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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EURATOM, ECSC, EC) No 3608/93
of 20 December 1993**

**adjusting, with effect from 1 July 1993, the remuneration and pensions of
officials and other servants of the European Communities and the weightings
applied thereto**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Article 13 thereof,

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 ⁽¹⁾, as last amended by Regulation (EEC, Euratom, ECSC) No 3947/92 ⁽²⁾ and in particular Articles 63, 64, 65, 65a and 82 of the Staff Regulations, Annex XI to the Staff Regulations, and the first paragraph of Article 20 and Article 64 of the Conditions of Employment,

Having regard to the proposal from the Commission,

Whereas a review of the remuneration of officials and other servants carried out on the basis of a report by the Commission has shown that the remuneration and pensions of officials and other servants of the Communities should be adjusted under the 1993 annual review,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 1993:

- (a) the table of basic monthly salaries in Article 66 of the Staff Regulations shall be replaced by the following:

Grade	Step							
	1	2	3	4	5	6	7	8
A 1	412 056	433 946	455 836	477 726	499 616	521 506		
A 2	365 667	386 555	407 443	428 331	449 219	470 107		
A 3/LA 3	302 840	321 110	339 380	357 650	375 920	394 190	412 460	430 730
A 4/LA 4	254 416	268 677	282 938	297 199	311 460	325 721	339 982	354 243
A 5/LA 5	209 757	222 183	234 609	247 035	259 461	271 887	284 313	296 739
A 6/LA 6	181 267	191 157	201 047	210 937	220 827	230 717	240 607	250 497
A 7/LA 7	156 033	163 797	171 561	179 325	187 089	194 853		
A 8/LA 8	137 999	143 565						
B 1	181 267	191 157	201 047	210 937	220 827	230 717	240 607	250 497
B 2	157 053	164 416	171 779	179 142	186 505	193 868	201 231	208 594
B 3	131 734	137 857	143 980	150 103	156 226	162 349	168 472	174 595
B 4	113 941	119 250	124 559	129 868	135 177	140 486	145 795	151 104
B 5	101 847	106 144	110 441	114 738				
C 1	116 217	120 902	125 587	130 272	134 957	139 642	144 327	149 012
C 2	101 078	105 374	109 670	113 966	118 262	122 558	126 854	131 150
C 3	94 293	97 972	101 651	105 330	109 009	112 688	116 367	120 046
C 4	85 196	88 648	92 100	95 552	99 004	102 456	105 908	109 360
C 5	78 560	81 779	84 998	88 217				
D 1	88 780	92 662	96 544	100 426	104 308	108 190	112 072	115 954
D 2	80 949	84 397	87 845	91 293	94 741	98 189	101 637	105 085
D 3	75 344	78 569	81 794	85 019	88 244	91 469	94 694	97 919
D 4	71 041	73 955	76 869	79 783				

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 404, 31. 12. 1992, p. 1.

(b) — Bfrs 6 180 shall be replaced by Bfrs 6 236 in Article 1 (1) of Annex VII to the Staff Regulations,

— Bfrs 7 959 shall be replaced by Bfrs 8 031 in Article 2 (1) of Annex VII to the Staff Regulations,

— Bfrs 14 219 shall be replaced by Bfrs 14 347 in the second sentence of Article 69 of the Staff Regulations and in the second subparagraph of Article 4 (1) of Annex VII thereto,

— Bfrs 7 113 shall be replaced by Bfrs 7 177 in the first paragraph of Article 3 of Annex VII to the Staff Regulations.

Article 2

With effect from 1 July 1993 : the table of basic monthly salaries in Article 63 of the Conditions of Employment of Other Servants is replaced by the following :

Category	Group	Step			
		1	2	3	4
A	I	193 463	217 427	241 391	265 355
	II	140 412	154 093	167 774	181 455
	III	117 994	123 251	128 508	133 765
B	IV	113 352	124 447	135 542	146 637
	V	89 034	94 903	100 772	106 641
C	VI	84 676	89 662	94 648	99 634
	VII	75 790	78 368	80 946	83 524
D	VIII	68 502	72 536	76 570	80 604
	IX	65 968	66 888	67 808	68 728

Article 3

With effect from 1 July 1993 the fixed allowance referred to in Article 4 a of Annex VII to the Staff Regulations shall be :

- Bfrs 3 743 per month for officials in Grade C4 or C5,
- Bfrs 5 738 per month for officials in Grade C1, C2 or C3.

Article 4

Pensions for which entitlement has accrued by 1 July 1993 shall be calculated from that date by reference to the table of basic monthly salaries laid down in Article 66 of the Staff Regulations, as amended by Article 1 (a) of this Regulation.

Article 5

With effect from 1 July 1993, '1 July 1992' in Article 63 (2) of the Staff Regulations shall be replaced by '1 July 1993'.

Article 6

1. With effect from 16 May 1993, the weighting applicable to the remuneration of officials and other servants employed in the countries or towns listed below shall be as follows :

Berlin	114,2
Munich	111,7
Greece	94,1
Spain	114,3
Italy (except Varese)	122,8

Portugal	102,4
Culham	108,8

2. With effect from 1 July 1993, the weightings applicable to the remuneration of officials and other servants employed in the countries or towns listed below shall be as follows :

Belgium	100,0
Denmark	123,9
Germany (*) (except Berlin and Munich)	99,8
Berlin	113,0
Munich	110,6
Greece	83,2
Spain	93,5
France	116,1
Ireland	91,5
Italy (except Varese)	101,2
Varese	94,3
Luxembourg	100,0
Netherlands	101,6
Portugal	88,8
United Kingdom (except Culham)	103,8
Culham	94,2

(*) Without prejudice to the decisions to be taken by the Council following the Commission proposal of 10 September 1991 (SEC (91) 1612 final).

3. The weightings applicable to pensions shall be determined in accordance with Article 82 (1) of the Staff Regulations. Articles 3 to 10 of Regulation (ECSC, EEC, Euratom) No 2175/88 ⁽¹⁾ shall remain in force.

Article 7

With effect from 1 July 1993, the table in Article 10 (1) of Annex VII to the Staff Regulations shall be replaced by the following:

	Entitled to household allowance		Not entitled to household allowance	
	1st to 15th day	from 16th day	1st to 15th day	from 16th day
	Bfrs per calendar year			
A 1 to A 3 and LA 3	2 432	1 146	1 671	959
A 4 to A 8 and LA 4 to LA 8 and category B	2 360	1 070	1 602	836
Other grades	2 141	997	1 378	689

Article 8

With effect from 1 July 1993, the allowances for shiftwork laid down in Article 1 of Regulation (ECSC, EEC, Euratom) No 300/76 ⁽²⁾ shall be Bfrs 10 849, Bfrs 16 374, Bfrs 17 903 and Bfrs 24 409.

Article 9

With effect from 1 July 1993, the amounts in Article 4 of Council Regulation (EEC, Euratom, ECSC) No 260/68 ⁽³⁾ shall be subject to a weighting of 3,882198.

Article 10

This Regulation shall enter into force on the day following 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

A. BOURGEOIS

⁽¹⁾ OJ No L 191, 22. 7. 1988, p. 1.

⁽²⁾ OJ No L 38, 13. 2. 1976, p. 1; this Regulation was expanded by Regulation (Euratom, ECSC, EEC) No 1307/87 (OJ No L 124, 13. 5. 1987, p. 6) and last amended by Regulation (ECSC, EEC, Euratom) No 3761/92 (OJ No L 383, 29. 12. 1992, p. 1).

⁽³⁾ OJ No L 56, 4. 3. 1968, p. 8; this Regulation was last amended by Regulation (EEC, Euratom, ECSC) No 3761/92 (OJ No L 383, 29. 12. 1992, p. 1).

COUNCIL REGULATION (EC) No 3609/93

of 22 December 1993

on the suspension of the import levy on sheepmeat and goatmeat sector products

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the Community has voluntary restraint agreements with Austria, Romania and Iceland and equivalent unilateral arrangements established by Council Regulation (EEC) No 3643/85 of 19 December 1985 concerning the import arrangements applicable to certain third countries in the sheepmeat and goatmeat sector as from 1986⁽¹⁾;

Whereas, pursuant to Council Regulation (EEC) No 3842/92 of 17 December 1992 suspending the import levy on products of the sheepmeat and goatmeat sector⁽²⁾ the levy on the import of live sheep and goats and sheepmeat and goatmeat from the abovementioned countries in particular has been suspended until 31 December 1993;

Whereas a voluntary restraint agreement was concluded with the Socialist Federal Republic of Yugoslavia in 1981; whereas, while the substance of the agreement remained unchanged, certain details of the management of the import arrangements laid down were suspended and replaced by Council Regulation (EEC) No 3125/92 of 26 October 1992 on the arrangements applicable to the importation into the Community of sheepmeat and goatmeat products originating in Bosnia-Herzegovina, Croatia, Slovenia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia⁽³⁾;

Whereas negotiations with Argentina, Australia, Bulgaria, the Czech Republic, Hungary, New Zealand, Poland, the Slovak Republic and Uruguay have led to the extension of the adjustments to the voluntary restraint agreements until 31 December 1994 and consequently the collection of the levy applicable to those countries is suspended until that date;

Whereas it seems appropriate to extend the above suspension, subject to certain quantitative limits, to all supplier countries;

Whereas the effect of the establishment of the Single Market from 1 January 1993 should be taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

Notwithstanding the voluntary restraint agreements concluded with Austria, Iceland, the Socialist Federal Republic of Yugoslavia and Romania and notwithstanding Regulation (EEC) No 3643/85, the collection of the levy on imports of sheepmeat and goatmeat sector products falling within CN codes 0204, 0104 10 30, 0104 10 80 and 0104 20 90 from Austria, Bosnia-Herzegovina, Croatia, Iceland, the former Yugoslav Republic of Macedonia, Romania, Slovenia and the countries referred to in the said Regulation shall be suspended until 31 December 1994 within the quantitative limits laid down in the abovementioned agreements and the said Regulation.

Article 2

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 3013/89.

Article 3

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

It shall apply from 1 January 1994.

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

Done at Brussels, 22 December 1993.

For the Council

The President

J.-M. DEHOUSSE

⁽¹⁾ OJ No L 348, 24. 12. 1985, p. 2. Regulation as last amended by Regulation (EEC) No 3890/92 (OJ No L 391, 31. 12. 1992, p. 51).

⁽²⁾ OJ No L 390, 17. 12. 1992, p. 3.

⁽³⁾ OJ No L 313, 30. 10. 1992, p. 3.

COUNCIL REGULATION (EC) No 3610/93
of 22 December 1993
relating to the continued import of New Zealand butter into the United Kingdom on special terms

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Act of Accession of Denmark, Ireland and the United Kingdom, and in particular Article 5 (2) of Protocol 18 thereto,

Having regard to the proposal from the Commission,

Whereas, since the regime foreseen by the said Article 5 (2) of Protocol 18 is directly linked to measures covered by the common commercial and agricultural policy, it must be established at Community level;

Whereas Regulation (EEC) No 3841/92⁽¹⁾ authorized the United Kingdom to import certain quantities of New Zealand butter on special terms during calendar year 1993;

Whereas the exceptional arrangements should continue in order to ensure continued imports from New Zealand;

Whereas in view of the current state of the negotiations in the context of the Uruguay Round it is opportune to extend the existing arrangements for the access of New Zealand butter on special terms for one year;

Whereas provision should be made that if the butter market requires changes in the conditions of intervention, such changes must be reflected in the price of New Zealand butter marketed in the Community;

Whereas a special levy, which will normally remain unchanged as long as the intervention price for butter of Community origin is not altered, constitutes the most appropriate method for protecting the market price of Community butter and for enabling New Zealand to plan its exports to the United Kingdom,

HAS ADOPTED THIS REGULATION:

Article 1

The United Kingdom shall be authorized to import certain quantities of butter from New Zealand under the terms of this Regulation.

Article 2

1. These arrangements shall apply from 1 January to 31 December 1994.

A quantity of 51 830 tonnes may be imported in 1994.

2. The Council, acting by a qualified majority on a proposal from the Commission, may reduce the quantity

laid down in paragraph 1 in order to prevent serious disruption of the United Kingdom butter market particularly in the case of a substantial fall in direct butter consumption.

3. Before 1 October 1994 the Council, acting unanimously on a proposal from the Commission accompanied by a report, shall take a decision on the maintenance of the exceptional arrangements from 1 January 1995.

Article 3

1. The special levy on New Zealand butter imported pursuant to this Regulation shall be ECU 33,84 per 100 kilograms.

2. The Council, acting by a qualified majority on a proposal from the Commission, shall adjust the rate of the special levy in line with changes in the conditions of intervention in respect of butter in the Community.

Article 4

Eligibility for the special import arrangements shall be subject to presentation of a certificate establishing that the butter in question:

- is of New Zealand origin,
- is at least six weeks old,
- has a fat content of not less than 80 % but less than 82 % by weight,
- was manufactured directly from milk or cream.

Article 5

The United Kingdom shall forward all information necessary for the application of this Regulation to the Commission, which shall inform the other Member States thereof.

Article 6

Detailed rules for the application of this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68⁽²⁾.

Article 7

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

It shall apply from 1 January 1994.

⁽¹⁾ OJ No L 390, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EEC) No 2071/92 (OJ No L 215, 30. 7. 1992, p. 64).

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

Done at Brussels, 22 December 1993.

For the Council

The President

J.-M. DEHOUSSE

COUNCIL REGULATION (EC) No 3611/93

of 22 December 1993

amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament⁽¹⁾,

Whereas implementation of the new premium arrangements introduced by the reform has given rise to certain additional problems; whereas Regulation (EEC) No 805/68⁽²⁾ should therefore be amended;

Whereas, in the framework of beef and veal production, protection of the environment has become an important element to be taken into consideration; whereas, therefore, Member States should be afforded the possibility of restricting or removing payments under the premium schemes for suckler cows and male bovine animals if the producer concerned has not fully complied with the environmental rules set out by Member States, subject to respecting the principle of proportionality;

Whereas in order to react positively to the requests of third countries, particularly those which have concluded interim association agreements, and to align on the product definitions given in the combined nomenclature, the animal weights indicated in the estimate of live animals for fattening referred to in Article 13 of Regulation (EEC) No 805/68 should be redefined;

Whereas the European Agricultural Guidance and Guarantee Fund (EAGGF) should cover, under certain conditions, the additional national premium provided for in Article 4d (7) for the suckler cow premium;

Whereas strict application for the statistical data used in the scale for allocating additional rights to the suckler cow premium created by the increase in the individual milk reference quantity to 120 000 kg of milk failed to take account of the special cattle-farming situation in Luxembourg by restricting access to the new rights to an excessively low number of animals in relation to those which actually have right of access, and thus seriously impeded the harmonious allocation of the rights; whereas, therefore, the number of additional suckler cow

premium rights allocated to the said Member State should be increased,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 805/68 is hereby amended as follows:

1. In Article 4d, the following subparagraph shall be added to paragraph 7:

'The preceding subparagraph shall be extended to holdings situated throughout the territory of a Member State if in the Member State concerned the cattle population has a high proportion of suckler cows, representing at least 30 % of the total number of cows, and if at least 30 % of male bovine animals slaughtered belong to conformation classes S and E. Any overshoot of these percentages is established on the basis of the average of the two years preceding that for which the premium is granted.'

2. In Article 4d, paragraph 7a shall be deleted.

3. In Article 4g, the following paragraph shall be added:

'4a. Member States may apply appropriate environmental measures which correspond to the specific situation of the land used for the production of male bovine animals or suckler cows qualifying for premiums. Member States which avail themselves of this possibility shall decide the penalties which are appropriate and proportional to the seriousness of the ecological consequences of not observing the said measures. These penalties may provide for a reduction or, where appropriate, cancellation of the benefits accruing from the premium schemes. Member States shall inform the Commission of the measures taken to apply this provision.'

4. In Article 13 (4) (a), '220 kilograms' shall be replaced by '160 kilograms'.

5. In Annex II, '760' corresponding to the additional rights added to Luxembourg's national reserve shall be replaced by '3 000'.

Article 2

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

However, Article 1 (1) and (5) shall apply from 1 January 1993 and Article 1 (4) shall apply from 1 January 1994.

⁽¹⁾ Opinion delivered on 14 December 1993 (not yet published in the Official Journal).

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EEC) No 747/93 (OJ No L 77, 31. 3. 1993, p. 15).

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

Done at Brussels, 22 December 1993.

For the Council

The President

J.-M. DEHOUSSE

COMMISSION REGULATION (EC) No 3612/93

of 28 December 1993

fixing the export refunds on 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 third subparagraph of Article 13 (4) thereof,

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

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EEC) No 3630/91⁽⁴⁾, provides that calculation of the export refund must take account of, in particular, the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas, under the terms of Article 4 of Commission Regulation (EEC) No 1619/93⁽⁵⁾, the refund may be varied on the basis of the destination;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾, as amended by Regulation (EC) No 3528/93⁽⁷⁾, 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⁽⁸⁾;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾ 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, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1.

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EEC) No 1619/93 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1994.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁴⁾ OJ No L 344, 14. 12. 1991, p. 40.

⁽⁵⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 28 December 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 28 December 1993 fixing the export refunds on
cereal-based compound feedingstuffs

(ECU/tonne)		(ECU/tonne)	
Product code	Amount of refund (')	Product code	Amount of refund (')
2309 10 11 110	1,77	2309 90 53 290	4,05
2309 10 13 110	1,77	2309 10 11 310	7,06
2309 10 31 110	1,77	2309 10 13 310	7,06
2309 10 33 110	1,77	2309 10 31 310	7,06
2309 10 51 110	1,77	2309 10 33 310	7,06
2309 10 53 110	1,77	2309 10 51 310	7,06
2309 90 31 110	1,77	2309 10 53 310	7,06
2309 90 33 110	1,77	2309 90 31 310	7,06
2309 90 41 110	1,77	2309 90 33 310	7,06
2309 90 43 110	1,77	2309 90 41 310	7,06
2309 90 51 110	1,77	2309 90 43 310	7,06
2309 90 53 110	1,77	2309 90 51 310	7,06
2309 10 11 190	2,03	2309 90 53 310	7,06
2309 10 13 190	2,03	2309 10 11 390	8,10
2309 10 31 190	2,03	2309 10 13 390	8,10
2309 10 33 190	2,03	2309 10 31 390	8,10
2309 10 51 190	2,03	2309 10 33 390	8,10
2309 10 53 190	2,03	2309 10 51 390	8,10
2309 90 31 190	2,03	2309 10 53 390	8,10
2309 90 33 190	2,03	2309 90 31 390	8,10
2309 90 41 190	2,03	2309 90 33 390	8,10
2309 90 43 190	2,03	2309 90 41 390	8,10
2309 90 51 190	2,03	2309 90 43 390	8,10
2309 90 53 190	2,03	2309 90 51 390	8,10
2309 10 11 210	3,53	2309 90 53 390	8,10
2309 10 13 210	3,53	2309 10 31 410	10,59
2309 10 31 210	3,53	2309 10 33 410	10,59
2309 10 33 210	3,53	2309 10 51 410	10,59
2309 10 51 210	3,53	2309 10 53 410	10,59
2309 10 53 210	3,53	2309 90 41 410	10,59
2309 90 31 210	3,53	2309 90 43 410	10,59
2309 90 33 210	3,53	2309 90 51 410	10,59
2309 90 41 210	3,53	2309 90 53 410	10,59
2309 90 43 210	3,53	2309 10 31 490	12,16
2309 90 51 210	3,53	2309 10 33 490	12,16
2309 90 53 210	3,53	2309 10 51 490	12,16
2309 10 11 290	4,05	2309 10 53 490	12,16
2309 10 13 290	4,05	2309 90 41 490	12,16
2309 10 31 290	4,05	2309 90 43 490	12,16
2309 10 33 290	4,05	2309 90 51 490	12,16
2309 10 51 290	4,05	2309 90 53 490	12,16
2309 10 53 290	4,05	2309 10 31 510	14,12
2309 90 31 290	4,05	2309 10 33 510	14,12
2309 90 33 290	4,05	2309 10 51 510	14,12
2309 90 41 290	4,05	2309 10 53 510	14,12
2309 90 43 290	4,05	2309 90 41 510	14,12
2309 90 51 290	4,05	2309 90 43 510	14,12

(ECU/tonne)		(ECU/tonne)	
Product code	Amount of refund (')	Product code	Amount of refund (')
2309 90 51 510	14,12	2309 10 53 690	20,26
2309 90 53 510	14,12	2309 90 41 690	20,26
2309 10 31 590	16,21	2309 90 43 690	20,26
2309 10 33 590	16,21	2309 90 51 690	20,26
2309 10 51 590	16,21	2309 90 53 690	20,26
2309 10 53 590	16,21	2309 10 51 710	21,19
2309 90 41 590	16,21	2309 10 53 710	21,19
2309 90 43 590	16,21	2309 90 51 710	21,19
2309 90 51 590	16,21	2309 90 53 710	21,19
2309 90 53 590	16,21	2309 10 51 790	24,31
2309 10 31 610	17,66	2309 10 53 790	24,31
2309 10 33 610	17,66	2309 90 51 790	24,31
2309 10 51 610	17,66	2309 90 53 790	24,31
2309 10 53 610	17,66	2309 10 51 810	24,72
2309 90 41 610	17,66	2309 10 53 810	24,72
2309 90 43 610	17,66	2309 90 51 810	24,72
2309 90 51 610	17,66	2309 90 53 810	24,72
2309 90 53 610	17,66	2309 10 51 890	28,36
2309 10 31 690	20,26	2309 10 53 890	28,36
2309 10 33 690	20,26	2309 90 51 890	28,36
2309 10 51 690	20,26	2309 90 53 890	28,36

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

NB : The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 3567/93 (OJ No L 327, 28. 12. 1993, p. 1).

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

COMMISSION REGULATION (EC) No 3613/93

of 28 December 1993

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular the third subparagraph of Article 13 (2) 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 fourth subparagraph of Article 17 (2) thereof,

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

Whereas Article 2 of Council Regulation (EEC) No 1431/76⁽⁵⁾ laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Council Regulation (EEC) No 1620/93⁽⁶⁾ on the import and export system for products

processed from cereals and from rice defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as amended by Regulation (EC) No 3528/93⁽⁸⁾, 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⁽⁹⁾;

Whereas the refund must be fixed once a month; whereas it may be altered in the intervening period;

Whereas Council Regulation (EEC) No 990/93⁽¹⁰⁾ 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;

⁽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.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁶⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 102, 28. 4. 1993, p. 14.

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

Whereas, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 28 December 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 December 1993 fixing the export refunds on products
processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (¹)	Product code	Refund (¹)
1102 20 10 100 (²)	49,43	1104 29 11 000	28,72
1102 20 10 300 (²)	42,37	1104 29 91 000	28,16
1102 20 90 100 (²)	42,37	1104 29 95 000	28,16
1102 90 10 100	87,15	1104 30 10 000	7,04
1102 90 10 900	59,26	1104 30 90 000	8,83
1102 90 30 100	104,58	1107 10 11 000	50,12
1103 12 00 100	104,58	1107 10 91 000	103,42
1103 13 10 100 (²)	63,56	1108 11 00 200	56,32
1103 13 10 300 (²)	49,43	1108 11 00 300	56,32
1103 13 10 500 (²)	42,37	1108 12 00 200	56,50
1103 13 90 100 (²)	42,37	1108 12 00 300	56,50
1103 19 10 000	28,16	1108 13 00 200	56,50
1103 19 30 100	90,06	1108 13 00 300	56,50
1103 21 00 000	28,72	1108 19 10 200	80,56
1103 29 20 000	59,26	1108 19 10 300	80,56
1104 11 90 100	87,15	1109 00 00 100	0,00
1104 12 90 100	116,20	1702 30 51 000 (³)	73,80
1104 12 90 300	92,96	1702 30 59 000 (³)	56,50
1104 19 10 000	28,72	1702 30 91 000	73,80
1104 19 50 110	56,50	1702 30 99 000	56,50
1104 19 50 130	45,90	1702 40 90 000	56,50
1104 21 10 100	87,15	1702 90 50 100	73,80
1104 21 30 100	87,15	1702 90 50 900	56,50
1104 21 50 100	116,20	1702 90 75 000	77,33
1104 21 50 300	92,96	1702 90 79 000	53,67
1104 22 10 100	92,96	2106 90 55 000	56,50
1104 22 30 100	98,77		
1104 23 10 100	52,97		
1104 23 10 300	40,61		

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

(²) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

(³) Refunds are granted in accordance with Regulation (EEC) No 2730/75.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 3567/93 (OJ No L 327, 28. 12. 1993, p. 1).

COMMISSION REGULATION (EC) No 3614/93**of 28 December 1993****fixing production refunds on cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 7 (3) 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 Article 9 (3) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors ⁽⁵⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize or wheat changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1722/93 shall be ECU 42,18 per tonne.

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 28 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.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 112.

COMMISSION REGULATION (EC) No 3615/93
of 28 December 1993
fixing the export refunds on eggs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1574/93⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2774/75⁽³⁾ lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

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 representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as amended by Regulation (EC) No 3528/93⁽⁶⁾, 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⁽⁷⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas Commission Regulation (EEC) No 3846/87 of 17 December 1987, establishing an agricultural product nomenclature for export refunds on eggs⁽⁸⁾, as last amended by Regulation (EC) No 3567/93⁽⁹⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of codes of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1994.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 152, 24. 6. 1993, p. 1.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 68.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁹⁾ OJ No L 327, 28. 12. 1993, p. 1.

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

Done at Brussels, 28 December 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 December 1993 fixing the export refunds on eggs

Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
		ECU/100 units
0407 00 11 000	02	4,00
0407 00 19 000	05	3,00
	06	2,00
		ECU/100 kg
0407 00 30 000	03	21,00
	04	12,00
0408 11 80 100	01	60,00
0408 19 81 100	01	26,00
0408 19 89 100	01	28,00
0408 91 80 100	01	58,00
0408 99 80 100	01	10,00

⁽¹⁾ The destinations are as follows:

- 01 All destinations,
- 02 All destinations except the United States of America,
- 03 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen, and Hong Kong,
- 04 All destinations except those of 03,
- 05 Saudi Arabia, Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen and Iran,
- 06 All destinations except the United States of America and those of 05 above.

⁽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.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87, as last amended by Regulation (EC) No 3567/93.

COMMISSION DECISION No 3616/93/ECSC

of 21 December 1993

fixing the rate of the levies for the 1994 financial year and amending Decision No 3/52 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Articles 49 and 50 thereof,

Whereas, in view of the variations in average values recorded during the reference period, Articles 2 and 4 of Decision No 3/52 of 23 December 1952 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty ⁽¹⁾ as last amended by Decision No 3799/92/ECSC ⁽²⁾ should be amended;

Whereas the requirements of the European Coal and Steel Community are estimated in the operating budget for the 1994 financial year at ECU 393 million; whereas that budget, which was adopted by the Commission of the European Communities on 21 December 1993 in the form shown in the Annex to this Decision, indicates the amount of income to be provided from levies in the course of the financial year 1994, namely ECU 102 million;

Whereas the estimated yield of the levies at a rate of 0,01 % is ECU 4,45 million,

HAS ADOPTED THIS DECISION:

Article 1

The rate of the levies on output from 1 January 1994 shall be 0,23 % of the figures used as the basis of assessment for such levies.

Article 2

Article 2 of Decision No 3/52/ECSC is hereby amended to read as follows:

Article 2

The average value in ecus of the products on which the levies are assessed shall, from 1 January 1994, be as follows:

(ECU)	
Product	Average value
Brown coal briquettes and semi-coke derived from brown coal	72,05
Hard coal of all categories	84,60
Pig iron other than that used for making ingots	170,23
Steel in ingots	227,60
Finished products and end products of iron and steel as described in Annex I to the Treaty	379,33'

Article 3

Article 4 of Decision No 3/52/ECSC is hereby amended to read as follows:

Article 4

The scale provided for in Article 2 (4) of Decision No 2/52 shall accordingly be as follows, the figures being given in ecus:

⁽¹⁾ OJ of the ECSC No 1, 30. 12. 1952, p. 4.

⁽²⁾ OJ No L 384, 30. 12. 1992, p. 5.

(ECU)

Product	Assessment January 1994 and subsequent months, and collection March 1994 and subsequent months
Brown coal briquettes and semi-coke derived from brown coal ⁽¹⁾	0,16572
Hard coal of all categories ⁽²⁾	0,19458
Pig iron other than that used for making ingots	0,26894
Steel in ingots	0,44273
Finished products and end products of iron and steel as described in Annex I to the Treaty	0,21183

⁽¹⁾ For purposes of the deductions provided for in Article 3 the levy fixed above shall be applied to the net tonnage of brown coal and semi-coke derived from brown coal, less 3 %.

⁽²⁾ For purposes of the deductions provided for in Article 3 the levy fixed above shall be applied to the net tonnage of hard coal as defined in Article 1 of Decision No 2/52, less 14 %.

The amount of the levies per tonne to be paid in the currencies of the Member States of the Community shall be determined in accordance with Article 3 of Decision No 3289/75/ECSC, as amended by Decision No 3334/80/ECSC.

Article 4

This Decision shall enter into force on 1 January 1994.

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

Done at Brussels, 21 December 1993.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

ANNEX

ECSC OPERATING BUDGET FOR 1994

(ECU million)

Requirements	Estimates	Resources	Estimates
Operations to be financed from current resources (non-repayable)		Resources for the financial year	
1. Administrative expenditure	5	1. Current resources :	
		1.1. Yield from at 0,23 % levy	102
2. Aid for redeployment (Article 56)	157	1.2. Net balance from previous year	150
		1.3. Fines and surcharges for late payment	2
3. Aid for research (Article 55)	52	1.4. Miscellaneous	p. m.
3.1. Steel	34 ⁽¹⁾	2. Cancellation of commitments unlikely to be implemented	50
3.2. Coal	17 ⁽¹⁾		
3.3. Social	1	3. Unused resources carried over from 1993	67
4. Interest subsidies	53	4. Contingency reserve	p. m.
4.1. Investment (Article 54)	p. m.		
4.2. Conversion (Article 56)	53	5. Exceptional resources ⁽²⁾	22
5. Social measures connected with restructuring of the steel industry (Article 56)	86		
6. Social measures connected with restructuring of the coal industry (Article 56)	40		
7. Damages and interest	p. m.		
	393		393
Operations financed by loans from non-borrowed funds		Origin of non-borrowed funds	
Workers' housing	17	Special reserve and former ECSC Pension Fund	17

⁽¹⁾ Aid for projects with a specific impact on the environment :

- Heading 3.1.: 10,
- Heading 3.2.: 8.

⁽²⁾ Drawings on special reserve.

N.B. Any additional revenue will be allocated to social measures connected with the restructuring of the steel industry in order to reach a total of ECU 120 million.

COMMISSION REGULATION (EC) No 3617/93**of 22 December 1993****amending Articles 14, 21 and 28 of Annex III to Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries**

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 3030/93 of 12 October 1993⁽¹⁾ on common rules for imports of certain textile products from third countries and in particular Articles 12 (8) and 13 (3), in conjunction with Article 17 thereof,

Whereas as a result of the internal market for textile and clothing products, Community quantitative limits are no longer broken down into Member States' shares since the 1 January 1993;

Whereas under the present rules for administration of Community quantitative limits and surveillance measures, import authorizations may only be issued by the competent authorities of the Member State indicated on the export licence;

Whereas the Commission and the competent authorities of the Member States have implemented an integrated computer network to manage Community quantitative limits in order to prevent fraudulent presentation of an export licence in more than one Member State;

Whereas it is therefore possible and desirable to allow import authorizations to be issued in any Member State regardless of the Member State of destination indicated on the export licence, in accordance with the principles of the Single Market;

Whereas for this purpose it is necessary to amend certain provisions of Annex III to Regulation (EEC) No 3030/93;

Whereas the measures provided for in this Regulation are in conformity with the opinion of the Textile Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Council Regulation (EEC) No 3030/93 is amended as follows:

1. The existing paragraph 1 of Article 14 becomes subparagraph 1 and the following subparagraph is added as subparagraph 2:

'As of 1 January 1994 import authorizations shall be issued by the competent authorities of any Member State irrespective of the Member State of destination indicated on the export licence, to the extent that the Commission pursuant to Article 12 of the Regulation has confirmed that the amount requested is available within the quantitative limit in question.'

2. In the first sentence of paragraph 1 of Article 21 'Member State' is replaced by 'Member States' and 'designated on the export licence' is deleted.
3. The word 'intended' shall be inserted between the words 'of' and 'destination' in the first sentence of the second indent of paragraph 6 of Article 28.

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 22 December 1993.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 275, 8. 11. 1993, p. 1.

COMMISSION REGULATION (EC) No 3618/93**of 21 December 1993****on detailed rules for implementing the special arrangements for imports of
butter from New Zealand into the United Kingdom**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Community,

Having regard to the 1972 Act of Accession, and in particular Article 5 (2) of Protocol 18 thereto,

Having regard to Council Regulation (EC) No 3610/93 of 22 December 1993 relating to the continued import of New Zealand butter into the United Kingdom on special terms⁽¹⁾, and in particular Article 6 thereof,

Whereas detailed rules of application should be laid down in particular as regards verification of the origin and destination of the butter and the notifications to be provided by the United Kingdom; whereas Commission Regulation (EEC) No 3885/92⁽²⁾ must be repealed;

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

For the purposes of monitoring the maximum quantities referred to in Article 2 (1) of Regulation (EC) No 3610/93, account shall be taken of all the quantities in respect of which import declarations have been accepted during the period in question.

Article 3

1. New Zealand butter imported into the United Kingdom pursuant to Regulation (EC) No 3610/93 shall, at all stages of marketing, bear a statement of its New Zealand origin.

2. However, where New Zealand butter is blended with Community butter which is intended for direct consumption, paragraph 1 shall apply only up to the stage of packing in small packages.

The United Kingdom shall inform the Commission of the steps taken to that end.

HAS ADOPTED THIS REGULATION:

*Article 4**Article 1*

1. The certificate referred to in Article 4 of Regulation (EC) No 3610/93:

- (a) shall be a numbered certificate issued by the competent authorities in New Zealand;
- (b) shall comply with the further conditions laid down by the United Kingdom in order to ensure identification of the butter concerned and the accuracy of the data given in the certificate; and
- (c) shall be presented to the United Kingdom authorities at the time of the acceptance of the import declaration.

2. In order to ensure compliance with the condition prescribing the minimum age of the butter at the time of the acceptance of the import declaration, the certificate shall state the date of manufacture of the butter in question.

3. The United Kingdom shall inform the Commission of the measures taken pursuant to paragraph 1 (b).

The United Kingdom shall inform the Commission, not later than the end of each week, in respect of butter which is to qualify or has qualified under the special import arrangements provided for in Regulation (EC) No 3610/93 of the following:

- (a) quantities arriving in the United Kingdom during the previous week:
 - in respect of which import declarations have been accepted,
 - in respect of which those import declarations have not yet been accepted;
- (b) quantities in storage in the United Kingdom, as at the most recent date:
 - in respect of which import declarations have been accepted,
 - in respect of which those import declarations have not yet been accepted;
- (c) quantities sold on the United Kingdom market during the previous week and:
 - intended for direct consumption,
 - blended with Community butter and intended for direct consumption,
 - intended for other uses;

⁽¹⁾ See page 5 of this Official Journal.

⁽²⁾ OJ No L 391, 31. 12. 1992, p. 18.

- (d) cumulative quantities since 1 January each year, as at the most recent date :
- in respect of which import declarations have been accepted,
 - in respect of which those import declarations have not been accepted,
 - sold on the United Kingdom market and subdivided as under (c) ;
- (e) quantities in course of consignment between New Zealand and the United Kingdom, with a statement of their probable dates of arrival ;

- (f) sale prices at the first marketing stage.

Article 5

Regulation (EEC) No 3885/92 is hereby repealed.

Article 6

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

It shall apply with effect from 1 January 1994.

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 3619/93

of 28 December 1993

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1993 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1544/93⁽⁴⁾, and in particular Article 12 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Commission Regulation (EEC) No 1620/93 of 25 June 1993 on the import and export system for products processed from cereals and rice⁽⁵⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals⁽⁶⁾, as last amended by Regulation (EEC) No

1740/78⁽⁷⁾, provides that the levy thus determined, increased by the fixed component, is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States⁽⁸⁾, extended by Regulation (EEC) No 444/92⁽⁹⁾;

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91⁽¹⁰⁾, as amended by Regulation (EEC) No 3714/92⁽¹¹⁾, allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹²⁾ no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹³⁾, as last amended by Regulation (EEC) No 1028/93⁽¹⁴⁾, reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

(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.
(⁵) OJ No L 155, 26. 6. 1993, p. 29.
(⁶) OJ No L 168, 25. 6. 1974, p. 7.

(⁷) OJ No L 202, 26. 7. 1978, p. 8.
(⁸) OJ No L 84, 30. 3. 1990, p. 85.
(⁹) OJ No L 52, 27. 2. 1992, p. 7.
(¹⁰) OJ No L 356, 24. 12. 1991, p. 1.
(¹¹) OJ No L 378, 23. 12. 1992, p. 23.
(¹²) OJ No L 263, 19. 9. 1991, p. 1.
(¹³) OJ No L 370, 31. 12. 1990, p. 121.
(¹⁴) OJ No L 108, 1. 5. 1993, p. 1.

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries ⁽¹⁾, as last amended by Regulation (EEC) No 3909/92 ⁽²⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose ⁽³⁾, as amended by Regulation (EEC) No 222/88 ⁽⁴⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 1766/92 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾, as amended by Regulation (EC) No 3528/93 ⁽⁶⁾, 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 ⁽⁷⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 28 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.

⁽²⁾ OJ No L 394, 31. 12. 1992, p. 23.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 28 December 1993 fixing the import levies on products processed from cereals and rice

(ECU/tonne)			(ECU/tonne)		
CN code	Import levies (°)		CN code	Import levies (°)	
	ACP	Third countries (other than ACP)		ACP	Third countries (other than ACP)
0714 10 10 (°)	115,97	122,62	1104 22 90	95,04	98,06
0714 10 91	119,60 (°) (°)	119,60	1104 23 10	132,66	135,68
0714 10 99	117,79	122,62	1104 23 30	132,66	135,68
0714 90 11	119,60 (°) (°)	119,60	1104 23 90	84,57	87,59
0714 90 19	117,79 (°)	122,62	1104 29 11	119,02	122,04
1102 20 10	149,24	155,28	1104 29 15	152,78	155,80
1102 20 90	84,57	87,59	1104 29 19	154,51	157,53
1102 30 00	107,42	110,44	1104 29 31	143,18	146,20
1102 90 10	215,28	221,32	1104 29 35	183,79	186,81
1102 90 30	167,72	173,76	1104 29 39	154,51	157,53
1102 90 90	98,50	101,52	1104 29 91	91,28	94,30
1103 12 00	167,72	173,76	1104 29 95	117,17	120,19
1103 13 10	149,24	155,28	1104 29 99	98,50	101,52
1103 13 90	84,57	87,59	1104 30 10	67,12	73,16
1103 14 00	107,42	110,44	1104 30 90	62,18	68,22
1103 19 10	206,77	212,81	1106 20 10	115,97 (°)	122,62
1103 19 30	215,28	221,32	1106 20 90	129,86 (°)	154,04
1103 19 90	98,50	101,52	1108 11 00	196,88	217,43
1103 21 00	161,08	167,12	1108 12 00	133,49	154,04
1103 29 10	206,77	212,81	1108 13 00	133,49	154,04 (°)
1103 29 20	215,28	221,32	1108 14 00	66,74	154,04
1103 29 30	167,72	173,76	1108 19 10	154,04	184,87
1103 29 40	149,24	155,28	1108 19 90	66,74 (°)	154,04
1103 29 50	107,42	110,44	1109 00 00	357,96	539,30
1103 29 90	98,50	101,52	1702 30 51	174,11	270,83
1104 11 10	121,99	125,01	1702 30 59	133,49	199,98
1104 11 90	239,20	245,24	1702 30 91	174,11	270,83
1104 12 10	95,04	98,06	1702 30 99	133,49	199,98
1104 12 90	186,36	192,40	1702 40 90	133,49	199,98
1104 19 10	161,08	167,12	1702 90 50	133,49	199,98
1104 19 30	206,77	212,81	1702 90 75	182,40	279,12
1104 19 50	149,24	155,28	1702 90 79	126,85	193,34
1104 19 91	182,41	188,45	2106 90 55	133,49	199,98
1104 19 99	173,83	179,87	2302 10 10	40,88	46,88
1104 21 10	191,36	194,38	2302 10 90	87,60	93,60
1104 21 30	191,36	194,38	2302 20 10	40,88	46,88
1104 21 50	299,00	305,04	2302 20 90	87,60	93,60
1104 21 90	121,99	125,01	2302 30 10	40,88 (°)	46,88
1104 22 10 10 (°)	95,04	98,06	2302 30 90	87,60 (°)	93,60
1104 22 10 90 (°)	167,72	170,74	2302 40 10	40,88	46,88
1104 22 30	167,72	170,74	2302 40 90	87,60	93,60
1104 22 50	149,09	152,11	2303 10 11	165,82	347,16

-
- (¹) 6 % *ad valorem*, subject to certain conditions.
- (²) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States :
- products falling within CN code ex 0714 10 91,
 - products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
 - flours and meal of arrow-root falling within CN code 1106 20,
 - arrow-root starch falling within CN code 1108 19 90.
- (³) Taric code : clipped oats.
- (⁴) Taric code : CN code 1104 22 10, other than 'clipped oats'.
- (⁵) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.
- (⁶) 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.
- (⁷) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.
- (⁸) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.
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COMMISSION REGULATION (EC) No 3620/93

of 28 December 1993

fixing the import levies on 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 Article 11 (3) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92; whereas Article 4 of Commission Regulation (EEC) No 1619/93 of 25 June 1993 on the arrangements applicable to cereal-based compound feedingstuffs⁽³⁾ provides that the incidence on the prime costs of those feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the sum of the amounts equal to the average levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products, maize and milk powder, considered to have been used in the manufacture of such compound feedingstuffs, the averages being adjusted on the basis of the threshold price for the basic products in question applicable during the month of importation;

Whereas the fixed component is laid down in Article 6 of Regulation (EEC) No 1619/93;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁴⁾, extended by Regulation (EEC) No 444/92⁽⁵⁾;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the

overseas countries and territories with the European Economic Community⁽⁶⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992⁽⁷⁾; whereas Commission Regulation (EEC) No 1267/93⁽⁸⁾, lays down detailed rules for the application of the import arrangements for these products originating in Sweden;

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⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 1619/93 and subject to Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 January 1994.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁷⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽⁸⁾ OJ No L 129, 27. 5. 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, 28 December 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 December 1993 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies ⁽¹⁾	
	ACP	Third countries (other than ACP)
2309 10 11	13,27	24,15 ⁽²⁾
2309 10 13	602,27	613,15 ⁽²⁾
2309 10 31	41,46	52,34 ⁽²⁾
2309 10 33	630,46	641,34 ⁽²⁾
2309 10 51	82,91	93,79 ⁽²⁾
2309 10 53	671,91	682,79 ⁽²⁾
2309 90 31	13,27	24,15
2309 90 33	602,27	613,15
2309 90 41	41,46	52,34
2309 90 43	630,46	641,34
2309 90 51	82,91	93,79
2309 90 53	671,91	682,79

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

⁽²⁾ The levy may be reduced in accordance with the Agreement between the Community and Sweden (OJ No L 109, 1. 5. 1993, p. 39) and Regulation (EEC) No 1267/93 (OJ No L 129, 27. 5. 1993, p. 14).

COMMISSION REGULATION (EC) No 3621/93

of 28 December 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular the third subparagraph of Article 13 thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1544/93⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

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

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

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

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

(a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;

(b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

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

Whereas in the absence of evidence that no production refund was granted pursuant to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors⁽⁷⁾, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁸⁾, as amended by Regulation (EEC) No 2026/83⁽⁹⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽¹⁰⁾, as last amended by Regulation (EEC) No 2805/93⁽¹¹⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽¹²⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and⁽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.⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.⁽⁶⁾ OJ No L 327, 27. 11. 1990, p. 4.⁽⁷⁾ OJ No L 159, 1. 7. 1993, p. 112.⁽⁸⁾ OJ No L 62, 7. 3. 1980, p. 5.⁽⁹⁾ OJ No L 199, 22. 7. 1983, p. 12.⁽¹⁰⁾ OJ No L 351, 14. 12. 1987, p. 1.⁽¹¹⁾ OJ No L 256, 14. 10. 1993, p. 7.⁽¹²⁾ OJ No L 275, 29. 9. 1987, p. 36.

1902 19 according to their destination ;

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

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

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

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

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

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

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

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

Article 2

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

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

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

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

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

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

Article 3

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

content of the said syrups is less than 78 %, the rate applied shall be equal to the rate of refund set in accordance with the Annex multiplied by the actual percentage of dry extract and divided by 78.

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

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

Article 4

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 28 December 1993.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 178, 5. 7. 1984, p. 22.
⁽²⁾ OJ No L 235, 20. 8. 1987, p. 10.

⁽³⁾ OJ No L 239, 22. 9. 1979, p. 24.

ANNEX

to the Commission Regulation of 28 December 1993 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat : — used unprocessed : — — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101 and groats and meal of CN code 1103)	— — — — — — — —
1001 90 99	Common wheat and meslin : — used unprocessed : — — on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101, and groats and meal of CN code 1103)	1,690 2,816 1,690 2,534 0,986 — 2,816
1002 00 00	Rye : — used unprocessed — used in the form of : — — pellets of CN code 1103, or pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germ of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other (except flours of CN code 1102)	2,816 1,690 2,534 1,236 3,531 — 2,816
1003 00 80	Barley : — used unprocessed — used in the form of : — — flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 — — pellets of CN code 1103 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	6,680 4,676 4,008 1,236 3,531 — 6,680

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1004 00 00	Oats : — used unprocessed — used in the form of : — — pellets of CN code 1103, and pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	5,810 3,486 5,229 1,236 3,531 — 5,810
1005 90 00	Maize (Corn) : — used unprocessed — used in the form of : — — flours of CN codes 1102 20 10 and 1102 20 90 — — groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 — — pellets of CN code 1103 — — hulled or perled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 12 00 — — gluten of CN code 2303 10 11 — — other ⁽³⁾	3,531 2,472 2,825 2,119 3,178 1,236 3,531 1,412 3,531
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	18,910 16,836 16,836
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	24,400 24,400 24,400
1006 40 00	Broken rice : — used unprocessed — used in the form of : — — flour of CN code 1102 30, groats and meal or pellets of CN code 1103 — — flaked grains of CN 1104 19 91 — — starch of CN code 1108 19 10 — — other	5,300 5,300 3,180 5,300 —
1007 00 90	Sorghum	5,810
1101 00 00	Wheat or meslin flour : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	2,078 3,464
1102 10 00	Rye flour	3,858
1103 11 10	Groats and durum wheat meal : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	— —
1103 11 90	Common wheat groats and spelt : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	— —

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

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

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

COMMISSION REGULATION (EC) No 3622/93

of 28 December 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 2071/92⁽²⁾, and in particular Article 17 (4) thereof,

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

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

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

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

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

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

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

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

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾ 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;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 273, 5. 11. 1993, p. 7.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 28 December 1993.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 28 December 1993 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

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

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

COMMISSION REGULATION (EC) No 3623/93

of 28 December 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1548/93 ⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

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

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 256, 14. 10. 1993, p. 7.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

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

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

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

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

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

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 28 December 1993.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 28 December 1993 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg ^(*) —
White sugar :	36,98
Raw sugar :	34,02
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$36,98^{(*)} \times \frac{S^{(1)}}{100}$ or
	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	
Molasses :	—
Isoglucose ⁽²⁾ :	36,98 ⁽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.

(1) 'S' represents in 100 kilograms of syrup

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

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

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

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

COMMISSION REGULATION (EC) No 3624/93

of 28 December 1993

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

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⁾, Article 10 thereof,

Whereas, under Article 9 (2) of Regulation (EEC) No 3013/89, a levy is applicable to the products falling within CN codes codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31 and 0204 50 39 listed in Annex II of that Regulation;

Whereas, in accordance with Article 11 of Regulation (EEC) No 3013/89, the levy on fresh or chilled carcasses and half-carcasses is to be equal to the difference between the seasonally adjusted basic price and the Community free-at-frontier offer price;

Whereas the seasonally-adjusted basic price is fixed in Article 2 of Council Regulation (EEC) No 1564/93⁽³⁾ for the 1994 marketing year;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regard quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas the free-at-frontier offer price is to be determined, if necessary, on the basis of the most representative purchasing possibilities recorded for live sheep;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80⁽⁴⁾, as last amended by Regulation (EEC) No 3890/92⁽⁵⁾, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents

which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on live animals within CN codes 0104 10 90 and 0104 20 90 and on the meat falling within CN codes codes 0204 10 00, 0204 21 00, 0204 22 10, 0204 22 30, 0204 22 50, 0204 22 90, 0204 23 00, 0204 50 11, 0204 50 13, 0204 50 15, 0204 50 19, 0204 50 31, 0204 50 39, 0210 90 11 and 0210 90 19 listed in Annex II to Regulation (EEC) No 3013/89 is to be equal to the levy determined for carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex I to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 715/90⁽⁶⁾, as last amended by Regulation (EEC) No 444/92⁽⁷⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

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

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 36.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 391, 31. 12. 1992, p. 51.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁸⁾ OJ No L 263, 19. 9. 1991, p. 1.

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾, as amended by Regulation (EC) No 3528/93⁽²⁾, 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⁽³⁾;

Whereas, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies

on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 January 1994.

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

Done at Brussels, 28 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 28 December 1993 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat (*)

CN code	(ECU/100 kg)			
	Week No 1 from 3 to 9 January 1994	Week No 2 from 10 to 16 January 1994	Week No 3 from 17 to 23 January 1994	Week No 4 from 24 to 30 January 1994
0104 10 30 (*)	76,446	77,818	79,416	80,553
0104 10 80 (*)	76,446	77,818	79,416	80,553
0104 20 90 (*)	76,446	77,818	79,416	80,553
0204 10 00 (*)	162,650	165,570	168,970	171,390
0204 21 00 (*)	162,650	165,570	168,970	171,390
0204 22 10 (*)	113,855	115,899	118,279	119,973
0204 22 30 (*)	178,915	182,127	185,867	188,529
0204 22 50 (*)	211,445	215,241	219,661	222,807
0204 22 90 (*)	211,445	215,241	219,661	222,807
0204 23 00 (*)	296,023	301,337	307,525	311,930
0204 50 11 (*)	162,650	165,570	168,970	171,390
0204 50 13 (*)	113,855	115,899	118,279	119,973
0204 50 15 (*)	178,915	182,127	185,867	188,529
0204 50 19 (*)	211,445	215,241	219,661	222,807
0204 50 31 (*)	211,445	215,241	219,661	222,807
0204 50 39 (*)	296,023	301,337	307,525	311,930
0210 90 11 (*)	211,445	215,241	219,661	222,807
0210 90 19 (*)	296,023	301,337	307,525	311,930

(*) The levy applicable is limited in the conditions laid down by Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EC) No 3609/93 and Commission Regulations (EEC) No 19/82 and (EC) No 3581/93.

(*) The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

(*) The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

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

COMMISSION REGULATION (EC) No 3625/93

of 28 December 1993

fixing the import levies on frozen 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 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 10 thereof,

Whereas, pursuant to Article 9 (2) of Regulation (EEC) No 3013/89, a levy is applicable to the products falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to that Regulation;

Whereas, pursuant to Article 12 of Regulation (EEC) No 3013/89, the levy on frozen carcasses and halfcarcasses is to be equal to the difference between:

- (a) the basic price multiplied by a coefficient representing the relationship existing in the Community between the price of fresh meat of a category competitive with the frozen meat in question, presented in the same form, and the average price of fresh and chilled sheep carcasses, and
- (b) the Community free-at-frontier offer price for the said frozen meat;

Whereas the seasonally-adjusted basic price for the 1994 marketing year is fixed in Article 2 of Council Regulation (EEC) No 1564/93⁽³⁾; whereas the coefficient referred to in Article 12 (3) (a) of Regulation (EEC) No 3013/89 is fixed in Article 2 (2) of Regulation (EEC) No 2668/80⁽⁴⁾, as last amended by Regulation (EEC) No 3890/92⁽⁵⁾;

Whereas the Community free-at-frontier offer price is determined in the light of the most representative purchasing possibilities, as regards quality and quantity, recorded over the period from the 21st day of the preceding month to the 20th day of the month during which the levies are determined, taking particular account

of the supply and demand situation for fresh or chilled meat, the world market price for frozen meat of a category which is competitive with fresh or chilled meat and of past experience;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2668/80, the free-at-frontier offer prices are to be based *inter alia* on the prices shown in the customs documents which accompany products imported from non-member countries or on other information concerning the export prices applied by those non-member countries; whereas offer prices which do not correspond to actual purchasing possibilities or which relate to unrepresentative quantities and offer prices which, in view of general price movements or other information available, may be considered not to be representative of actual price trends in the country of origin are to be disregarded;

Whereas a special levy may be fixed for products originating in or coming from one or more non-member countries if exports of the said products are made at abnormally low prices;

Whereas the levy on the meat falling within CN codes 0204 30 00, 0204 41 00, 0204 42 10, 0204 42 30, 0204 42 50, 0204 42 90, 0204 43 00, 0204 50 51, 0204 50 53, 0204 50 55, 0204 50 59, 0204 50 71 and 0204 50 79 listed in Annex II to Regulation (EEC) No 3013/89 is to be equal to the levy determined for frozen carcasses, multiplied by a standard coefficient fixed for each of the products in question; whereas these coefficients are fixed in Annex II to Regulation (EEC) No 2668/80;

Whereas the levies should be so fixed that the obligations arising from international agreements concluded by the Community continue to be fulfilled; whereas, moreover, account should be taken of the voluntary restraint arrangements made by the Community with certain non-member countries;

Whereas Council Regulation (EEC) No 715/90⁽⁶⁾, as last amended by Regulation (EEC) No 444/92⁽⁷⁾, lays down the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 36.

⁽⁴⁾ OJ No L 276, 20. 10. 1980, p. 39.

⁽⁵⁾ OJ No L 391, 31. 12. 1992, p. 51.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 52, 27. 2. 1992, p. 7.

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

Whereas the levies are fixed before the 27th day of each month for each week during the following month; whereas they are applicable from Monday to Sunday; whereas they can be altered within that period if necessary;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽²⁾, as amended by Regulation (EC) No 3528/93⁽³⁾, 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 determina-

tion of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁴⁾;

Whereas, having regard to the provisions of the above-mentioned Regulations and, in particular, to the information and quotations known to the Commission, the levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat should be as set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 January 1994.

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

Done at Brussels, 28 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 28 December 1993 fixing the import levies on frozen
sheepmeat and goatmeat ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Week No 1 from 3 to 9 January 1994	Week No 2 from 10 to 16 January 1994	Week No 3 from 17 to 23 January 1994	Week No 4 from 24 to 30 January 1994
0204 30 00	115,738	117,928	120,478	122,293
0204 41 00	115,738	117,928	120,478	122,293
0204 42 10	81,017	82,550	84,335	85,605
0204 42 30	127,312	129,721	132,526	134,522
0204 42 50	150,459	153,306	156,621	158,981
0204 42 90	150,459	153,306	156,621	158,981
0204 43 10	210,643	214,629	219,270	222,573
0204 43 90	210,643	214,629	219,270	222,573
0204 50 51	115,738	117,928	120,478	122,293
0204 50 53	81,017	82,550	84,335	85,605
0204 50 55	127,312	129,721	132,526	134,522
0204 50 59	150,459	153,306	156,621	158,981
0204 50 71	150,459	153,306	156,621	158,981
0204 50 79	210,643	214,629	219,270	222,573

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EC) No 3609/93 and Commission Regulations (EEC) No 19/82 and (EC) No 3581/93.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 3626/93
of 28 December 1993
fixing the import levies on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 14 of Regulation (EEC) No 804/68 provides for charging a levy on imports of the products listed in Article 1 of that Regulation; whereas these products may be divided into groups; whereas the product groups and the pilot groups and the pilot product for each of these groups are set out in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979 determining the groups of products and the special provisions for calculating levies on milk and milk products ⁽³⁾, as last amended by Regulation (EC) No 3423/93 ⁽⁴⁾;

Whereas the levy on the products in any one group must be equal to the threshold price for the pilot product less the free-at-frontier price; whereas these threshold prices were fixed for the 1993/94 milk year by Council Regulation (EEC) No 1562/93 ⁽⁵⁾;

Whereas Commission Regulation (EEC) No 1723/93 ⁽⁶⁾, determining the prices and amounts fixed in ecus in the milk and milk products sector which are reduced as a result of the monetary realignments of September and November 1992, January and May 1993;

Whereas, however, Regulation (EEC) No 2915/79 lays down special provisions for calculating the levy on certain assimilated products; whereas these products are listed and the method of calculating the levy on them described in Annex II and in Articles 2 to 12 of that Regulation respectively;

Whereas, as provided for in Regulation (EEC) No 2915/79, the component of the levy established using a factor expressing the weight ratio existing between the milk components contained in the product on the one hand and the product itself on the other is, for products containing sugar or other sweeteners, calculated by multiplying the basic amount by the quantity of milk components contained in the product;

Whereas Article 12 of Regulation (EEC) No 2915/79 provides that for certain products originating in or coming from certain third countries a specific levy is to be applied; whereas the levy applicable to those products is fixed in Annex I to Commission Regulation (EEC) No 1767/82 ⁽⁷⁾, as last amended by Regulation (EC) No 3450/93 ⁽⁸⁾;

Whereas, for as long as it is found that on importation into the Community the price of an assimilated product for which the levy is not equal to the levy on its pilot product is considerably lower than the price which would obtain if the ratio to the price of the pilot product were normal, the levy must be equal to the sum of two components:

- one component equal to the amount resulting from the provisions of Articles 2 to 7 of Regulation (EEC) No 2915/79 applicable to the assimilated product in question,
- an additional component fixed at a level which, the composition and quality of the assimilated product being taken into account, makes it possible to re-establish normal price ratios for imports into the Community;

Whereas Article 14 (3) of Regulation (EEC) No 804/68 provides that the levy on products in respect of which the customs duty has been bound within GATT must be limited to the amount resulting from that binding;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽⁴⁾ OJ No L 312, 15. 12. 1993, p. 8.

⁽⁵⁾ OJ No L 154, 25. 6. 1993, p. 34.

⁽⁶⁾ OJ No L 159, 1. 7. 1993, p. 123.

⁽⁷⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁸⁾ OJ No L 316, 17. 12. 1993, p. 4.

Whereas Commission Regulation (EEC) No 1073/68 ⁽¹⁾, as amended by Regulation (EEC) No 222/88 ⁽²⁾, provides that a free-at-frontier price must be established for each of the pilot products defined in Annex I to Regulation (EEC) No 2915/79; whereas these prices must be determined for products of good marketable quality;

Whereas the free-at-frontier prices must be established on the basis of the most favourable purchasing opportunities in international trade for the products listed in Article 1 of Regulation (EEC) No 804/68 other than assimilated products for which the levy is not equal to the levy on the related pilot products; whereas, when recording these purchasing opportunities, the Commission must take account of all information obtained direct or through the Member States concerning prices for delivery of third-country products free-at-Community-frontier and prices on third-country markets;

Whereas Commission Regulation (EEC) No 788/86 ⁽³⁾, as last amended by Regulation (EEC) No 1525/90 ⁽⁴⁾, specifies the free-at-Spanish-frontier values of certain cheeses imported from and originating in Switzerland;

Whereas, however, no account should be taken of information relating to small quantities which are not representative of trade in the products in question and quantities in respect of which price trends in general or other information available to it lead the Commission to believe that the price in question is unrepresentative of the real trend of the market;

Whereas the prices used must be adjusted where they are not quoted free-at-Community-frontier or where they do not apply to products of good marketable quality; whereas the adjustment in respect of an assimilated product the levy on which is equal to the levy on its pilot product must be effected in such a way as to allow, in particular, for differences in composition, maturity, quality and presentation between the assimilated product and the related pilot product; whereas adjustments relating to composition must be calculated by multiplying the difference between the milk component content of the pilot product and that of the assimilated product in question by the value attributed in international trade to one unit of weight of the milk component in question; whereas, when the other adjustments are being effected, the difference between the value attributed on the Community market to each of the relevant characteristics of the pilot product and the value attributed on that market to the corresponding characteristics of the assimilated product in question must be taken into account;

Whereas, if no information on prices is available, the free-at-frontier price may, by way of exception, be established on the basis of the value of the raw materials contained in the pilot product in question (calculated on the basis of the prices of milk products for which prices are available), average processing costs and average yields;

Whereas, in exceptional circumstances, a free-at-frontier price may remain unchanged for a limited period where the new level of the price for a given quality or a specific origin, used as a basis for establishing the previous free-at-frontier price, has not reached the Commission to enable it to establish the next free-at-frontier price and if the Commission considers that the prices which are available could lead to sudden and considerable changes in the free-at-frontier price because they are not sufficiently representative of real market trends;

Whereas, in accordance with Article 19 (1) of Regulation (EEC) No 804/68, the nomenclature provided for in this Regulation is incorporated in the combined nomenclature;

Whereas Article 8 of Regulation (EEC) No 1073/68 provides that the levies are fixed every fortnight; whereas they may be altered in the intervening period if necessary; whereas the levy remains valid until another becomes applicable;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose ⁽⁵⁾, as amended by Regulation (EEC) No 222/88, stipulates that the treatment provided for lactose and lactose syrup falling within CN code 1702 10 90 by Regulation (EEC) No 804/68 and by the provisions adopted for the application of that Regulation is to be extended to lactose and lactose syrup falling within CN code 1702 10 10; whereas consequently the levy fixed for products falling within CN code 1702 10 90 also applies to products falling within CN code 1702 10 10; whereas to ensure that the provision in question is properly applied these products and the levy thereon should be explicitly mentioned in the list of levies;

Whereas Council Regulations (EEC) No 518/92 ⁽⁶⁾, as amended by Regulation (EEC) No 2233/93 ⁽⁷⁾, (EEC) No 519/92 ⁽⁸⁾, as amended by Regulation (EEC) No 2234/93 ⁽⁹⁾, and (EEC) No 520/92 ⁽¹⁰⁾, as amended by Regulation (EEC) No 2235/93 ⁽¹¹⁾, of 27 February 1992 on certain procedures for applying the Interim Agreements on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Republics respectively, of the other part, introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EEC) No 584/92 ⁽¹²⁾, as last amended by Regulation (EC) No 3550/93 ⁽¹³⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards milk and milk products;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 20.

⁽²⁾ OJ No L 56, 29. 2. 1992, p. 3.

⁽³⁾ OJ No L 200, 10. 8. 1993, p. 3.

⁽⁴⁾ OJ No L 56, 29. 2. 1992, p. 6.

⁽⁵⁾ OJ No L 200, 10. 8. 1993, p. 4.

⁽⁶⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁷⁾ OJ No L 200, 10. 8. 1993, p. 5.

⁽⁸⁾ OJ No L 62, 7. 3. 1992, p. 34.

⁽⁹⁾ OJ No L 324, 24. 12. 1993, p. 15.

⁽¹⁾ OJ No L 180, 26. 7. 1968, p. 25.

⁽²⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽³⁾ OJ No L 74, 19. 3. 1986, p. 20.

⁽⁴⁾ OJ No L 144, 7. 6. 1990, p. 15.

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992⁽¹⁾; whereas Commission Regulation (EEC) No 1316/93⁽²⁾, as amended by Regulation (EEC) No 2762/93⁽³⁾, lays down detailed rules for the application of the import arrangements for these products originating in Sweden;

Whereas Council Regulation (EEC) No 715/90⁽⁴⁾, as last amended by Regulation (EEC) No 444/92⁽⁵⁾, lays down the arrangements applicable to agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁶⁾, no levies shall apply on products originating in the overseas countries and territories;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as

amended by Regulation (EC) No 3528/93⁽⁸⁾, 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⁽⁹⁾;

Whereas it follows from applying these provisions that the levies on milk and milk products should be as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 28 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽²⁾ OJ No L 132, 29. 5. 1993, p. 73.

⁽³⁾ OJ No L 251, 8. 10. 1993, p. 7.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 28 December 1993 fixing the import levies on milk and milk products

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

CN code	Note (1)	Import levy	CN code	Note (1)	Import levy
0401 10 10		17,44	0403 10 16	(1)	2,0626/kg + 28,21
0401 10 90		16,23	0403 10 22		26,00
0401 20 11		23,59	0403 10 24		30,64
0401 20 19		22,38	0403 10 26		73,27
0401 20 91		28,23	0403 10 32	(1)	0,1996/kg + 27,00
0401 20 99		27,02	0403 10 34	(1)	0,2460/kg + 27,00
0401 30 11		70,86	0403 10 36	(1)	0,6723/kg + 27,00
0401 30 19		69,65	0403 90 11		125,07
0401 30 31		134,97	0403 90 13		173,88
0401 30 39		133,76	0403 90 19		213,51
0401 30 91		225,13	0403 90 31	(1)	1,1782/kg + 28,21
0401 30 99		223,92	0403 90 33	(1)	1,6663/kg + 28,21
0402 10 11	(*)	125,07	0403 90 39	(1)	2,0626/kg + 28,21
0402 10 19	(3) (*)	117,82	0403 90 51		26,00
0402 10 91	(1) (*)	1,1782/kg + 28,21	0403 90 53		30,64
0402 10 99	(1) (*)	1,1782/kg + 20,96	0403 90 59		73,27
0402 21 11	(*)	173,88	0403 90 61	(1)	0,1996/kg + 27,00
0402 21 17	(*)	166,63	0403 90 63	(1)	0,2460/kg + 27,00
0402 21 19	(3) (*)	166,63	0403 90 69	(1)	0,6723/kg + 27,00
0402 21 91	(3) (*)	213,51	0404 10 02		30,45
0402 21 99	(3) (*)	206,26	0404 10 04		173,88
0402 29 11	(1) (3) (*)	1,6663/kg + 28,21	0404 10 06		213,51
0402 29 15	(1) (*)	1,6663/kg + 28,21	0404 10 12		125,07
0402 29 19	(1) (*)	1,6663/kg + 20,96	0404 10 14		173,88
0402 29 91	(1) (*)	2,0626/kg + 28,21	0404 10 16		213,51
0402 29 99	(1) (*)	2,0626/kg + 20,96	0404 10 26	(1)	0,3045/kg + 20,96
0402 91 11	(*)	35,96	0404 10 28	(1)	1,6663/kg + 28,21
0402 91 19	(*)	35,96	0404 10 32	(1)	2,0626/kg + 28,21
0402 91 31	(*)	44,95	0404 10 34	(1)	1,1782/kg + 28,21
0402 91 39	(*)	44,95	0404 10 36	(1)	1,6663/kg + 28,21
0402 91 51	(*)	134,97	0404 10 38	(1)	2,0626/kg + 28,21
0402 91 59	(*)	133,76	0404 10 48	(2)	0,3045/kg
0402 91 91	(*)	225,13	0404 10 52	(2)	1,6663/kg + 6,04
0402 91 99	(*)	223,92	0404 10 54	(2)	2,0626/kg + 6,04
0402 99 11	(*)	41,78	0404 10 56	(2)	1,1782/kg + 6,04
0402 99 19	(*)	41,78	0404 10 58	(2)	1,6663/kg + 6,04
0402 99 31	(1) (*)	1,3134/kg + 24,59	0404 10 62	(2)	2,0626/kg + 6,04
0402 99 39	(1) (*)	1,3134/kg + 23,38	0404 10 72	(2)	0,3045/kg + 20,96
0402 99 91	(1) (*)	2,2150/kg + 24,59	0404 10 74	(2)	1,6663/kg + 27,00
0402 99 99	(1) (*)	2,2150/kg + 23,38	0404 10 76	(2)	2,0626/kg + 27,00
0403 10 02		125,07	0404 10 78	(2)	1,1782/kg + 27,00
0403 10 04		173,88	0404 10 82	(2)	1,6663/kg + 27,00
0403 10 06		213,51	0404 10 84	(2)	2,0626/kg + 27,00
0403 10 12	(1)	1,1782/kg + 28,21	0404 90 11		125,07
0403 10 14	(1)	1,6663/kg + 28,21	0404 90 13		173,88

CN code	Note (1)	Import levy	CN code	Note (1)	Import levy
0404 90 19		213,51	0406 90 31	(3) (*)	156,83
0404 90 31		125,07	0406 90 33	(3) (*)	156,83
0404 90 33		173,88	0406 90 35	(3) (*)	156,83
0404 90 39		213,51	0406 90 37	(3) (*)	156,83
0404 90 51	(1)	1,1782/kg + 28,21	0406 90 39	(3) (*)	156,83
0404 90 53	(1) (3)	1,6663/kg + 28,21	0406 90 50	(3) (*)	156,83
0404 90 59	(1)	2,0626/kg + 28,21	0406 90 61	(3) (*)	362,59
0404 90 91	(1)	1,1782/kg + 28,21	0406 90 63	(3) (*)	362,59
0404 90 93	(1) (3)	1,6663/kg + 28,21	0406 90 69	(3) (*)	362,59
0404 90 99	(1)	2,0626/kg + 28,21	0406 90 73	(3) (*)	156,83
0405 00 11	(3)	231,84	0406 90 75	(3) (*)	156,83
0405 00 19	(3)	231,84	0406 90 76	(3) (*)	156,83
0405 00 90		282,84	0406 90 78	(3) (*)	156,83
0406 10 20	(3) (*)	198,56	0406 90 79	(3) (*)	156,83
0406 10 80	(3) (*)	253,55	0406 90 81	(3) (*)	156,83
0406 20 10	(3) (*)	362,59	0406 90 82	(3) (*)	156,83
0406 20 90	(3) (*)	362,59	0406 90 84	(3) (*)	156,83
0406 30 10	(3) (*)	161,83	0406 90 85	(3) (*)	156,83
0406 30 31	(3) (*)	149,15	0406 90 86	(3) (*)	156,83
0406 30 39	(3) (*)	161,83	0406 90 87	(3) (*)	156,83
0406 30 90	(3) (*)	258,55	0406 90 88	(3) (*)	156,83
0406 40 10	(3) (*)	135,40	0406 90 93	(3) (*)	198,56
0406 40 50	(3) (*)	135,40	0406 90 99	(3) (*)	253,55
0406 40 90	(3) (*)	135,40	1702 10 10		35,59
0406 90 11	(3) (*)	210,49	1702 10 90		35,59
0406 90 13	(3) (*)	152,82	2106 90 51		35,59
0406 90 15	(3) (*)	152,82	2309 10 15		90,79
0406 90 17	(3) (*)	152,82	2309 10 19		117,88
0406 90 19	(3) (*)	362,59	2309 10 39		109,78
0406 90 21	(3) (*)	210,49	2309 10 59		89,04
0406 90 23	(3) (*)	156,83	2309 10 70		117,88
0406 90 25	(3) (*)	156,83	2309 90 35		90,79
0406 90 27	(3) (*)	156,83	2309 90 39		117,88
0406 90 29	(3) (*)	156,83	2309 90 49		109,78
			2309 90 59		89,04
			2309 90 70		117,88

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

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

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

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

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

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

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 December 1993

on the setting-up of a general consultative forum on the environment

(93/701/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas in its resolution of 1 February 1993 on a Community programme of policy and action in relation to the environment and sustainable development⁽¹⁾, the Council approved the approach and general strategy of the programme 'Towards Sustainability' presented by the Commission;

Whereas the programme provides for the setting-up of a general consultative forum bringing together representatives from the sectors of production, the business world, regional and local authorities, professional associations, unions and environmental protection and consumer organizations;

Whereas the forum must be a place of consultation and dialogue between the representatives of the said sectors and the Commission;

Whereas the forum should contain a balanced number of representatives from the various sectors concerned; whereas its members should be appointed by the Commission in the light of recommendations from organizations representing each sector concerned at Community level,

HAS DECIDED AS FOLLOWS:

Article 1

1. A consultative committee on the environment, to be known as the general consultative forum on the environ-

ment, hereinafter referred to as 'the forum', is hereby set up at the Commission.

2. The forum shall consist of figures from the sectors of production, the business world, regional and local authorities, professional associations, unions and environmental protection and consumer organizations.

Article 2

1. The forum may be consulted by the Commission on any problem relating to the Community's environment policy.
2. A vice-chairman of the forum may draw the Commission's attention to the expediency of consulting the forum on a matter within the latter's field of competence on which no opinion has been requested.

Article 3

The forum shall consist of 32 members. Seats shall be allocated as follows:

- (a) seven to 12 seats for business figures;
- (b) three to five seats for representatives from regional and local authorities;
- (c) four to seven seats for representatives from environmental protection and consumer organizations;
- (d) one to three seats for union representatives;
- (e) seven to 10 seats for figures with particular competence in the environmental field.

Article 4

Members of the forum shall be appointed by the Commission, which shall take account of the recommendations made to it by the parties referred to in Article 1 (2).

⁽¹⁾ OJ No C 138, 17. 5. 1993, p. 5.

Article 5

1. The term of office of a forum member shall be three years. It may be renewed.
2. On expiry of the three-year period, forum members shall continue to perform their tasks until such time as they are replaced or reappointed.
3. A member's term of office shall be terminated before the end of the three-year period in the event of resignation or death. He shall be replaced for the remainder of his term of office in accordance with the procedure set out in Article 4.
4. No remuneration shall be given in respect of the tasks performed by a forum member.

Article 6

The Commission shall publish the list of members in the *Official Journal of the European Communities*.

Article 7

1. The forum shall be chaired by a representative of the Commission.
2. The forum shall elect two vice-chairmen from among its members for a period of 18 months. This period may be renewed once. Election shall be by a two-thirds majority of members present.
3. The chairman and the vice-chairmen shall constitute the bureau. The bureau shall prepare and organize the work of the forum.

Article 8

1. The forum may, on a proposal from one of its members or the Commission, invite any person having a particular competence in a matter included in the agenda to participate in its work as an expert.
2. Experts shall take part only in the deliberations on those items for which their presence is required.

Article 9

The forum may set up working parties.

Article 10

1. The forum and the bureau shall meet at the seat of the Commission when convened by it.
2. Representatives from the relevant Committee departments shall take part in the meetings of the forum, the bureau and the working parties.
3. The Commission shall provide the secr tariat for the forum, the bureau and the working parties.

Article 11

1. The forum's deliberations shall deal with requests for opinions lodged by the Commission. They shall not be followed by a vote.
2. When requesting an opinion from the forum, the Commission may set a deadline for delivery of the opinion.
3. The positions adopted shall appear in a record sent to the Commission.

Article 12

Without prejudice to the provisions of Article 214 of the Treaty, forum members shall be required not to divulge information of which they become aware through the work of the forum or the working parties where the Commission informs the latter that an opinion requested or a question raised concerns a matter which is confidential.

In this event, only forum members and representatives of the Commission departments shall attend meetings.

Article 13

This Decision shall take effect on 7 December 1993.

Done at Brussels, 7 December 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

COMMISSION DECISION

of 17 December 1993

on import licences in respect of beef and veal products originating in Botswana,
Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/702/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

be fixed within the scope of the total quantity of 52 100 tonnes ;

Having regard to the Treaty establishing the European Community,

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽¹⁾, as last amended by Regulation (EEC) No 1601/92 ⁽²⁾,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽³⁾, as last amended by Regulation (EEC) No 444/92 ⁽⁴⁾, in particular Article 27 thereof,

HAS ADOPTED THIS DECISION :

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽⁵⁾, as last amended by Regulation (EEC) No 2867/93 ⁽⁶⁾, and in particular Article 15 (6) (b) (i) thereof,

Article 1

The following Member States shall issue on 21 December 1993 import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated :

Whereas Regulation (EEC) No 715/90 provides for the possibility of issuing import licences for beef and veal products ; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries ;

Federal Republic of Germany :

— 100,00 tonnes originating in Namibia ;

Hellenic Republic :

— 4,00 tonnes originating in Madagascar ;

Kingdom of the Netherlands :

— 115,00 tonnes originating in Madagascar ;

United Kingdom :

— 140,00 tonnes originating in Botswana,

— 25,00 tonnes originating in Swaziland,

— 430,00 tonnes originating in Namibia.

Whereas the application for import licences submitted between 1 and 10 December 1993, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland and Namibia the quantities available from these States ; whereas it is therefore possible to issue import licences in respect of the quantities ;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 January 1994, should

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 262, 21. 10. 1993, p. 26.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of January 1994 in respect of the following quantities of boned beef and veal:

— Botswana :	18 916,00 tonnes
— Kenya :	142,00 tonnes
— Madagascar :	7 579,00 tonnes
— Swaziland :	3 363,00 tonnes
— Zimbabwe :	9 100,00 tonnes
— Namibia :	13 000,00 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 December 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 20 December 1993

amending Decision 88/184/EEC authorizing a method for grading pig carcasses in Belgium

(Only the French and Dutch texts are authentic)

(93/703/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses ⁽¹⁾, as last amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 5 (2) thereof,

Whereas Commission Decision 88/184/EEC ⁽³⁾ has introduced a grading method for use in Belgium;

Whereas the Government of Belgium has requested the Commission to authorize the application of a new formula for the calculation of the lean meat content of carcasses in the framework of the existing grading method and has submitted the details required in Article 3 of Regulation (EEC) No 2967/85 ⁽⁴⁾; whereas an examination of this request has revealed that the conditions for authorizing the new formula are fulfilled;

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

HAS ADOPTED THIS DECISION:

Article 1

Point 3 of the Annex to Decision 88/184/EEC is replaced by the following:

3. The lean meat content of the carcass shall be calculated according to the following formula:

$$\hat{y} = 112,19 - 0,6184 x_1 + 0,5037 x_2 - 0,7234 x_3 - 36,2413 x_4 + 0,0448 x_5$$

where

$\hat{y}$ = the estimated percentage of lean meat in the carcass,

x_1 = the thickness of fat (including rind) in millimetres, covering the lumbar muscle (*M. gluteus medius*), measured at its thinnest point,

x_2 = the width of the leg in millimetres, measured at its thickest point,

x_3 = the width of the half-carcass at the flank in millimetres, measured at its narrowest point,

x_4 = the coefficient $\frac{x_2}{x_3}$,

x_5 = the angle of the leg in degrees, measured against the horizontal line.

The formula shall be valid for carcasses weighing between 50 and 110 kilograms.

Article 2

This Decision is addressed to the Kingdom of Belgium.

Done at Brussels, 20 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 301, 20. 11. 1984, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 83, 29. 3. 1988, p. 40.

⁽⁴⁾ OJ No L 285, 25. 10. 1985, p. 39.