- 88 004 857,32
(f) Total expenditure recognized (d + e)	6 562 948 925,22
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	6 650 433 675,19
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	6 650 433 675,19
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	87 484 749,97

PORTUGAL

EAGGF Guarantee Section expenditure Financial year: 1990	Esc
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	38 364 410 470,90
(b) Expenditure declared during the preceding year but excluded from that clearance	0,—
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	38 364 410 470,90
(e) Expenditure disallowed	136 223 980,—
(f) Total expenditure recognized (d + e)	38 500 634 450,90
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	38 364 410 472,50
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	0,—
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	38 364 410 472,50
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	- 136 223 978,40

UNITED KINGDOM

EAGGF Guarantee Section expenditure Financial year : 1990	£
1. Expenditure recognized	
(a) Expenditure declared by the Member State in respect of the present clearance	1 410 029 647,46
(b) Expenditure declared during the preceding year but excluded from that clearance	19 702 437,99
(c) Expenditure declared, excluded from the present clearance	0,—
(d) Expenditure declared, coming under the present clearance (a + b + c)	1 429 732 085,45
(e) Expenditure disallowed	4 318 215,59
(f) Total expenditure recognized (d + e)	1 434 050 301,04
2. Expenditure charged	
(a) Expenditure charged in respect of the present year	1 409 855 516,41
(b) Expenditure charged in respect of the preceding year, but excluded from that clearance	19 702 437,99
(c) Expenditure charged in respect of the present year, but excluded from the present clearance	0,—
(d) Total expenditure charged, coming under the present clearance (a + b + c)	1 429 557 954,40
3. Expenditure chargeable to or payable to the Member State following clearance of the accounts (2d - 1f)	- 4 492 346,64

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2238/93 of 26 July 1993 on the accompanying documents for the carriage of wine products and the relevant records to be kept

(Official Journal of the European Communities No L 200 of 10 August 1993)

On page 26, in Annex II, point C is replaced by the following :

C. Indications required for the completion of the accompanying document referred to in Article 3 (1) (b) of this Regulation (Annex III)

Introductory note :

The model for the accompanying document given in Annex III must be strictly respected. However, the dimensions of the boxes marked by lines and intended for the information laid down are given as a guide only.

	No of box in model given in Annex III
Consignor : full name and address including postal code	1
Reference number : a reference number which identifies the consignment in the records of the consignor (for example, the invoice number)	2
Consignee : full name and address including postal code	3
Competent authority at place of dispatch : the name and address of the competent authority responsible for checking the commercial document at the place of dispatch. This is only required in the case of carriage to another Member State or for export outside the Community	4
Carrier : name and address of the person responsible for organizing the first movement (if different from the consignor)	5
Other transport details : Indicate : (a) the type of transport used (lorry, van, tanker, motor car, railway wagon, rail tanker, aeroplane); (b) registration number or, in the case of a ship, the name (optional)	
Date of dispatch and, where so laid down by the Member State on whose territory carriage begins, the time of dispatch	6
Where there is a change from one type of transport to another, the carrier loading the product must indicate on the back of the document : — the date of dispatch, — the type of transport used and the registration number for vehicles and the name for ships, — his name, forename or company name and address including postal code	
Place of delivery : the actual place of delivery if the goods have not been delivered to the address given for the consignee. For goods to be exported, one of the wordings given in Article 8 (2) must be entered	7
Description of the product carried in accordance with Regulations (EEC) No 2392/89 and (EEC) No 3201/90 and any national rules which apply, in particular compulsory indications	8
Packages and description of goods: identification numbers and number of external packages, number of internal packages	

	No of box in model given in Annex III
The description may be continued on a separate sheet attached to each copy. A packing list could be used for this purpose For bulk carriage : — of wine, the actual alcoholic strength, — of non-fermented products, the refractive index or density, — of products in fermentation, the total alcoholic strength, — of wines with a residual sugar content of more than four grams per litre, in addition to the actual alcoholic strength, the total alcoholic strength Quantity : — for products in bulk, the total net quantity, — for packaged products, the number and nominal volume of the containers used Additional information laid down by the Member State of dispatch : where such information is laid down, the instructions of the Member State concerned must be complied with ; if not, enter a diagonal line in this box Certificate of designated origin or of provenance : see Article 7	9 10 11'