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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 196/94**of 31 January 1994****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20

and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2666/93 ⁽⁵⁾, as last amended by Regulation (EC) No 143/94 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.
⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 4.
⁽⁶⁾ OJ No L 22, 27. 1. 1994, p. 32.

ANNEX

to the Commission Regulation of 31 January 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ⁽⁹⁾		Third countries (except ACP) ⁽⁹⁾
	Arrangement in Regulation (EEC) No 3877/86 ⁽¹⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	
1006 10 21	—	142,50	292,21
1006 10 23	—	114,33	235,86
1006 10 25	—	114,33	235,86
1006 10 27	176,90	114,33	235,86
1006 10 92	—	142,50	292,21
1006 10 94	—	114,33	235,86
1006 10 96	—	114,33	235,86
1006 10 98	176,90	114,33	235,86
1006 20 11	—	179,03	365,26
1006 20 13	—	143,81	294,82
1006 20 15	—	143,81	294,82
1006 20 17	221,12	143,81	294,82
1006 20 92	—	179,03	365,26
1006 20 94	—	143,81	294,82
1006 20 96	—	143,81	294,82
1006 20 98	221,12	143,81	294,82
1006 30 21	—	221,73	467,32
1006 30 23	—	237,20	498,17
1006 30 25	—	237,20	498,17
1006 30 27	373,63	237,20	498,17
1006 30 42	—	221,73	467,32
1006 30 44	—	237,20	498,17
1006 30 46	—	237,20	498,17
1006 30 48	373,63	237,20	498,17
1006 30 61	—	236,50	497,70
1006 30 63	—	254,67	534,04
1006 30 65	—	254,67	534,04
1006 30 67	400,53	254,67	534,04
1006 30 92	—	236,50	497,70
1006 30 94	—	254,67	534,04
1006 30 96	—	254,67	534,04
1006 30 98	400,53	254,67	534,04
1006 40 00	—	49,78	105,57

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

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

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

⁽⁴⁾ The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulations (EEC) No 3491/90 and (EEC) No 862/91.

⁽⁵⁾ The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

⁽⁹⁾ No import levy applies to products originating in the OCT pursuant to Article 101 (1) of Decision 91/482/EEC, subject to the provisions of Decision 93/127/EEC.

COMMISSION REGULATION (EC) No 197/94**of 31 January 1994****fixing the premiums to be added to the import levies on rice and broken rice**

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2667/93 ⁽³⁾, as last amended by Regulation (EC) No 144/94 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 245, 1. 10. 1993, p. 7.

⁽⁴⁾ OJ No L 22, 27. 1. 1994, p. 34.

ANNEX

to the Commission Regulation of 31 January 1994 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 2	1st period 3	2nd period 4	3rd period 5
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EC) No 198/94**of 31 January 1994****fixing the import levies on syrups and certain other products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 127.

⁽⁶⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽⁷⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽⁸⁾ OJ No L 263, 19. 9. 1991, p. 1.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽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 it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 31 January 1994 fixing the basic amount of the import levy on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4168	—
1702 20 90	0,4168	—
1702 30 10	—	51,35
1702 40 10	—	51,35
1702 60 10	—	51,35
1702 60 90	0,4168	—
1702 90 30	—	51,35
1702 90 60	0,4168	—
1702 90 71	0,4168	—
1702 90 90	0,4168	—
2106 90 30	—	51,35
2106 90 59	0,4168	—

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

⁽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.

COMMISSION REGULATION (EC) No 199/94**of 31 January 1994****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 25, 31. 1. 1975, p. 1.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽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 the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

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

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro);

whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

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.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 31 January 1994 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	35,86 ⁽²⁾ ⁽³⁾
1702 60 10 000	35,86 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 000	0,3586 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	35,86 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3586 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3586 ⁽¹⁾ ⁽³⁾
1702 90 90 900	0,3586 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	35,86 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3586 ⁽¹⁾ ⁽³⁾

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

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

⁽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.

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

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

COMMISSION REGULATION (EC) No 200/94

of 31 January 1994

altering the export refunds on white sugar and raw sugar exported in the natural state

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 87/94 ⁽³⁾, as amended by Regulation (EC) No 134/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 87/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽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 export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 87/94, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 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 17, 20. 1. 1994, p. 16.

⁽⁴⁾ OJ No L 22, 27. 1. 1994, p. 12.

⁽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 31 January 1994 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	32,99 ⁽¹⁾
1701 11 90 910	31,57 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	32,99 ⁽¹⁾
1701 12 90 910	31,57 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3586
	— ECU/100 kg —
1701 99 10 100	35,86
1701 99 10 910	35,86
1701 99 10 950	35,86
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3586

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

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

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

COMMISSION REGULATION (EC) No 201/94
of 31 January 1994
fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EC) No 3496/93⁽²⁾, and in particular Article 5 (3) thereof,

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

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

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

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

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

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁹⁾, as last

amended by Regulation (EEC) No 1110/89⁽¹⁰⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽¹¹⁾, as last amended by Regulation (EEC) No 1069/93⁽¹²⁾;

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

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

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed under Article 5 (2) of

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 17.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁵⁾ OJ No L 158, 30. 6. 1993, p. 18.

⁽⁶⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁷⁾ OJ No L 132, 29. 5. 1993, p. 114.

⁽⁸⁾ OJ No L 215, 30. 7. 1992, p. 48.

⁽⁹⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽¹⁰⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽¹¹⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽¹²⁾ OJ No L 108, 1. 5. 1993, p. 114.

Regulation (EEC) No 1117/78 ; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3(3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero ;

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

Whereas, as the result of the applications of all these provisions to the offers and quotations which the

Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

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 31 January 1994 fixing the rate of the aid for dried fodder

Aid applicable from 1 February 1994 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates	Fodder otherwise dried
February 1994	61,414	36,724

Aid in case of advance fixing for the month of:

(ECU/tonne)

March 1994	61,438	36,748
April 1994	61,606	36,916

COMMISSION REGULATION (EC) No 202/94

of 31 January 1994

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 February 1994.

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

Done at Brussels, 31 January 1994.

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 31 January 1994 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)	1,180 1,967 1,180 1,770 0,688 — 1,967
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)	1,967 1,180 1,770 1,113 3,180 — 1,967
1003 00 90	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 1,113 3,180 — 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	6,276 3,766 5,648 1,113 3,180 — 6,276
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⁾	3,180 2,226 2,544 1,908 2,862 1,113 3,180 1,272 3,180
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	18,290 16,284 16,284
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	23,600 23,600 23,600
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	5,400 5,400 3,240 5,400 —
1007 00 90	Sorghum	6,276
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	1,452 2,419
1102 10 00	Rye flour	2,695
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	1,452 2,419

⁽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 203/94

of 31 January 1994

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 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 31 January 1994 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 :	35,86
Raw sugar :	32,99
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) :	$35,86^{(*)} \times \frac{S^{(1)}}{100}$ 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⁾ :	35,86 ⁽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 204/94

of 31 January 1994

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.

Article 2

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.

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 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 January 1994 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	(ECU/100 kg) 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 b) On exportation of other goods	52,64 110,00
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 b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	26,00 166,00 160,00

(*) 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 205/94

of 31 January 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2703/93 ⁽⁵⁾ and subsequent amending Regulations;

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

rate established during the reference period from 28 January 1994, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2703/93 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 108.

ANNEX

to the Commission Regulation of 31 January 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	81,46 ⁽²⁾ ⁽³⁾
0712 90 19	81,46 ⁽²⁾ ⁽³⁾
1001 10 00	0 ⁽¹⁾ ⁽³⁾
1001 90 91	90,72
1001 90 99	90,72 ⁽⁹⁾
1002 00 00	116,11 ⁽⁶⁾
1003 00 10	119,81
1003 00 90	119,81 ⁽⁹⁾
1004 00 00	93,90
1005 10 90	81,46 ⁽²⁾ ⁽³⁾
1005 90 00	81,46 ⁽²⁾ ⁽³⁾
1007 00 90	95,38 ⁽⁴⁾
1008 10 00	23,81 ⁽⁹⁾
1008 20 00	42,09 ⁽⁴⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	164,54 ⁽⁹⁾
1102 10 00	200,09
1103 11 10	30,00
1103 11 90	188,01
1107 10 11	172,36
1107 10 19	131,54
1107 10 91	224,14 ⁽¹⁰⁾
1107 10 99	170,23 ⁽⁹⁾
1107 20 00	196,59 ⁽¹⁰⁾

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 206/94**of 31 January 1994****fixing the premiums to be added to the import levies on cereals, flour and malt**

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

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

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

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 28

January 1994, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 31 January 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5
0709 90 60	0	1,37	0	0
0712 90 19	0	1,37	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	1,37	0	0
1005 90 00	0	1,37	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 2	1st period 3	2nd period 4	3rd period 5	4th period 6
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EC) No 207/94
of 31 January 1994
fixing the aid for cotton

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2419/93 ⁽⁴⁾, as last amended by Regulation (EC) No 193/94 ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 51,807 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 222, 1. 9. 1993, p. 35.

⁽⁵⁾ OJ No L 24, 29. 1. 1994, p. 82.

COMMISSION REGULATION (EC) No 208/94

of 31 January 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 1548/93⁽²⁾, and in particular Article 16 (5) thereof,

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾, asamended by Regulation (EC) No 3528/93⁽⁴⁾, 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⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 24,00 per 100 kg.

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 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 108, 1. 5. 1993, p. 106.

COMMISSION REGULATION (EC) No 209/94

of 31 January 1994

fixing the rates of the refunds applicable to eggs and egg yolks 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 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 (1) 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 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 ⁽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 2771/75;

Whereas, in accordance with the second 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 a period of the same duration as that for which refunds are fixed for the same products exported unprocessed;

Whereas, in accordance with paragraph 2 of that Article, when that rate is being determined particular account should be taken of:

- (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 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; and

- (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 a specific rate of refund should be fixed for eggs in shell, exported in the form of egg albumin, taking into account the difference between the prices of such eggs on the Community market and on the world market;

Whereas Council Regulation (EEC) No 990/93 ⁽⁵⁾ 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 Poultrymeat and Eggs,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75, are hereby fixed as shown in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 1 February 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 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ 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, 31 January 1994.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 31 January 1994 fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	Rate of refund (ECU/100 kg)
0407 00	Birds' eggs, in shell, fresh, preserved or cooked :	
	— Of poultry :	
0407 00 30	— — Other :	
	a) On exportation of ovalbumin of CN code 3502 10	20,00
	b) On exportation of other goods	12,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter :	
	— Egg yolks :	
0408 11	— — Dried :	
ex 0408 11 80	— — — Suitable for human consumption : not sweetened	60,00
0408 19	— — Other :	
	— — — Suitable for human consumption :	
ex 0408 19 81	— — — — Liquid : not sweetened	26,00
ex 0408 19 89	— — — — Frozen : not sweetened	28,00
	— Other :	
0408 91	— — Dried :	
ex 0408 91 80	— — — Suitable for human consumption : not sweetened	58,00
0408 99	— — Other :	
ex 0408 99 80	— — — Suitable for human consumption : not sweetened	10,00

COMMISSION REGULATION (EC) No 210/94

of 31 January 1994

providing for the determination and the administration of the variable component for certain goods originating in Bulgaria resulting from the processing of agricultural products referred to in Council Regulation (EC) No 3448/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular the second paragraph of Article 7 thereof,

Whereas Protocol 3 to the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and Bulgaria of the other part⁽²⁾, on trade and related matters provides for reductions in the variable components for certain goods referred to in Annex I to the said Protocol within the limit of quotas fixed in the Annex II to the same Protocol;

Whereas the decision for the opening of Community quotas should be taken by the Community, in the execution of its international obligations, in the case of the goods listed in the Annex to this Regulation; whereas particular care should be taken to ensure that all Community importers have equal and continuous access to those quotas and that the charges laid down for the quotas are applied to all imports of the goods in question into all Member States until the quotas are exhausted; whereas, to ensure the efficient common administration of these quotas, there are no obstacles to authorizing the Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within, and jointly represented by, the Benelux Economic Union, any operation concerning the administration of these tariff measures may be carried out by any one of its members;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committee on Horizontal Questions Concerning Trade in Processed Agricultural Products not listed in Annex II,

Article 1

1. From 1 February to 31 December 1994, goods originating in Bulgaria which are listed in the Annex to this Regulation shall be subject to a reduced variable component determined in accordance with Article 2, within the limits set out in that Annex.

2. For the purposes of this Regulation, 'originating goods' means goods meeting the conditions established by Protocol 4 to the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Bulgaria of the other part.

Article 2

The reduced variable components applicable from 1 February to 31 December 1994 shall be calculated as follows:

- (a) the difference, established in accordance with Article 3 (2) of Regulation (EC) No 3448/93 between the average threshold price and the average cif price or free-at-frontier price for each basic product shall be reduced by 20 %; however, the differences established for common wheat shall be reduced by 40 %;
- (b) the amounts thus obtained shall apply to the quantities of basic products considered to have been used in the manufacture of the goods concerned in accordance with Article 13 (2) of Regulation (EC) No 3448/93.

Article 3

The variable components to be applied to those goods which are mentioned in Annex B to Regulation (EC) No 3448/93 but not mentioned in the Annex to this Regulation, and to those goods which are mentioned in the Annex to this Regulation in amounts exceeding the quotas laid down in it, shall be those which are established by direct application of Article 3 of Regulation (EC) No 3448/93.

Article 4

1. The tariff quota referred to in Article 1 shall be administered by the Commission, which may take all appropriate measures in order to ensure administration thereof.

⁽¹⁾ OJ No L 318, 20. 12. 1993, p. 18.

⁽²⁾ OJ No L 323, 23. 12. 1993, p. 2.

2. Where an importer declares a product covered by this Regulation for free circulation in a Member State and applies to take advantage of the preferential arrangements, and that declaration is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the quota volume.

Requests for drawings, indicating the date of acceptance of the said declarations, must be sent to the Commission without delay.

The drawing shall be granted by the Commission by reference to the date of acceptance of the declaration for free circulation by the customs authorities of the Member

State concerned, to the extent that the available balance so permits.

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

4. If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated on a pro rata basis. The Commission shall inform the Member States of the drawings made.

Article 5

This Regulation shall enter into force on the 1 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

*ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —
BIJLAGE — ANEXO*

Número de orden Løbenummer Laufende Nummer Αύξων αριθμός Order No Numéro d'ordre Numero d'ordine Volgnummer Número de ordem	Código NC KN-kode KN-Code Κωδικός ΣΟ CN code Code NC Codice NC GN-code Código NC	Volumen del contingente (toneladas) Kontingentmængde (tons) Kontingentsmenge (Tonnen) Ύψος της ποσόστωσης (τόνοι) Quota volume (tonnes) Volume du contingent (en tonnes) Volume del contingente (tonnellate) Omvang van het contingent (in ton) Volume do contingente (toneladas)
09.5461	1704 10	110
09.5463	1806 20 10 1806 31 1806 32 1806 90	330
09.5465	1901 10	11
09.5467	1901 90 90	55
09.5469	1902 19 00	220
09.5471	1904 10	165
09.5473	1905 30 1905 90	385
09.5475	2101 10 99	110
09.5477	2102 10 31 2102 10 39	55
09.5479	2105	55
09.5481	2106 10 90 2106 90 99	330
09.5483	2202 90 91 2202 90 95 2202 90 99	11

COMMISSION REGULATION (EC) No 211/94

of 31 January 1994

amending Regulation (EC) No 3392/93 on detailed rules for the application of Council Regulation (EEC) No 1842/83 laying down general rules for the supply of milk and certain milk products at reduced prices to schoolchildren

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 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 26 (4) thereof,

Having regard to Council Regulation (EEC) No 1842/83 of 30 June 1983 laying down general rules for the supply of milk and certain milk products at reduced prices to schoolchildren⁽³⁾, as last amended by Regulation (EEC) No 2748/93⁽⁴⁾, and in particular Article 2 (1) thereof,

Whereas the Annex to Commission Regulation (EC) No 3392/93 of 10 December 1993⁽⁵⁾ lists the milk products eligible for Community school milk aid; whereas, in certain regions of the Community, a system has developed for the supply of untreated whole milk to schools in those regions, where the supply of heat-treated milk is not guaranteed; whereas it is considered necessary, therefore, to extend the scope of the aforementioned Regulation to cover untreated whole milk; whereas, in order to ensure continuity of distribution, this amendment should be made effective as from 1 January 1994, the date of entry into force of that Regulation;

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

Article 1

Regulation (EC) No 3392/93 is hereby amended as follows:

1. In Article 2 (1), 'categories III to VI' are replaced by 'categories III to VII';
2. In Article 4 (1) (a), 'category I' is replaced by 'categories I and VII';
3. The following is added to the Annex thereto:

'Category VII

Whole milk, untreated'.

Article 2

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

It shall apply with effect from 1 January 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 183, 7. 7. 1983, p. 1.

⁽⁴⁾ OJ No L 249, 7. 10. 1993, p. 1.

⁽⁵⁾ OJ No L 306, 11. 12. 1993, p. 27.

COMMISSION REGULATION (EC) No 212/94
of 31 January 1994

**laying down detailed rules for the application of the import arrangements
provided for by Council Regulations (EC) No 129/94 and (EC) No 131/94 for
high-quality beef and frozen buffalo meat**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 129/94 of 24 January 1994 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1994) ⁽¹⁾, and in particular Article 2 thereof,

Having regard to Council Regulation (EC) No 131/94 of 24 January 1994 opening a Community tariff quota for frozen buffalo meat falling within CN code 0202 30 90 (1994) ⁽²⁾, and in particular Article 2 thereof,

Whereas Regulations (EC) No 129/94 and (EC) No 131/94 opened quotas for high-quality beef and veal and for buffalo meat; whereas the rules for the application of these arrangements must be established;

Whereas the exporting non-member countries have undertaken to issue certificates of authenticity guaranteeing the origin of these products; whereas the form and layout of these certificates and the procedures for using them must be specified; whereas the certificate of authenticity must be issued by an appropriate authority in a non-member country, the standing of which is such as to ensure that the special arrangements are properly applied;

Whereas, pursuant to Article 2 of Commission Regulation (EEC) No 2377/80 ⁽³⁾, as last amended by Regulation (EEC) No 2867/93 ⁽⁴⁾, a licence is required for all imports into the Community of beef and veal products; whereas some of the non-member countries exporting meat under this Regulation have undertaken to restrict their exports of such products; whereas the licence must be endorsed as required by the provisions in Article 12 of Regulation (EEC) No 2377/80;

Whereas in order to ensure that the importing of these meats is managed efficiently it is appropriate, as the case may be, to provide that the issuing of import licences

shall be subject to verification in particular of the entries on the certificates of authenticity;

Whereas provision must be made for the Member States to transmit relevant information in connection with these special imports;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The tariff quota for fresh, chilled or frozen beef and veal provided for in Article 1 of Regulation (EC) No 129/94 shall be allocated as follows:

(a) 17 000 tonnes of chilled, boned or boneless meat, falling within CN codes 0201 30 and 0206 10 95, and answering the following definition:

‘Special or good-quality beef cuts obtained from exclusively pasture-grazed animals aged between 22 and 24 months, having two permanent incisors and presenting a slaughter liveweight not exceeding 460 kilograms, referred to as “special boxed beef”, cuts of which may bear the letters “sc” (special cuts)’;

(b) 5 000 tonnes product weight of meat, falling within CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91, and answering the following definition:

‘Selected cuts of fresh, chilled or frozen beef derived from bovine animals which do not have more than four permanent incisor teeth, the carcasses of which have a dressed weight of not more than 327 kilograms (720 pounds), a compact appearance with a good eye of meat of light and uniform colour, and adequate but not excessive fat cover. The meat shall be certified “high-quality beef EC”’;

(c) 2 300 tonnes of boned or boneless meat, falling within CN codes 0201 30, 0202 30 90, 0206 10 95 and 0206 29 91, and answering the following definition:

‘Special or good-quality beef cuts obtained from exclusively pasture-grazed animals presenting a slaughter liveweight not exceeding 460 kilograms, referred to as “special boxed beef”. These cuts may bear the letters “sc” (special cuts)’;

⁽¹⁾ OJ No L 22, 27. 1. 1994, p. 1.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 5.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 262, 21. 10. 1993, p. 26.

- (d) 10 000 tonnes product weight of meat, falling within CN codes 0201, 0202, 0206 10 95 and 0206 29 91, and answering the following definition :

'Carcases of any cuts from cattle not over 30 months of age which have been fed for 100 days or more on a nutritionally balanced, high-energy-feed concentration ration containing no less than 70 % grain and at least 20 pounds total feed per day. Beef graded USDA "UNITED STATES DEPARTMENT OF AGRICULTURE", "choice" or "prime" automatically meets the definition above. Meat graded A 2, A 3 und A 4 under the standards of the Canadian Ministry of Agriculture automatically meets the definition above'.

2. The tariff quota for frozen buffalo meat provided for in Article 1 (1) of Regulation (EC) No 131/94 shall be administered in accordance with the provisions of this Regulation.

Article 2

1. The total suspension of the import levy for the meat referred to in Article 1 shall be subject to the presentation at the time it is put into free circulation :

- with regard to meat under Article 1 (1) (d), of a certificate of authenticity and of an import licence issued in accordance with Articles 12 and 15 of Regulation (EEC) No 2377/80,
- with regard to meat under Article 1 (1) (a), (b) and (c) and 1 (2), of an import licence issued in accordance with this Regulation and, by way of analogy, with Article 12 (1) (b) and (c) and Article 12 (2) of Regulation (EEC) No 2377/80.

2. The certificate of authenticity shall be made out in one original and not less than one copy on a form corresponding to the model in Annex I.

The form shall measure approximately 210 × 297 mm and the paper shall weigh not less than 40 g/m².

3. The forms shall be printed and completed in one of the official languages of the Community and also, if desired, in the official language or one of the official languages of the exporting country.

The relevant definition in Article 1 (1) applying to the meat originating in the exporting country shall be shown on the back of the form.

4. Certificates of authenticity shall bear an individual serial number assigned by the issuing authority referred to in Article 4. The copies shall bear the same serial number as the original.

5. The original and the copies thereof shall be either typewritten or handwritten. In the latter case, they must be completed in black ink and in block capitals.

Article 3

1. Certificates of authenticity shall be valid only if they are duly completed and endorsed, in accordance with the instruction in Annexes I and II, by one of the issuing authorities listed in Annex II.

2. Certificates of authenticity shall be deemed to have been duly endorsed if they state the date and place of issue and if they bear the stamp of the issuing authority and the signature of the person or persons empowered to sign them.

The stamp may be replaced on the original certificate of authenticity and its copies by a printed seal.

Article 4

1. The issuing authorities listed in Annex II shall :

- (a) be recognized as competent by the exporting country ;
- (b) undertake to verify the entries made on the certificates of authenticity ;
- (c) undertake to communicate to the Commission each Wednesday any information enabling the entries made on the certificates of authenticity to be verified.

2. The list may be revised by the Commission where any issuing authority is no longer recognized, where it fails to fulfil one of the obligations incumbent on it or where a new issuing authority is designated.

Article 5

1. With regard to meat under Article 1 (1) (a), (b) and (c) and 1 (2) :

- (a) The original of the certificate of authenticity plus a copy hereof shall be presented to the competent authority together with the application for the first import licence related to the certificate of authenticity.

The original certificate of authenticity shall be retained by the abovementioned authority.

- (b) Within the limit of the quantity appearing in it, a certificate of authenticity may be used for the issue of several import licences. If so, the competent authority shall endorse the certificate of authenticity in respect of the degree of attribution.

- (c) The competent authority may only issue the import licence after it is satisfied that all information on the certificate of authenticity correspond to the information received by the Commission through weekly communications on the matter. The licence shall be issued immediately thereafter.

2. The certificates of authenticity and the import licences shall be valid for three months from the date of their respective issue. However, their term of validity shall expire on 31 December 1994.

Article 6

Without prejudice to this Regulation the provisions of Regulations (EEC) No 2377/80 and (EEC) No 3719/88 ⁽¹⁾ shall apply.

However, by way of derogation from the second subparagraph of Article 14 (3) of Regulation (EEC) No 3719/88 the amount of ECU 100 laid down in that provision shall be replaced by the amount of ECU 25.

Article 7

By the 15th of each month and in respect of the preceding month the Member States shall notify the Commis-

sion of the quantities of products referred to in Article 1 that have been :

- the subject of import licences issued,
- released for free circulation,

broken down by country of origin and combined nomenclature code.

Article 8

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

It shall apply with effect from 1 January 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

ANNEX I

1 Exporter (name and address)	2 Certificate No	ORIGINAL	
4 Consignee (name and address)	3 Issuing authority		
	5 CERTIFICATE OF AUTHENTICITY BEEF AND VEAL		
6 Means of transport			
7 Marks, numbers, number and kind of packages ; description of goods	8 Gross weight (kg)	9 Net weight (kg)	
10 Net weight (in words)			
11 CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf. (a) for high-quality beef ⁽¹⁾ ; (b) for buffalo meat ⁽¹⁾ . Place : Date : Signature and stamp (or printed seal)			

⁽¹⁾ Delete as appropriate.

To be filled in either by typewriter or hand in block capitals.

DEFINITIONS

**High-quality beef originating in
(appropriate definition)**

Buffalo meat originating in Australia

*ANNEX II***LIST OF AUTHORITIES IN EXPORTING COUNTRIES EMPOWERED TO ISSUE
CERTIFICATES OF AUTHENTICITY****— SECRETARÍA DE AGRICULTURA, GANADERÍA Y PESCA :**

for meat originating in Argentina, answering the definition in Article 1 (1) (a).

— AUSTRALIAN MEAT AND LIVESTOCK CORPORATION :

for meat originating in Australia :

(a) and meeting the definition in Article 1 (1) (b);

(b) as referred to in Article 1 (2).

— INSTITUTO NACIONAL DE CARNES (INAC) :

for meat originating in Uruguay, answering the definition in Article 1 (1) (c).

**— FOOD SAFETY AND INSPECTION SERVICE (FSIS) OF THE UNITED STATES DEPARTMENT OF
AGRICULTURE (USDA) :**

for meat originating in the United States of America, answering the definition in Article 1 (1) (d).

**— FOOD PRODUCTION AND INSPECTION BRANCH-AGRICULTURE CANADA, DIRECTION
GÉNÉRALE PRODUCTION ET INSPECTION DES ALIMENTS-AGRICULTURE CANADA :**

for meat originating in Canada, answering the definition in Article 1 (1) (d).

COMMISSION REGULATION (EC) No 213/94
of 31 January 1994
amending Regulation (EEC) No 2137/93 fixing the export refunds in the wine
sector

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1566/93 ⁽²⁾, and in particular Article 56 ⁽⁴⁾ thereof,

Whereas Commission Regulation (EEC) No 2137/93 ⁽³⁾, as amended by Regulation (EC) No 3345/93 ⁽⁴⁾, fixing the exports refunds on wine for certain destinations, including east European countries, should be amended;

Whereas certain disturbances on the world market and the necessity to continue control measures necessitate a prolongation of the temporary suspension of export refunds on export to Bosnia-Herzegovina, Croatia, Slovenia, the former Yugoslav Republic of Macedonia, Republics of Serbia and Montenegro, Bulgaria, the Czech Republic, the Slovak Republic, Hungary and Romania;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2137/93 is hereby replaced by the Annex hereto.

No application for refunds for the countries mentioned in the Annex, note (1), point (09) (b) can be presented before 1 April 1994.

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 39.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 91.

⁽⁴⁾ OJ No L 300, 7. 12. 1993, p. 1.

ANNEX

CN code	Product code	For export to ⁽¹⁾	Refund
2009 60 11 2009 60 19 2009 60 51 2009 60 71 2204 30 91 2204 30 99	100	01 ; 02 ; 04	ECU 1,04/%/vol/hl ⁽²⁾
2204 21 25 2204 21 35 2204 29 25 2204 29 35	110	02 ; 09	ECU 4,40/hl
2204 21 25 2204 21 29 2204 21 35 2204 21 39 2204 29 25 2204 29 29 2204 29 35 2204 29 39	190	02	ECU 1,44/%/vol/hl ⁽³⁾
		09	ECU 1,32/%/vol/hl ⁽³⁾
	910	02 ; 09	ECU 4,40/hl
		02 ; 09	ECU 13,80/hl
	910	02 ; 09	ECU 13,80/hl
		02 ; 09	ECU 13,80/hl
	910	02 ; 09	ECU 13,80/hl

(¹) The destinations are as follows :

01 Venezuela ;

02 All countries of the African continent with the exception of those explicitly excluded under 09 ;

04 All other destinations with the exception of Sweden and those explicitly excluded under 09 ;

09 All other destinations with the exception of the following third countries and territories :

(a) — all countries of the American continent within the meaning of Commission Regulation (EEC) No 208/93 (OJ No L 25, 2. 2. 1993, p. 11),

— Algeria,
— Australia,
— Austria,
— Cyprus,
— Israel,
— Morocco,
— South Africa,
— Switzerland,
— Tunisia and
— Turkey ;

(b) — and until 31 March 1994 :

— Bulgaria,
— the Czech Republic,
— the Slovak Republic,
— Hungary,
— Romania,
— Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia, the Republics of Serbia and Montenegro.

(²) Potential alcoholic strength by volume as defined in Annex II to Regulation (EEC) No 822/87.

(³) Total alcoholic strength by volume as defined in Annex II to Regulation (EEC) No 822/87.

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

COMMISSION REGULATION (EC) No 214/94

of 31 January 1994

laying down detailed rules for the application of the Council Regulation (EC) No 130/94 with regard to the import arrangements for frozen beef falling within CN code 0202 and products falling within CN code 0206 29 91

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 130/94 of 24 January 1994 opening and providing for the administration of a Community tariff quota for frozen meat of bovine animals falling within CN code 0202 and products falling within CN code 0206 29 21 (1994) (1), and in particular Article 4 thereof,

Whereas Regulation (EC) No 130/94 lays down the method for administering the Community tariff quota for frozen beef falling within CN code 0202 and for products falling within CN code 0206 29 91 and splits that quota into two parts, one of 42 400 tonnes apportioned between traditional importers and the other of 10 600 tonnes apportioned between operators who have been engaged in trade in beef with third countries;

Whereas, in order to ensure a smooth switchover from arrangements based on national administration to Community-administered arrangements, while bearing in mind the special aspects of trade in the products in question, provisions should be made for the allocation of trade in the products in question, provisions should be made for the allocation of the first part, in proportion to the quantities previously imported, to traditional importers who can prove that they imported products under the quota in 1991, 1992 and 1993; whereas, however, on the basis of the submission of applications from interested parties and subject to their acceptance by the Commission up to a certain limit, importers who can demonstrate the genuine nature of their business and who apply for quantities of some significance should be granted access to the second part; whereas verification of these criteria requires that applications be submitted in the Member State in which the importer is registered;

Whereas importers no longer engaged in trade in beef and veal at 1 January 1994 should be barred access to the quota in order to prevent speculation;

Whereas Commission Regulation (EEC) No 3719/88 (2), as last amended by Regulation (EC) No 3519/93 (3), lays

down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products; whereas Commission Regulation (EEC) No 2377/80 (4), as last amended by Regulation (EEC) No 2867/93 (5), lays down special detailed rules for applying the system of import licences for beef and veal;

Whereas the effective management of this quota and in particular the prevention of fraud require that the licences used are returned to the competent authorities in order that they may verify that the quantities shown therein are correct; whereas, to that end, an obligation should be imposed on the competent authorities to carry out such verification; whereas the amount of the security to be lodged on the issue of the licences should be fixed in such a way as to ensure that the licences are used and returned to the competent authorities;

Whereas provision should be made for the Member States to forward information on the import arrangements in question;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantities referred to in point (a) of Article 2 of Regulation (EC) No 130/94 (42 400 tonnes) shall be reserved for importers who can furnish proof of having imported frozen meat falling within CN code 0202 and products falling within CN code 0206 29 91 under the quotas referred to in Council Regulations (EEC) No 3838/90 (6), (EEC) No 3667/91 (7) and (EEC) No 3392/92 (8) during the last three years.

2. The quantity referred to in point (b) of Article 2 of Regulation (EC) No 130/94 (10 600 tonnes) shall be reserved for operators who can furnish proof of having:

(1) OJ No L 22, 27. 1. 1994, p. 3.

(2) OJ No L 331, 2. 12. 1988, p. 1.

(3) OJ No L 320, 22. 12. 1993, p. 16.

(4) OJ No L 241, 13. 9. 1980, p. 5.

(5) OJ No L 262, 21. 10. 1993, p. 26.

(6) OJ No L 367, 29. 12. 1990, p. 3.

(7) OJ No L 349, 18. 12. 1991, p. 1.

(8) OJ No L 346, 27. 11. 1992, p. 3.

- imported at least 50 tonnes in 1992 and 80 tonnes in 1993 of beef not subject to the quota referred to in Regulations (EEC) No 3667/91 and (EEC) No 3392/92, or
- exported at least 110 tonnes in 1992 and 150 tonnes in 1993 of beef and third countries.

For this purpose 'beef' means products falling within CN codes 0201, 0202 and 0206 29 91, and the minimum reference quantities shall be expressed in terms of product weight.

3. The 42 400 tonnes shall be allocated between the various importers in proportion to their imports during the reference years proof of which shall be provided in accordance with paragraph 5.
4. The 10 600 tonnes shall be allocated in proportion to the quantities applied for by eligible operators.
5. Proof of import and export shall be furnished solely by means of customs documents of release for free circulation and export documents.

Article 2

1. Importers as referred to in Article 1 (1) who are no longer engaged in trade in beef and veal on 1 January 1994 shall not qualify under the arrangements provided for in this Regulation.
2. Companies arising from mergers where each part has rights pursuant to Article 1 (1) shall enjoy the same rights as the companies from which they are formed.

Article 3

1. Import applications may be submitted only in the Member State in which an applicant is registered.
2. For the purposes of Article 1 (1), importers shall submit applications to participate together with the proof referred to in Article 1 (5) to the competent authorities by 11 February 1994 at the latest.

Where an applicant submits more than one application, all such application shall be inadmissible.

After verification of the documents submitted, Member States shall forward to the Commission by 4 March 1994 at the latest a list of importers complying with the conditions for acceptance and containing in particular their names and addresses and the quantities of meat imported under the quota in question during each reference year.

3. For the purposes of Article 1 (2), applications to participate from operators shall be lodged together with the proof referred to in Article 1 (5) by 11 February 1994 at the latest.

Where an applicant submits more than one application, all such applications shall be inadmissible.

Applications shall relate to an overall quantity of no more than 50 tonnes of frozen meat in product weight.

After verification of the documents presented, Member States shall forward to the Commission by 4 March 1994 at the latest a list of applicants and quantities applied for.

Article 4

1. The Commission shall decide as soon as possible to what extent applications may be accepted.
2. Where the quantities covered by applications to participate as referred to in Article 3 (3) exceed the quantities available, the Commission shall reduce the quantities applied for by a fixed percentage.

If the quantities reduced in accordance with the first subparagraph turn out to be less than five tonnes per application, batches of five tonnes shall be allocated by drawing lots.

Article 5

1. Imports of quantities allocated shall be subject to presentation of an import licence.
2. Licence applications may be lodged solely in the Member State in which the applicant is registered.
3. Following decisions on allocation by the Commission, import licences shall be issued as soon as possible on application and in the names of the operators who have obtained rights to import.
4. Licence applications and licences shall contain :
 - (a) one of the following indications, in Section 20 :
 - Carne de vacuno congelada [Reglamento (CE) n° 214/94],
 - Frosset oksekød (forordning (EF) nr. 214/94),
 - Gefrorenes Rindfleisch (Verordnung (EG) Nr. 214/94),
 - Κατεψυγμένο θόειο κρέας (κανονισμός (ΕΚ) αριθ. 214/94),
 - Frozen meat of bovine animals (Regulation (EC) No 214/94),
 - Viande bovine congelée [règlement (CE) n° 214/94],
 - Carni bovine congelate [regolamento (CE) n. 214/94],
 - Bevroren rundvlees (Verordening (EG) nr. 214/94),
 - Carne de bovino congelada [Regulamento (CE) n° 214/94];
 - (b) the country of origin, in Section 8 ;

(c) one of the following indications, in Section 24:

- Exacción reguladora suspendida para ... (cantidad para la que se haya extendido el certificado) kg,
- Suspension af importafgift for ... (den mængde licensen er udstedt for) kg,
- Aussetzung der Abschöpfung für ... kg (Menge, für die die Lizenz erteilt wurde),
- Αναστέλλεται η εισφορά για ... χιλιόγραμμα (ποσότητα για την οποία χορηγήθηκε το πιστοποιητικό),
- Levy suspended for ... (quantity for which the licence was issued) kg,
- Prélèvement suspendu pour ... (quantité pour laquelle le certificat a été délivré) kg,
- Prelievo sospeso per ... (quantitativo per il quale è stato rilasciato il certificato), kg,
- Heffing geschorst voor ... (hoeveelheid waarvoor het certificaat is afgegeven) kg,
- Direito nivelador suspenso para ... kg (quantidade para a qual foi emitido o certificado);

(d) one of the following groups of subheadings of the combined nomenclature, in Section 16:

- 0202 10 00, 0202 20,
- 0202 30, 0206 29 91.

5. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the levy fixed in accordance with Article 12 of Council Regulation (EEC) No 805/68⁽¹⁾ and the Common Customs Tariff duty of 20 % shall be charged on all quantities exceeding those indicated on the import licence.

Article 6

For the purpose of applying the arrangements provided for in Regulation (EC) No 130/94, imports of frozen meat into the customs territory of the Community shall be subject to the conditions laid down in Article 17 (2) (f) of Council Directive 72/462/EEC⁽²⁾.

Article 7

1. Regulations (EEC) No 2377/80 and (EEC) No 3719/88 shall apply.

2. However, notwithstanding Articles 3 and 6 of Regulation (EEC) No 2377/80, the security for import licences shall amount to ECU 30 per 100 kg net weight and the term of validity of licences shall expire on 31 December 1994.

3. The security referred to in paragraph 2 shall be lodged when the import licence is issued.

4. Where an import licence is submitted with a view to the release of the security, the competent authorities shall verify that the quantities shown on the licence returned are the same as those shown on the licence at the time of issue. Where a licence is not returned Member States shall carry out an investigation in order to establish who has used it and to what extent. Member States shall inform the Commission at the earliest opportunity of the results of such investigation.

Article 8

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

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 302, 31. 12. 1972, p. 28.

COMMISSION REGULATION (EC) No 215/94

of 31 January 1994

opening an invitation to tender for the sale of olive oil held by the Spanish intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 3179/93⁽²⁾, and in particular Article 12 (4) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2754/78⁽³⁾, as amended by Regulation (EEC) No 2203/90⁽⁴⁾, provides that olive oil held by the intervention agencies shall be put up for sale by tender;

Whereas, pursuant to Article 12 (1) of Regulation (EEC) No 136/66/EEC, the Spanish intervention agency holds certain quantities of olive oil;

Whereas Commission Regulation (EEC) No 2960/77⁽⁵⁾, as last amended by Regulation (EEC) No 3818/85⁽⁶⁾, laid down the conditions for the sale by tender on the Community market and for export of olive oil; whereas the state of the market in olive oil is at present favourable for the sale of part of the said oil;

Whereas in the present situation of the market in virgin olive oil where supply is low compared with demand and in order to provide the greatest possible number of operators with a minimum supply for their immediate needs, it should be stipulated that each operator may only submit tenders for a maximum quantity;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Spanish intervention agency, 'Servicio Nacional de Productos Agrarios', hereinafter referred to as 'Senpa' shall open an invitation to tender in accordance with the provi-

sions of this Regulation and of Regulation (EEC) No 2960/77 for the sale on the Community market of the following quantities of olive oil:

- approximately 1 500 tonnes of virgin olive oil,
- approximately 5 150 tonnes of ordinary virgin olive oil,
- approximately 400 tonnes of lampante virgin olive oil.

By way of derogation from Article 5 (2) of Regulation (EEC) No 2960/77, Senpa shall, where the quantity of oil in a container exceeds 500 tonnes, be authorized to establish several lots with part only of that oil.

Article 2

The notice of invitation to tender shall be published on 4 February 1994.

Particulars of the lots of oil offered for sale and of the places where they are stored shall be displayed at the central office of Senpa, calle Beneficencia 8, Madrid 28004, Spain.

A copy of the notice of invitation to tender shall be sent without delay to the Commission.

Article 3

The tenders must reach Senpa, calle Beneficencia 8, Madrid 28004, Spain, not later than 2 p.m. (local time) on 15 February 1994. Tenders shall be admissible only if submitted by a natural or legal person who exercises an activity in the olive oil sector and is entered in that status as at 31 December 1993 in a public register of a Member State.

Furthermore, no tenderer may submit a tender for a quantity in excess of 500 tonnes.

Article 4

1. With regard to lampante virgin olive oil, tenders shall be submitted for an oil of 3° acidity.

2. Where the oil awarded has a different degree of acidity from that for which the tender was submitted, the price to be paid shall be equal to the price tendered, increased or reduced in accordance with the scale below:

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 331, 28. 11. 1978, p. 13.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 46.

⁽⁶⁾ OJ No L 368, 31. 12. 1985, p. 20.

- up to 3° acidity :
increase of ECU 0,32 for each tenth of a degree of acidity below 3°
- above 3° up to 5° acidity :
reduction of ECU 0,32 for each tenth of a degree of acidity above 3°
- above 5° acidity :
additional reduction of ECU 0,35 for each tenth of a degree of acidity above 5°.

Article 5

Not later than three days after the expiry of the time limit laid down for the submission of tenders, Senpa shall send the Commission a list, without mentioning names, stating the highest tender received for each lot put up for sale.

Article 6

The minimum selling price per 100 kilograms of oil shall be fixed, in accordance with the procedure laid down in Article 38 of Regulation No 136/66/EEC, on the basis of the tenders received, not later than the 10th working day after the expiry of each final date laid down for the

submission of tenders. The decision fixing the minimum selling price shall be notified forthwith to the Member State concerned.

Article 7

The olive oil shall be sold by Senpa not later than the fifth working day after the date of notification of the decision referred to in Article 6.

Senpa shall supply the agencies responsible for storage with a list of the lots remaining unsold.

Article 8

The security referred to in Article 7 of Regulation (EEC) No 2960/77 shall be ECU 18 per 100 kilograms.

Article 9

The storage charge referred to in Article 15 of Regulation (EEC) No 2960/77 shall be ECU 3 per 100 kilograms.

Article 10

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

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

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 216/94**of 31 January 1994****altering the import levies on products processed from cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽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,

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⁽⁵⁾, as amended by Regulation (EC) No 3528/93⁽⁶⁾,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 191/94⁽⁷⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne

of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽⁸⁾, as last amended by Regulation (EEC) No 1740/78⁽⁹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on products processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93⁽¹⁰⁾ as fixed in the Annex to Regulation (EC) No 191/94 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 February 1994.

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

Done at Brussels, 31 January 1994.

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 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 24, 29. 1. 1994, p. 76.

⁽⁸⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁹⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁰⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

to the Commission Regulation of 31 January 1994 altering the import levies on products processed from cereals and rice

(*ECU/tonne*)

CN code	Import levies (7)	
	ACP	Third countries (other than ACP)
1102 30 00	110,62	113,64
1103 14 00	110,62	113,64
1103 29 50	110,62	113,64
1104 19 91	187,85	193,89
1108 19 10	158,63	189,46

(7) No import 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 26 January 1994

concerning the animal health condition and veterinary certification for the importation of meat products from Bahrain and amending Council Decision 79/542/EEC and Commission Decision 91/449/EEC

(Text with EEA relevance)

(94/59/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on animal health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat or meat products from third countries⁽¹⁾, as last amended by Regulation (EEC) No 1601/92⁽²⁾, and in particular Articles 21a and 22 thereof,

Whereas Council Decision 79/542/EEC⁽³⁾, as last amended by Commission Decision 93/507/EEC⁽⁴⁾, draws up a list of third countries from which the Member States authorize imports of bovine animals, swine, equidae, sheep and goats, fresh meat and meat products;

Whereas Commission Decision 91/449/EEC⁽⁵⁾, as last amended by Decision 93/504/EEC⁽⁶⁾, lays down the specimen animal health certificates in respect of meat products imported from third countries;

Whereas, following a Community veterinary mission, it appears that notwithstanding the animal health situation, Bahrain is covered by sufficiently well-structured and organized veterinary services; whereas the production of certain heat-treated meat products for export to the Community will be supervised by an official veterinarian appointed by the Department of Veterinary Services;

Whereas animal health conditions and veterinary certification must be adapted to the animal health situation of the third country concerned;

Whereas guarantees have been given that the fresh meat to be processed in Bahrain derives from establishments approved under the provisions of Directive 72/462/EEC;

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

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽⁴⁾ OJ No L 237, 22. 9. 1993, p. 36.

⁽⁵⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽⁶⁾ OJ No L 236, 21. 9. 1993, p. 16.

HAS ADOPTED THIS DECISION :

Article 1

1. Member States shall authorize the importation from Bahrain of meat products which have undergone either :

- a heat treatment in a hermetically sealed container to an F_0 value of three or more, or
- a heat treatment so that a centre temperature of at least 80 °C has been achieved.

2. Member States shall not authorize the importation from Bahrain of meat products other than those referred to in paragraph 1.

Article 2

In Part I of the Annex to Decision 79/542/EEC, the following line is inserted in accordance with the alphabetic order of the ISO-code :

'BH	Bahrain	o	o	o	o	o	o	o	o	o	o	o	(3)(4)	o	BH'
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Article 3

Decision 91/449/EEC is amended as follows :

1. In Part II of Annex B, the list of countries approved to use the model animal health certificate is hereby amended by the insertion of the following country :

'Bahrain'.

2. In Part II of Annex C, the list of countries approved to use the model animal health certificate is hereby amended by the insertion of the following country :

'Bahrain'.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 26 January 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION
of 31 January 1994
relating to protection measures concerning trichinosis
(Text with EEA relevance)

(94/60/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾, as last amended by Decision 92/438/EEC⁽²⁾, and in particular Article 19 thereof,

Whereas, following cases of human trichinosis in the territory of the Community, and that veterinary controls indicated the presence of trichinae in meat of solipeds originating in the United States or America and Canada, the Commission, by Decision 93/700/EC⁽³⁾, temporarily banned the import of certain fresh meat of solipeds originating in the United States of America and Canada, and provided for the testing for trichinae of meat from solipeds originating in the United States of America and Canada;

Whereas further veterinary investigations have identified the origin of the cases of human trichinosis as meat of solipeds from an establishment in Canada; whereas restrictions need only be maintained on this establishment;

Whereas it is appropriate to require an increased sample to be used when testing meat from solipeds originating in the United States of America and Canada for trichinae pending advice from the Scientific Veterinary Committee;

Whereas this Decision shall be reviewed as a result of such advice and following inspection missions by Community experts to the United States of America and Canada;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize imports of chilled fresh meat of solipeds originating in the United States of America and Canada provided that the meat has been subject, before export, to an examination for trichina by the digestion method as described in Annex I to Council Directive 77/96/EEC⁽⁴⁾ on a 5 gram sample with a negative result, and that the competent veterinary authority of the United States of America or Canada has certified that the test has been carried out accordingly on each carcass forming part of the consignment with a negative result.

2. Member States shall subject import of chilled fresh meat of solipeds originating in the United States of America and Canada to random examination for trichina according to the provisions of Directive 77/96/EEC upon arrival in the Community.

3. Member States shall prohibit all imports of meat from solipeds from establishment 389, Cofranca Import Export Inc., Yamachiche, Quebec, Canada until 28 February 1994.

Article 2

The present Decision is valid from 1 February 1994.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 373, 21. 12. 1990, p. 1.

⁽²⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽³⁾ OJ No L 324, 24. 12. 1993, p. 57.

⁽⁴⁾ OJ No L 26, 31. 1. 1977, p. 67.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 159/94 of 27 January 1994 fixing the export refunds on products processed from cereals and rice

(Official Journal of the European Communities No L 23 of 28 January 1994)

On page 22 in the Annex :

for :

<i>(ECU/tonne)</i>	
'Product code	Refund (')
1109 00 00 100'	

read :

<i>(ECU/tonne)</i>	
'Product code	Refund (')
1109 00 00 100	0'.
