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Contents

I *Acts whose publication is obligatory*

- * Council Regulation (EC) No 5/94 of 22 December 1993 on the suspension of the anti-dumping measures against EFTA countries 1**
- Commission Regulation (EC) No 6/94 of 4 January 1994 suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel 3
- Commission Regulation (EC) No 7/94 of 4 January 1994 repealing Regulation (EC) No 3589/93 applying the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus 5
- Commission Regulation (EC) No 8/94 of 4 January 1994 fixing the import levies on white sugar and raw sugar 6

Corrigenda

- * Corrigendum to Commission Regulation (EEC) No 2959/93 of 27 October 1993 amending Regulation (EEC) No 3769/92 implementing and amending Council Regulation (EEC) No 3677/90 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances (OJ No L 267 of 28.10.1993) 8**
- Corrigendum to Commission Regulation (EEC) No 3587/93 of 27 December 1993 fixing the sluice-gate prices and levies for eggs (OJ No L 326 of 28.12.1993) 8

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 5/94

of 22 December 1993

on the suspension of the anti-dumping measures against EFTA countries

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas the Agreement on the European Economic Area, (hereinafter referred to as 'the EEA Agreement'), subsequently modified by an adjusting Protocol, was signed in Oporto on 2 May 1992;

Whereas certain products originating in member countries of the European Free Trade Association (EFTA) are currently subject upon importation into the Community to anti-dumping measures adopted in accordance with Regulation (EEC) No 2423/88;

Whereas Article 26 of the EEA Agreement provides that anti-dumping measures, countervailing duties and measures against illicit commercial practices attributable to third countries shall not be applied in relations between the Contracting Parties unless otherwise specified in the Agreement;

Whereas Protocol 13 of the EEA Agreement provides that the application of Article 26 is limited to the areas covered by the provisions of the Agreement and in which the Community 'acquis' is fully integrated into the Agreement;

Whereas the products originating in member countries of the EFTA which are currently subject to the abovementioned anti-dumping measures belong to sectors which are covered by the provisions of the EEA Agreement;

Whereas the relevant Community 'acquis' in these sectors has been fully integrated into the EEA Agreement; whereas the countries concerned have undertaken, within the framework of the EEA Agreement to apply this 'acquis' from the date of the entry into force of this Agreement;

Whereas it appears necessary to suspend the anti-dumping measures in force on goods originating in EFTA

countries from the date of the entry into force of the EEA Agreement,

HAS ADOPTED THIS REGULATION:

Article 1

The anti-dumping duties imposed by Regulation (EEC) No 2423/88 or undertakings accepted by Commission decisions on the following imports:

- container corner fittings originating in Austria (Commission Decision (EEC) No 313/92)⁽¹⁾,
- silicon carbide originating in Norway (Commission Decision (EEC) No 497/86)⁽²⁾,
- urea originating in Austria (Commission Decision (EEC) No 143/89)⁽³⁾,
- ferrosilicon originating in Iceland, Norway and Sweden (Council Regulation (EC) No 3359/93)⁽⁴⁾,
- diesel engines originating in Sweden and Finland (Commission Decision (EEC) No 138/90)⁽⁵⁾,

are hereby suspended with regard to these countries; duties on these products shall no longer be collected.

Article 2

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

It shall apply from 1 January 1994.

⁽¹⁾ OJ No L 165, 19. 6. 1992, p. 37.

⁽²⁾ OJ No L 287, 10. 10. 1986, p. 25.

⁽³⁾ OJ No L 52, 24. 2. 1989, p. 37.

⁽⁴⁾ OJ No L 302, 9. 12. 1993, p. 1.

⁽⁵⁾ OJ No L 76, 22. 3. 1990, p. 28.

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 6/94

of 4 January 1994

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EEC) No 2604/93⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days

during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 2890/93⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as last amended by Regulation (EEC) No 2917/93⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

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, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for small-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Regulation (EEC) No 2604/93 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 5 January 1994.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 239, 24. 9. 1993, p. 1.

⁽⁴⁾ OJ No L 263, 22. 10. 1993, p. 10.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽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.

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

Done at Brussels, 4 January 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 7/94**of 4 January 1994****repealing Regulation (EC) No 3589/93 applying the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus**

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

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

Whereas Commission Regulation (EC) No 3589/93 ⁽²⁾ applied the duty in the Common Customs Tariff to imports of fresh lemons originating in Cyprus;

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

market days on the representative markets of the Community with the lowest quotations;

Whereas the present trend of prices of Cypriot products on the representative markets indicates that the conditions set out in the second paragraph of Article 4 of Regulation (EEC) No 1252/73 are fulfilled; whereas Regulation (EC) No 3589/93 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3589/93 is hereby repealed.

Article 2

This Regulation shall enter into force on 5 January 1994.

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

Done at Brussels, 4 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 133, 21. 5. 1973, p. 113.

⁽²⁾ OJ No L 326, 28. 12. 1993, p. 51.

COMMISSION REGULATION (EC) No 8/94

of 4 January 1994

fixing the import levies on white sugar and raw sugar

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

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93 ⁽⁵⁾, as last amended by Regulation (EC) No 3660/93 ⁽⁶⁾;

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

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 3 January 1994, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 January 1994.

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

Done at Brussels, 4 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 40.

⁽⁶⁾ OJ No L 333, 31. 12. 1993, p. 59.

ANNEX

to the Commission Regulation of 4 January 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	33,93 ⁽¹⁾
1701 11 90	33,93 ⁽¹⁾
1701 12 10	33,93 ⁽¹⁾
1701 12 90	33,93 ⁽¹⁾
1701 91 00	41,67
1701 99 10	41,67
1701 99 90	41,67 ⁽²⁾

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

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

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

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 2959/93 of 27 October 1993 amending Regulation (EEC) No 3769/92 implementing and amending Council Regulation (EEC) No 3677/90 laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances

(Official Journal of the European Communities No L 267 of 28 October 1993)

On page 9, in Annex II, under column heading 'Substance':

for: 'Acetic acid',

read: 'Acetic anhydride'.

Corrigendum to Commission Regulation (EEC) No 3587/93 of 27 December 1993 fixing the sluice-gate prices and levies for eggs

(Official Journal of the European Communities No L 326 of 28 December 1993)

On page 49, in the Annex:

for:

'CN code	Sluice-gate price	Levy
	ECU/100 kg	ECU/100 kg
0408 91 80	1 017,22	397,85 (')
0408 99 80	269,56	102,10 (')

read:

'CN code	Sluice-gate price	Levy
	ECU/100 kg	ECU/100 kg
0408 91 80	339,07	132,62 (')
0408 99 80	89,85	34,03 (')