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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 3529/93**of 20 December 1993****extending the provisional anti-dumping duty on imports of fluorspar originating in the People's Republic of China**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas Commission Regulation (EEC) No 2463/93⁽²⁾ imposed a provisional anti-dumping duty on imports of fluorspar originating in the People's Republic of China;

Whereas examination of the facts has not yet been completed and the Commission has informed the exporters known to be concerned of its intention to propose an

extension of the validity of the provisional duty for an additional period of two months;

Whereas the exporters have raised no objections,

HAS ADOPTED THIS REGULATION:

Article 1

The validity of the provisional anti-dumping duty on imports of fluorspar originating in the People's Republic of China imposed by Regulation (EEC) No 2463/93 is hereby extended for a period of two months. It shall cease to apply if, before the expiry of that period, the Council adopts definitive measures or the proceeding is terminated pursuant to Article 9 of Regulation (EEC) No 2423/88.

Article 2

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

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

Done at Brussels, 20 December 1993.

For the Council

The President

W. CLAES

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 226, 7. 9. 1993, p. 3.

COMMISSION REGULATION (EC) No 3530/93

of 22 December 1993

fixing the export refunds on white sugar and raw sugar exported in its unaltered 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⁽¹⁾, as last amended by Regulation (EEC) No 1548/93⁽²⁾, and in particular point (a) of the first subparagraph of 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) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1684/92⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾ 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 representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾, as amended by Regulation (EC) No 3528/93⁽¹⁰⁾, 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⁽¹¹⁾;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should be as set out in the Annex hereto;

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) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 December 1993.

(¹) OJ No L 177, 1. 7. 1981, p. 4.
(²) OJ No L 154, 25. 6. 1993, p. 10.
(³) OJ No L 143, 25. 6. 1968, p. 6.
(⁴) OJ No L 167, 26. 6. 1976, p. 13.
(⁵) OJ No L 89, 10. 4. 1968, p. 3.
(⁶) OJ No L 50, 4. 3. 1970, p. 1.
(⁷) OJ No L 176, 30. 6. 1992, p. 31.

(⁸) OJ No L 102, 28. 4. 1993, p. 14.
(⁹) OJ No L 387, 31. 12. 1992, p. 1.
(¹⁰) OJ No L 320, 22. 12. 1993, p. 32.
(¹¹) OJ No L 108, 1. 5. 1993, p. 106.

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

Done at Brussels, 22 December 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 22 December 1993 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	34,00 ⁽¹⁾
1701 11 90 910	31,94 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	34,00 ⁽¹⁾
1701 12 90 910	31,94 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— 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	36,98
1701 99 10 950	36,98
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3696

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

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

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

COMMISSION REGULATION (EC) No 3531/93
of 21 December 1993

allocating Community quantitative import quotas for unwrought aluminium originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Estonia, Latvia and Lithuania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas⁽¹⁾, and in particular Articles 2 and 11 thereof,

Whereas the Commission, by Regulation (EC) No 3257/93⁽²⁾, amended and extended until 28 February 1994 Regulation (EEC) No 2227/93⁽³⁾ imposing quantitative restrictions on imports of unwrought aluminium falling within CN codes 7601 10 00 and 7601 20 10 originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Estonia, Latvia and Lithuania; whereas in this context the imports in question were subject to an overall Community quantitative quota of 45 000 tonnes for the period 1 December 1993 to 28 February 1994;

Whereas for technical and administrative reasons, the Commission decided against administering the quota solely at Community level and instead provided for it to be distributed among the Member States on the basis of traditional trade flows, in accordance with Article 11 of Regulation (EEC) No 1023/70;

Whereas, to ensure that the chosen method of allocation is compatible with the Treaty and in particular with the spirit of the common commercial policy, a corrective mechanism is needed to guarantee direct imports to Member States whose quotas are exhausted as long as the global Community quota is not;

Whereas a basic Community reserve of 6 750 tonnes should therefore be set up to allow subsequent allocations, to be made no later than 1 February 1994, in response to demand from those who are not traditional importers;

Whereas any portion of Member States' allocations still available at that date should be added to the Community reserve and likewise reallocated;

Whereas to enable the system to be administered effectively, Member States should be required, in addition to

their obligations pursuant to Article 8 (1) of Regulation (EEC) No 1023/70, to notify the Commission when their allocations are exhausted and to inform it by 28 January 1994 of how much of their allocations are still available;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Quota Administration Committee established by Article 10 of Regulation (EEC) No 1023/70,

HAS ADOPTED THIS REGULATION:

Article 1

1. The Community import quota for unwrought aluminium falling within CN codes 7601 10 00 and 7601 20 10 originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Estonia, Latvia and Lithuania from 1 December 1993 to 28 February 1994, as set by Regulation (EC) No 3257/93, shall be divided into two lots, the first of which shall be distributed among the Member States in accordance with the Annex hereto.

2. The second lot of 6 750 tonnes shall constitute a Community reserve to be allocated subsequently, according to the procedure established in Regulation (EEC) No 1023/70, by 1 February 1994 at the latest, taking into account demand from those who are not traditional importers.

Article 2

Each Member State shall inform the Commission, by 28 January 1994 at the latest, of how much of its allocation is still available. This amount shall be transferred to the Community reserves and allocated in the manner set out in Article 1 (2).

Article 3

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

It shall apply until 28 February 1994.

⁽¹⁾ OJ No L 124, 8. 6. 1970, p. 1.

⁽²⁾ OJ No L 293, 27. 11. 1993, p. 40.

⁽³⁾ OJ No L 198, 7. 8. 1993, p. 21.

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

Done at Brussels, 21 December 1993.

For the Commission

Leon BRITTAN

Member of the Commission

ANNEX

Allocation of the first part of the Community quota referred to in Article 1 (1)

(tonnes)	
Member State	Quota
France	31
Belgium/Luxembourg	799
Netherlands	15 652
Germany	16 077
Italy	3 683
United Kingdom	486
Ireland	0
Denmark	0
Greece	340
Portugal	195
Spain	987

COMMISSION REGULATION (EC) No 3532/93
of 22 December 1993
on the supply of tomato concentrate as food aid

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

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

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain recipients 467 tonnes of tomato concentrate;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Tomato concentrate shall be mobilized in the Community as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 22 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOTS A, B, C and D

1. **Operation Nos** (1): 1016/93 (Lot A); 1017/93 (Lot B); 1018/93 (Lot C) and 1019/93 (Lot D)
2. **Programme**: 1993
3. **Recipient** (2): UNRWA Headquarters, Supply Division, Vienna International Centre, PO Box 700, A-1400 Vienna; (telex 135310 UNRWA A, fax (1) 230 75 29)
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officers
 - Ashdod: West Bank, PO Box 19149, Jerusalem (tel.: 972 (2) 89 05 55; telex: 26194 UNRWA IL; telefax: 972 (2) 81 65 64)
 - Latakia: PO Box 4313, Damascus, SAR (tel.: 963 (11) 66 02 17; telex: 412006 UNRWA SY; telefax: 963 (11) 24 75 13)
 - Beirut: PO Box 947, Beirut, Lebanon, (tel.: 86 31 32; telex: 21430 UNRWA LE; telefax: 87 11 45 02 32 (satellite))
 - Amman: PO Box 484, Amman, Jordan, (tel.: 962 (6) 74 19 14 — 77 22 26; telex: 23402 UNRWA JFO JO; telefax: 962 (6) 68 54 76)
5. **Place or country of destination** (3):
 - Lot A: Israel
 - Lot B: Syria
 - Lot C: Lebanon
 - Lot D: Jordan
6. **Product to be mobilized**: tomato concentrate
7. **Characteristics and quality of the goods** (3): see OJ No C 114, 29. 4. 1991, p. 1 (under VIA.1)
8. **Total quantity**: 467 tonnes
9. **Number of lots**: four: (Lot A: 238 tonnes; Lot B: 45 tonnes; Lot C: 100 tonnes; Lot D: 84 tonnes)
10. **Packaging and marking** (4) (7) (8):
 - OJ No C 114, 29. 4. 1991, p. 1 (under VIA.2 and VIA.3)
 - Markings in English
 - Supplementary markings on the packaging: 'UNRWA — Expiry date:.....'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: Lots A and B: free at port of landing — landed
 - Lots C and D: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lot A: Ashdod; Lot B: Latakia
16. **Address of the warehouse and, if appropriate, port of landing**:
 - Lot C: UNRWA Warehouse in Beirut, Lebanon
 - Lot D: UNRWA Warehouse in Amman, Jordan
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 7 to 20. 2. 1994
18. **Deadline for the supply**: Lots A and B: 13. 3. 1994
 - Lots C and D: 20. 3. 1994
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 10. 1. 1994 (Brussels time)

21. A. In the case of a second invitation to tender :

- (a) deadline for the submission of tenders : 12 noon on 24. 1. 1994 (Brussels time)
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 21. 2 to 6. 3. 1994
- (c) deadline for the supply : Lots A and B : 27. 3. 1994
Lots C and D : 3. 4. 1994

B. In the case of a third invitation to tender :

- (a) deadline for the submission of tenders : 12 noon on 7. 2. 1994 (Brussels time)
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 7 to 20. 3. 1994
- (c) deadline for the supply : Lots A and B : 10. 4. 1994
Lots C and D : 17. 1. 1994

22. Amount of tendering security : ECU 15 per tonne**23. Amount of delivery security : 10 % of the amount of the tender in ecus****24. Address for submission of tenders and tendering securities ⁽¹⁾ :** Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles ; (telex 22037 / 25670 AGREC B ; telefax (32/2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)**25. Refund payable on application by the successful tenderer ⁽¹⁾ : —***Notes :*

- ⁽¹⁾ The operation number should be mentioned in all correspondence.
- ⁽²⁾ The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- ⁽³⁾ The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document :

— sanitary certificate.

Lot B : The health certificate and the certificate of origin must be signed and stamped by a Syrian consulate, including a statement that consular fees and charges have been paid.

- ⁽⁴⁾ Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- ⁽⁵⁾ Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- ⁽⁶⁾ Lots A, C and D :

Consignment to be stowed in 20-foot containers.

Lot A : The contracted shipping terms shall be considered full liners terms (liner in/liner out) free at port of landing container yard and are understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 days free of container detention charges should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.

After take over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.

Ashdod : consignment to be stowed in 20-foot containers not more than 17 tonnes each, net.

- ⁽⁷⁾ Lots A, B and C : The date of expiry shall correspond to the date of manufacture plus two years.
Lot D : The date of expiry shall correspond to the date of manufacture plus one year.

- ⁽⁸⁾ Notwithstanding OJ No C 114, point VI.A.3 (c) is replaced by the following : 'the words "European Community".'

COMMISSION REGULATION (EC) No 3533/93

of 21 December 1993

amending Regulations (EEC) No 3444/90, (EEC) No 3445/90 and (EEC) No 3446/90, laying down detailed rules for granting private storage aid for pigmeat, beef and veal, and sheepmeat and goatmeat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Article 7 (2) and the second subparagraph of Article 22 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽³⁾, as last amended by Regulation (EEC) No 747/93⁽⁴⁾, and in particular Articles 8 (2) and 25 thereof,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽⁵⁾, as last amended by Regulation (EEC) No 363/93⁽⁶⁾, and in particular Article 7 (5) and the second paragraph of Article 28 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⁽⁷⁾, and in particular Article 6 (2) thereof,

Whereas there is some ambiguity in the current texts of Commission Regulations (EEC) No 3444/90⁽⁸⁾, as amended by Regulation (EEC) No 3792/90⁽⁹⁾, (EEC) No 3445/90⁽¹⁰⁾ and (EEC) No 3446/90⁽¹¹⁾, as last amended by Regulation (EEC) No 1258/91⁽¹²⁾, as regards the penalty to be imposed in the event that the time limit for placing in storage is exceeded; whereas therefore it is necessary to clarify the text on this point;

Whereas Regulation (EEC) No 3813/92 introduces new agrimonetary arrangements as from 1 January 1993; whereas, under those arrangements, Commission Regula-

tion (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽¹³⁾ establishes the operative events for the agricultural conversion rates; whereas, therefore, it is necessary to establish the operative event for private storage in the pigmeat sector, provided for in Regulation (EEC) No 3444/90, in the beef and veal sector provided for in Regulation (EEC) No 3445/90 and in the sheepmeat and goatmeat sector, provided for in Regulation (EEC) No 3446/90;

Whereas experience has shown that in certain circumstances, and in particular where excessive use is made of the private-storage aid scheme, there is a risk of abuse in applying it;

Whereas, therefore, decisions on applications to conclude contracts should be notified only after a period for reflection has elapsed; whereas that period must allow the market situation to be assessed and permit provision to be made, where appropriate, for special measures applying in particular to applications pending; whereas, in order to be able to administer this system, the Commission must have information about the quantities of products for which applications to conclude contracts have been submitted;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committees for Pigmeat, Beef and Veal and Sheepmeat and Goatmeat,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3444/90 is hereby amended as follows:

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

'5. Where the time limit for placing in storage, as referred to in Article 4 (1), is exceeded, the security shall be forfeit in accordance with Article 23 of Regulation (EEC) No 2220/85.

Subject to the provisions of Article 6 (3), if the time limit under Article 4 (1) is exceeded by more than 10 days, the aid shall not be granted.'

⁽¹⁾ OJ No L 282, 11. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 77, 31. 3. 1993, p. 15.

⁽⁵⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽⁶⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 333, 30. 11. 1990, p. 22.

⁽⁹⁾ OJ No L 365, 28. 12. 1990, p. 5.

⁽¹⁰⁾ OJ No L 333, 30. 11. 1990, p. 30.

⁽¹¹⁾ OJ No L 333, 30. 11. 1990, p. 39.

⁽¹²⁾ OJ No L 120, 15. 5. 1991, p. 15.

⁽¹³⁾ OJ No L 108, 1. 5. 1993, p. 106.

2. Article 8 is replaced by the following:

Article 8

The conversion rate to be applied:

- to the amounts of aid shall be the agricultural conversion rate in force on the day referred to in Article 9 (2),
- to the amounts of securities shall be the agricultural conversion rate in force on the day on which the security is lodged with the intervention agency.';

3. Article 11 (b) is replaced by the following:

- '(b) Decisions on applications to conclude contracts shall be notified by the competent intervention agency to each applicant by registered letter, telex or telefax, or delivered against an acknowledgment of receipt, on the fifth working day following the day on which the application is submitted, provided that the Commission does not adopt special measures in the intervening period.

Where an examination of the situation reveals that excessive use has been made of the scheme introduced by this Regulation, or if there is a risk of excessive use, such measures may include:

- suspending the application of this Regulation for not more than five working days. In that event, applications to conclude contracts submitted during that period shall not be accepted,
- setting a single percentage by which the quantities in the applications to conclude contracts are reduced, subject to observance of the minimum contractual quantity where appropriate,
- rejecting applications made before the period of suspension whose acceptance would have been decided on during the period of suspension.';

4. Article 15 (2) is replaced by the following:

'2. Member States shall notify the Commission by telex or by telefax:

- (a) on Monday and Thursday of each week, of the quantities of products for which applications to conclude contracts have been submitted;
- (b) before Thursday of each week and broken down by storage period, of the products and quantities for which contracts have been concluded during the preceding week, giving a summary of the products and quantities for which contracts have been concluded;
- (c) every month, of the products and total quantities placed in storage;

- (d) every month, of the products and total quantities actually in storage and of the products and total quantities in respect of which the contractual storage period has ended;

- (e) every month, if the storage period has been shortened or extended in accordance with Article 3 (3) (g) or reduced in accordance with Article 9 (4) or (6), of the products and quantities in respect of which the storage period has been revised and of the original and revised months for removal from storage.'

Article 2

Regulation (EEC) No 3445/90 is hereby amended as follows:

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

- '5. Where the time limit for placing in storage, as referred to in Article 4 (1), is exceeded, the security shall be forfeit in accordance with Article 23 of Regulation (EEC) No 2220/85.

Subject to the provisions of Article 6 (3), if the time limit under Article 4 (1) is exceeded by more than 10 days, the aid shall not be granted.';

2. Article 8 is replaced by the following:

Article 8

The conversion rate to be applied:

- to the amounts of aid shall be the agricultural conversion rate in force on the day referred to in Article 9 (2),
- to the amounts of securities shall be the agricultural conversion rate in force on the day on which the security is lodged with the intervention agency.';

3. Article 11 (b) is replaced by the following:

- '(b) Decisions on applications to conclude contracts shall be notified by the competent intervention agency to each applicant by registered letter, telex or telefax, or delivered against an acknowledgment of receipt, on the fifth working day following the day on which the application is submitted, provided that the Commission does not adopt special measures in the intervening period.

Where an examination of the situation reveals that excessive use has been made of the scheme introduced by this Regulation, or if there is a risk of excessive use, such measures may include:

- suspending the application of this Regulation for not more than five working days. In that event, applications to conclude contracts submitted during that period shall not be accepted,

- setting a single percentage by which the quantities in the applications to conclude contracts are reduced, subject to observance of the minimum quantity where appropriate,
- rejecting applications made before the period of suspension whose acceptance would have been decided on during the period of suspension.';

4. Article 15 (2) is replaced by the following:

'2. Member States shall notify the Commission by telex or by telefax:

- (a) on Monday and Thursday of each week, of the quantities of products for which applications to conclude contracts have been submitted;
- (b) before Thursday of each week and broken down by storage period, of the products and quantities for which contracts have been concluded during the preceding week, giving a summary of the products and quantities for which contracts have been concluded;
- (c) every month, of the products and total quantities placed in storage and, in the case of deboning, of the total quantity of non-deboned meat employed;
- (d) every month, of the products and total quantities actually in storage and of the products and total quantities in respect of which the contractual storage period has ended;
- (e) every month, if the storage period has been shortened or extended in accordance with Article 3 (3) (g) or reduced in accordance with Article 9 (4) or (6), of the products and quantities in respect of which the storage period has been revised and of the original and revised months for removal from storage.

Article 3

Regulation (EEC) No 3446/90 is hereby amended as follows:

1. in the second citation, 'Article 7 (4)' is replaced by 'Article 7 (5)';

2. Article 5 (5) is replaced by the following:

'5. Where the time limit for placing in storage, as referred to in Article 4 (1), is exceeded, the security shall be forfeit in accordance with Article 23 of Regulation (EEC) No 2220/85.

Subject to the provisions of Article 6 (3), if the time limit under Article 4 (1) is exceeded by more than 10 days, the aid shall not be granted.';

3. Article 8 is replaced by the following:

Article 8

The conversion rate to be applied:

- to the amounts of aid shall be the agricultural conversion rate in force on the day referred to in Article 9 (2),
- to the amounts of securities shall be the agricultural conversion rate in force on the day on which the security is lodged with the intervention agency.';

4. Article 11 (b) is replaced by the following:

'(b) Decisions on applications to conclude contracts shall be notified by the competent intervention agency to each applicant by registered letter, telex or telefax, or delivered against an acknowledgement of receipt, on the fifth working day following the day on which the application is submitted, provided that the Commission does not adopt special measures in the intervening period.

Where an examination of the situation reveals that excessive use has been made of the scheme introduced by this Regulation, or if there is a risk of excessive use, such measures may include:

- suspending the application of this Regulation for not more than five working days. In that event, applications to conclude contracts submitted during that period shall not be accepted,
- setting a single percentage by which the quantities in the applications to conclude contracts are reduced, subject to observance of the minimum quantity where appropriate,
- rejecting applications made before the period of suspension whose acceptance would have been decided on during the period of suspension.';

5. Article 15 (2) is replaced by the following:

'2. Member States shall notify the Commission by telex or by telefax:

- (a) on Monday and Thursday of each week, of the quantities of products for which applications to conclude contracts have been submitted;
- (b) before Thursday of each week and broken down by storage period, of the products and quantities for which contracts have been concluded during the preceding week, giving a summary of the products and quantities for which contracts have been concluded;

- (c) every month, of the products and total quantities placed in storage ;
- (d) every month, of the products and total quantities actually in storage and of the products and total quantities in respect of which the contractual storage period has ended ;
- (e) every month, if the storage period has been shortened or extended in accordance with Article 3 (3) (g) or reduced in accordance with Article 9 (5), of the products and quantities in respect of which the

storage period has been revised and of the original and revised months for removal from storage.'

Article 4

This Regulation shall enter into force on 1 January 1994.

It shall apply to the private storage opened as from that date.

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

Done at Brussels, 21 December 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3534/93

of 21 December 1993

amending Regulation (EEC) No 3567/92 laying down detailed rules for the application of the individual limits, national reserves and transfer of rights

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⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, and in particular Article 5a (4) (b) and (f) thereof,

Whereas the implementation of the individual limit system introduced by Article 5a of Regulation (EEC) No 3013/89 has led to administrative difficulties for some Member States entailing major delays in the allocation of those individual limits; whereas, as a result, some producers have not been able to transfer rights or temporarily lease within the time limits laid down in Article 7 (2) of Commission Regulation (EEC) No 3567/92⁽³⁾, as last amended by Regulation (EEC) No 2869/93⁽⁴⁾; whereas these delays have led the Commission to authorize the Member States, in the latter Regulation, to set, for the 1993 and 1994 marketing years, a second time limit for notification by interested producers of the said transfer of rights or temporary leasing of rights;

Whereas some producers who are members of a producer group are at present unable to benefit from the additional time limit offered by Regulation (EEC) No 2869/93 as regards the temporary leasing of rights within the same group; whereas it would be unjust to maintain this administrative obstacle for those producers; whereas, as a result, these producers should also be allowed to carry out the temporary leasing planned for the 1993 and 1994 marketing years by amending Article 7 (2) of Regulation (EEC) No 3567/92 for the second time;

Whereas Article 12 (7) of Regulation (EEC) No 3567/92 provides that any application submitted in respect of 1993 for a number of animals in excess of the individual limits

fixed by the authorities of the Member States are to be reduced to the number corresponding to the said limits; whereas the purpose of this provision is to prevent producers being obliged to keep a number of animals exceeding the corresponding number of the individual limit fixed by a Member State for the 1993 marketing year; whereas, given the administrative problems in certain Member States entailing delays in the allocation of individual limits, provision should be made for this principle to be followed for the marketing years subsequent to 1993;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3567/92 is hereby amended as follows:

1. in the first sentence of the third subparagraph of Article 7 (2), 'for producers fulfilling one of the following conditions:' is replaced by the following:

'for producers who are members of a producer group wishing to temporarily lease rights to the premium between members within that group as well as for producers fulfilling one of the following conditions in the case of a transfer of rights or temporary lease of rights to the premium:';

2. Article 12 (7) is replaced by the following:

'7. Any application submitted for a number of animals in excess of the individual limits determined in accordance with Article 2 (1) shall be reduced to the number corresponding to the said limits.'

Article 2

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

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 362, 11. 12. 1992, p. 41.

⁽⁴⁾ OJ No L 262, 21. 10. 1993, p. 28.

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

Done at Brussels, 21 December 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3535/93**of 22 December 1993****suspending advance fixing of export refunds on 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⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular the first subparagraph of Article 13 (7) thereof,

Having regard to 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⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, and in particular the second subparagraph of Article 5 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽⁵⁾, as last amended by Regulation (EEC) No 1544/93⁽⁶⁾ and in particular the second subparagraph of Article 17 (7) thereof,

Whereas the first subparagraph of Article 13 (7) of Regulation (EEC) No 1766/92, the second subparagraph of Article 5 (3) of Regulation (EEC) No 3035/80 and the second subparagraph of Article 17 (7) of Regulation (EEC) No 1418/76 make provision for advance fixing of the

refund to be suspended for basic products exported in the form of certain goods;

Whereas the situation on certain markets may make it necessary for the refunds to be adjusted; whereas in order to prevent applications for advance fixing of refunds for speculative purposes, the abovementioned advance fixing should be suspended until this adjustment comes into force;

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

Advance fixing of export refunds on cereals and rice, 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, is suspended until 6 January 1994 inclusive.

Article 2

This Regulation shall enter into force on 23 December 1993.

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

Done at Brussels, 22 December 1993.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁶⁾ OJ No L 154, 25. 6. 1993, p. 5.

COMMISSION REGULATION (EC) No 3536/93

of 22 December 1993

fixing the import levy on molasses

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 ⁽¹⁾, as last amended by Regulation (EEC) No 1548/93 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾, and in particular Article 5 thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1693/93 ⁽⁵⁾, as last amended by Regulation (EC) No 3442/93 ⁽⁶⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1693/93 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

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

rate established during the reference period from 21 December 1993 as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be fixed, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00, to ECU 0,31 per 100 kilograms.

2. However, no import levy applies to OCT originating products according to Article 101 (1) of Council Decision 91/482/EEC ⁽⁷⁾.

Article 2

This Regulation shall enter into force on 23 December 1993.

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

Done at Brussels, 22 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 36.

⁽⁶⁾ OJ No L 314, 16. 12. 1993, p. 30.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

COMMISSION REGULATION (EC) No 3537/93**of 22 December 1993****suspending advance fixing of the export refunds for certain products processed
from cereals and rice and cereal-based compound feedingstuffs**

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 the first subparagraph of Article 13 (7) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1544/93 ⁽⁴⁾, and in particular the first paragraph of Article 17 (7) thereof,

Whereas Article 13 (7) of Regulation (EEC) No 1766/92 and Article 17 (7) of Regulation (EEC) No 1418/76 provide that the provisions concerning advance fixing of the refund may be suspended if the market situation shows that the application of these provisions is causing or is likely to cause difficulties;

Whereas, in view of the uncertainty reigning on the markets, there is a danger that the continuation of the

present system could give rise to speculative operations; whereas the advance fixing of the export refunds on products processed from cereals and rice and cereal-based compound feedingstuffs;

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

Advance fixing of the export refund for products listed in the Article 1 (1) (d) of Regulation (EEC) No 1766/92 and Article 1 (1) (c) of Regulation (EEC) No 1418/76 is suspended from 23 December 1993 to 6 January 1994.

Article 2

This Regulation shall enter into force on 23 December 1993.

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

Done at Brussels, 22 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.

COMMISSION REGULATION (EC) No 3538/93**of 22 December 1993****fixing the maximum export refund for white sugar for the 30th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1144/93**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1548/93⁽²⁾, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1144/93 of 10 May 1993 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1144/93, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 30th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾ 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. For the 30th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1144/93 the maximum amount of the export refund is fixed at ECU 39,520 per 100 kilograms.

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.

Article 2

This Regulation shall enter into force on 23 December 1993.

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

Done at Brussels, 22 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 116, 12. 5. 1993, p. 5.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

COMMISSION REGULATION (EC) No 3539/93

of 22 December 1993

fixing the production refund for white sugar used in the chemical industry

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1548/93⁽²⁾, and in particular Article 9 (6) thereof,

Whereas pursuant to Article 9 (3) of Regulation (EEC) No 1785/81 it may be decided to grant production refunds on the products listed in Article 1 (1) (a) and (f) and on the syrups listed in Article 1 (1) (d) thereof which are in one of the situations referred to in Article 9 (2) of the Treaty and which are used in the manufacture of certain products of the chemical industry;

Whereas Council Regulation (EEC) No 1010/86 of 25 March 1986 laying down general rules for the production refund on certain sugar products used in the chemical industry⁽³⁾, as last amended by Regulation (EEC) No 464/91⁽⁴⁾, establishes the framework within which the production refunds may be determined and lists the chemical products of which the manufacture makes it possible to grant a production refund for the basic products used in their manufacture; whereas Articles 5, 6 and 7 of Regulation (EEC) No 1010/86 provide that the production refund granted for raw sugar, sucrose syrups and unprocessed isoglucose shall be derived from the refund fixed for white sugar according to a method of calculation peculiar to each of these basic products;

Whereas Commission Regulation (EEC) No 1729/78 of 24 July 1978 laying down detailed rules of application in respect of the production refund for sugar used in the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) No 464/91, specifies the method to be used for

establishing the production refund; whereas Article 1 of Regulation (EEC) No 1729/78 provides that the production refund for white sugar shall be fixed at three-monthly intervals for the periods beginning 1 July, 1 October, 1 January and 1 April; whereas the application of the abovementioned method entails fixing the production refund as stated in Article 1 for the period referred to therein;

Whereas the amendment of the definition of white sugar and raw sugar referred to in Article 1 (2) (a) and (b) of Regulation (EEC) No 1785/81 has the consequence that flavoured sugars or sugars containing added colouring agents or other substances are no longer considered as falling within these definitions but are to be considered as 'other sugars'; whereas Article 1 of Regulation (EEC) No 1010/86 provides for these sugars to be eligible as basic products to the production refund; whereas a method of calculation based on their sucrose content should be laid down for establishing the production refund applicable to these products;

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 production refund per 100 kilograms of white sugar referred to in Article 4 of Regulation (EEC) No 1010/86 is hereby fixed at ECU 32,765 for the quarter 1 January to 31 March 1994.

Article 2

This Regulation shall enter into force on 1 January 1994.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁴⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽⁵⁾ OJ No L 201, 25. 7. 1978, p. 26.

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

Done at Brussels, 22 December 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3540/93
of 22 December 1993
fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 1548/93 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93 ⁽⁴⁾, as last amended by Regulation (EC) No 3487/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1695/93 to the information known to the Commission that the

levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 21 December 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 23 December 1993.

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

Done at Brussels, 22 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 40.

⁽⁵⁾ OJ No L 317, 18. 12. 1993, p. 51.

ANNEX

to the Commission Regulation of 22 December 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	34,57 ⁽¹⁾
1701 11 90	34,57 ⁽¹⁾
1701 12 10	34,57 ⁽¹⁾
1701 12 90	34,57 ⁽¹⁾
1701 91 00	42,62
1701 99 10	42,62
1701 99 90	42,62 ⁽²⁾

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

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

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

COMMISSION REGULATION (EC) No 3541/93**of 22 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⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2703/93 ⁽⁵⁾ 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 21

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 23 December 1993.

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

Done at Brussels, 22 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 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 108.

ANNEX

to the Commission Regulation of 22 December 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Third countries ⁽⁹⁾
0709 90 60	79,84 ⁽²⁾ ⁽³⁾
0712 90 19	79,84 ⁽²⁾ ⁽³⁾
1001 10 00	0 ⁽¹⁾ ⁽⁵⁾
1001 90 91	85,70
1001 90 99	85,70 ⁽²⁾
1002 00 00	113,74 ⁽⁶⁾
1003 00 10	117,44
1003 00 20	117,44
1003 00 80	117,44 ⁽²⁾
1004 00 00	92,22
1005 10 90	79,84 ⁽²⁾ ⁽³⁾
1005 90 00	79,84 ⁽²⁾ ⁽³⁾
1007 00 90	90,98 ⁽⁴⁾
1008 10 00	25,53 ⁽²⁾
1008 20 00	54,99 ⁽⁴⁾
1008 30 00	0 ⁽⁷⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	157,50 ⁽²⁾
1102 10 00	197,54
1103 11 30	23,26
1103 11 50	23,26
1103 11 90	180,65
1107 10 11	163,42
1107 10 19	124,86
1107 10 91	219,92 ⁽¹⁰⁾
1107 10 99	167,07 ⁽²⁾
1107 20 00	192,91 ⁽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 3542/93
of 22 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⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93⁽⁵⁾ 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 21

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 23 December 1993.

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

Done at Brussels, 22 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 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 22 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)

COUNCIL

COUNCIL DECISION

of 13 December 1993

granting a Community guarantee to the European Investment Bank against losses under loans for projects in central and eastern European countries (Poland, Hungary, the Czech Republic, the Slovak Republic, Romania, Bulgaria, Estonia, Latvia, Lithuania and Albania)

(93/696/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

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

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

Whereas the peoples of central and eastern Europe have close ties and share a common destiny with the peoples of the Community; whereas these ties have been strengthened by the trade and cooperation agreements signed for an indefinite period;

Whereas these countries (Poland, Hungary, the Czech Republic, the Slovak Republic, Romania, Bulgaria, Estonia, Latvia, Lithuania and Albania) are undertaking major political and social reforms and have embarked on a fundamental restructuring of their economies; whereas the Ministers of the Group of 24 (G-24) welcomed this at their meeting on 11 November 1991 and decided to extend G-24 coordinated economic assistance to them;

Whereas these economic reforms will make a decisive contribution to the rapid establishment of mutually beneficial economic and commercial links between these countries and the Community;

Whereas, in particular, there is a great need for capital investment in these countries; whereas this investment

requires external finance; whereas the European Investment Bank (hereinafter referred to as 'the Bank') could make an important contribution;

Whereas the Bank is completing an initial three-year loan programme for Poland and Hungary pursuant to Council Decision 90/62/EEC ⁽³⁾ and a two-year programme for the Czech and Slovak Republics, Bulgaria and Romania pursuant to Council Decision 91/252/EEC ⁽⁴⁾, with encouraging results according to the Bank's report on this first phase; whereas, pursuant to the Europe Agreements signed on 16 December 1991, these programmes should be renewed;

Whereas similar provisions have been approved for the Baltic States; whereas these measures should be extended to include Albania;

Whereas the European Council meeting in Edinburgh on 12 December 1992 called on the Council and the Bank to create a new, temporary lending facility within the Bank to finance infrastructure projects, notably those relating to trans-European networks; whereas these networks may include projects involving central and eastern European countries in so far as such projects are of mutual interest;

Whereas, in future, the Bank's activities in all these countries must be accorded uniform treatment within an overall framework;

⁽¹⁾ OJ No C 160, 12. 6. 1993, p. 8.

⁽²⁾ OJ No C 315, 22. 11. 1993.

⁽³⁾ OJ No L 42, 16. 2. 1990, p. 68.

⁽⁴⁾ OJ No L 123, 18. 5. 1991, p. 44.

Whereas the Council is calling on the Bank to continue its operations in support of investment projects carried out in those countries by offering it the guarantee provided for in this Decision;

Whereas the Bank and the Commission should fix the terms for granting the guarantee,

HAS DECIDED AS FOLLOWS:

Article 1

1. The Community shall guarantee in full *vis-à-vis* the European Investment Bank any payments not received by it but due under loans granted, in accordance with its usual criteria, in respect of investment projects carried out in the central and eastern European countries (Poland, Hungary, the Czech Republic, the Slovak Republic, Romania, Bulgaria, Estonia, Latvia, Lithuania and Albania).

This guarantee shall be restricted to an overall loan ceiling of ECU 3 000 million over a period of three years beginning on the date this Decision takes effect. If, on expiry of this period, the loans granted by the Bank have not attained the overall amount referred to above, the three-year period shall be automatically extended by six months.

2. The loan guarantee ceiling referred to in the second subparagraph of paragraph 1 shall include the provisions adopted in respect of investments in Estonia, Latvia and Lithuania.

Article 2

The Commission shall inform the European Parliament and the Council every six months of the situation regarding loans signed. To that end, the Bank shall regularly transmit to the Commission the appropriate information.

Article 3

The Commission shall inform the European Parliament and the Council each year of the loan operations and shall at the same time submit an assessment of the operation of the scheme and of coordination between the financial institutions operating in that area.

Article 4

The Bank and the Commission shall fix the terms on which the guarantee is to be given.

Article 5

This Decision shall take effect on the day of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 13 December 1993.

For the Council

The President

Ph. MAYSTADT

COUNCIL DECISION

of 13 December 1993

authorizing certain Member States to apply or to continue to apply to certain mineral oils, when used for specific purposes, reduced rates of excise duty or exemptions from excise duty, in accordance with the procedure provided for in Article 8 (4) of Directive 92/81/EEC

(93/697/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/81/EEC of 19 October 1992 on the harmonization of the structures of excise duties on mineral oils⁽¹⁾, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas, pursuant to Article 8 (4) of Directive 92/81/EEC, the Council, acting unanimously on a proposal from the Commission, may authorize any Member State to introduce further exemptions or reductions in the excise duty charged on mineral oils for special policy considerations;

Whereas the Commission has been informed by the Member States concerned of their intention to continue to apply certain exemptions or reductions which are already provided for in their taxation law or to introduce exemptions or reductions and to which the procedure provided for under the said Article 8 (4) should be applied;

Whereas the other Member States have been informed thereof;

Whereas it is accepted by the Commission and by all Member States that all of these exemptions or reductions are well founded in terms of specific policies and do not give rise to distortions in competition or interfere with the working of the internal market;

Whereas the reductions or exemptions will be continually reviewed by the Commission to ensure their compatibility with the operation of the internal market or Community policy in the area of protection of the environment;

Whereas, pursuant to Article 8 (6) of Directive 92/81/EEC, the Council is required to review the situation at the latest by 31 December 1996 on the basis of a report from the Commission,

Article 1

In accordance with the provisions of Article 8 (4) of Directive 92/81/EEC and notwithstanding the obligations laid down in Council Directive 92/82/EEC of 19 October 1992 on the approximation of the rates of excise duty on mineral oils⁽²⁾, the following Member States are hereby authorized to apply or to continue to apply the reductions in rates of excise duties or exemptions from excise duty as herein specified:

1. in the Kingdom of Belgium and in the Grand Duchy of Luxembourg:

until 31 December 1994, for a reduction in the rate of duty on heavy fuel oil to encourage the use of more environmentally friendly fuels provided that such an incentive is specifically linked to sulphur content and provided that the weighted average rate of duty charged on heavy fuel oil respects the minimum rate of duty on heavy fuel oils as provided for in Community law; in no case can the reduced rate fall below ECU 6,5 per tonne;

2. in the Hellenic Republic:

to grant relief from the excise duty on mineral oils for fuels intended to be used to power the official vehicles of the Ministry of the Presidency, the national police force and the metropolitan bishops;

3. in the Italian Republic:

until 31 December 1994, to grant relief from excise duty on mineral oils used as fuel in the production of alumina in Sardinia;

4. in the Portuguese Republic:

to grant relief from excise duty for LPG, natural gas and methane when used as fuel for local public transport.

⁽¹⁾ OJ No L 316, 31. 10. 1992, p. 12. Directive as amended by Directive 92/108/EEC (OJ No L 390, 31. 12. 1992, p. 124).

⁽²⁾ OJ No L 316, 31. 10. 1992, p. 19.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Grand Duchy of Luxembourg, the Hellenic Republic, the Italian Republic and the Portuguese Republic.

Done at Brussels, 13 December 1993.

For the Council

The President

Ph. MAYSTADT

COMMISSION

COMMISSION DECISION

of 21 December 1993

establishing priority areas for the action plan for the exchange between Member State administrations of national officials who are engaged in the implementation of Community legislation required to achieve the internal market, adopted pursuant to Council Decision 92/481/EEC (Karolus programme)

(93/698/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 92/481/EEC of 22 September 1992 on the adoption of an action plan for the exchange between Member State administrations of national officials who are engaged in the implementation of Community legislation required to achieve the internal market⁽¹⁾, and in particular the sixth indent of Article 5 thereof,

Whereas the above Decision lays down that the Commission shall, in consultation with the Committee referred to in Article 10 thereof, decide annually on the priority areas to be covered by the exchange programme;

Whereas those areas must be established for 1994;

Whereas the definition of those priority areas is closely connected with the implementation of various measures for the completion of the single internal market as laid down in Article 8a of the EC Treaty;

Whereas the exchanges of officials are designed to contribute to improving convergence in both the interpretation of Community acts and the implementation of those acts;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee referred to in Article 10 of Council Decision 92/481/EEC concerning the action plan,

HAS ADOPTED THIS DECISION:

Article 1

For the 1994 financial year, the priority areas referred to in the sixth indent of Article 5 of Council Decision 92/481/EEC shall be as follows:

- pharmaceutical products and veterinary medicinal products (and in particular officials with responsibility for the licensing and supervision of medicinal products, including the establishment of a network of remote links in the field of medical data-processing),
- public procurement (and in particular officials working in administrative departments with responsibility for contract award procedures),
- export controls on certain dual-use goods and technologies covered by the regulation currently under discussion at the Council, without prejudice to the application of national provisions on the protection of defence secrets (and in particular officials with responsibility for export licensing and monitoring),
- conformity testing and market supervision (and in particular officials with responsibility for the implementation of the directives on toys, personal protective equipment, measuring instruments, low-voltage electrical equipment, electromagnetic compatibility, medical devices, gas appliances, pressure vessels, chemicals, machinery and motor vehicles and those with responsibility for inspecting good laboratory practice),
- foodstuffs (and in particular officials with responsibility for the official inspection of foodstuffs in accordance with Articles 4 and 5 of Council Directive 89/397/EEC⁽²⁾),
- plant health (and in particular officials with responsibility for inspecting the health of plants and plant products at the place of production and those with responsibility for the acceptance and supervision of plant protection products),
- banks, insurance companies, stock exchanges and institutions for collective investment in securities (and in particular officials from the supervisory authorities for those institutions),

⁽¹⁾ OJ No L 286, 1. 10. 1992, p. 65.

⁽²⁾ OJ No L 186, 30. 6. 1989, p. 23.

- consumer protection in the following areas : consumer credit, general product safety (entry into force of the directive in June 1994) and package tours,
- management of the transfer of waste between Member States,
- road transport (and in particular officials with responsibility for the implementation and effective application of regulations, especially on employment conditions and technical matters),
- sea transport : checks by port inspectors to ensure that vessels comply with international rules on maritime safety and environmental protection,
- operation of the statistical programmes relating to the internal market (and in particular officials with responsibility for sectoral programmes relating to trade in goods and services between Member States),
- competition (and in particular officials with responsibility or drawing up and applying the competition rules in relation to trusts, dominant positions and mergers),
- freedom of movement of workers (and in particular officials with responsibility for matters relating to social security and the granting of the right of residence),
- implementation of Council Directive 83/189/EEC⁽¹⁾ (officials with responsibility for the system for the exchange of information relating to the prior notification of draft national technical regulations).

Article 2

This Decision shall apply from 1 January 1994.

Done at Brussels, 21 December 1993.

For the Commission

Raniero VANNI D'ARCHIRAFI

Member of the Commission

⁽¹⁾ OJ No L 109, 26. 4. 1983, p. 8.

COMMISSION DECISION

of 21 December 1993

on marking and use of pigmeat in application of Article 9 of Council Directive 80/217/EEC

(93/699/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 control of classical swine fever⁽¹⁾, as last amended by Council Decision 93/384/EEC⁽²⁾, and in particular Article 9 (6) (g) thereof,

Whereas on 13 October 1993 an outbreak of classical swine fever in the municipality of Wingene, West Flanders was declared by the Belgian veterinary authorities ;

Whereas in accordance with Article 9 (1) of Directive 80/217/EEC a surveillance zone was immediately established around the outbreak site ;

Whereas all contact premises and pig holdings in the surveillance zone have been serologically and clinically tested without finding any evidence that the virus did spread to this zone ;

Whereas the provisions for the use of a health mark on fresh meat are given in Council Directive 64/433/EEC of 26 June 1964 on health conditions for the production and marketing of fresh meat⁽³⁾, as last amended by Directive 92/5/EEC⁽⁴⁾ ;

Whereas Belgium has submitted a request for the adoption of a specific solution concerning marking and use of pigmeat coming from pigs kept on holdings situated in the surveillance zone and slaughtered subject to a specific authorization issued by the competent authority ;

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

obtained from pigs originating from holdings situated in the surveillance zone established on 13 October 1993 around the outbreak of classical swine fever in the municipality of Wingene on the condition that the pigs in question :

- (a) originate from a holding to which, following the epidemiological inquiry, no contact has been established with an infected holding ;
- (b) have been included in a programme for detection of classical swine fever virus antigen and found negative. The programme shall be carried out as given in Annex I ;
- (c) have been slaughtered within 12 hours of arrival at the slaughterhouse.

2. Belgium shall ensure that a certificate as given in Annex II is issued in respect of meat referred to in paragraph 1.

Article 2

Pigmeat which complies with the conditions of Article 1 (1) and enters into intra-Community trade must be accompanied by the certificate referred to in Article 1 (2).

Article 3

This Decision is applicable until 1 February 1994.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 21 December 1993.

For the Commission

René STEICHEN

Member of the Commission

Article 1

1. Belgium is authorized to apply the mark described in Article 3 (1) (A) (e) of Directive 64/433/EEC to pigmeat

⁽¹⁾ OJ No L 47, 21. 2. 1980, p. 11.

⁽²⁾ OJ No L 166, 8. 7. 1993, p. 34.

⁽³⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁴⁾ OJ No L 57, 2. 3. 1992, p. 1.

*ANNEX I***Examinations for presence of classical swine fever virus antigen**

The programme for detection of classical swine fever virus antigen referred to in Article 1 (1) (b) of Commission Decision 93/699/EC shall include examination of tonsil tissue obtained from five pigs per holding. The laboratory examination of the tonsil tissue shall be performed in accordance with the provisions of Annex I, Chapter B, to Directive 80/217/EEC.

The virological examination shall be carried out within three days prior to slaughter.

ANNEX II

CERTIFICATE

for fresh meat referred to in Article 1 (1) of Commission Decision 93/699/EC

No (1)

Place of loading :

Ministry :

Department :

I. Identification of meat

Meat of pigs

Nature of cuts :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat

Address and veterinary approval number of the approved slaughterhouse :

.....

Address and veterinary approval number of the approved cutting plant :

.....

III. Destination of meat

The meat will be sent

from :
(place of loading)to :
(place of destination)

by the following means of transport (2) :

Name and address of consignor :

.....

Name and address of consignee :

.....

IV. Health attestation

I, the undersigned official veterinarian, certify that the meat described above was obtained under the conditions governing production and control laid down in Directive 64/433/EEC and is in conformity with the provisions of Decision 93/699/EC on marking and use of pigmeat in application of Article 9 of Directive 80/217/EEC.

Done at :, on :

.....
(Name and signature of the official veterinarian)

(1) Serial No issued by the official veterinarian.

(2) In the case of rail trucks and lorries, state the registration number and in the case of boats the name and, where necessary, the number of the container.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2825/93 of 15 October 1993 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 as regards the fixing and granting of adjusted refunds in respect of cereals exported in the form of certain spirit drinks

(Official Journal of the European Communities No L 258 of 16 October 1993)

Page 10, Article 19 (c):

for: '... at least ...',

read: '... less than ...'.
