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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 263/94

of 4 February 1994

re-establishing the preferential customs duty on imports of single-flower
(standard) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas Article 2 (3) of Regulation (EEC) No 4088/87 stipulates that the preferential customs duty shall be reintroduced for a given product of a given origin if the prices of the imported product (full rate customs duty not deducted) are, for at least 70 % of the quantities for which prices are available on representative Community import markets, not less than 85 % of the Community producer price for a period, calculated from the actual date of suspension of the actual preferential customs duty,

- of two successive market days, after suspension under Article 2 (2) (a) of that Regulation,
- of three successive market days, after suspension under Article 2 (2) (b) of that Regulation;

Whereas Commission Regulation (EEC) No 2890/93⁽⁴⁾ fixed Community producer prices for carnations and roses for application of the arrangements for importation from the countries in question;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as amended by Regulation (EC) No 3528/93⁽⁸⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁹⁾;

Whereas the preferential customs duty fixed for single-flower (standard) carnations originating in Israel by Regulation (EEC) No 2604/93 was suspended by Commission Regulation (EC) No 3590/93⁽¹⁰⁾;

Whereas on the basis of price recordings made as specified in Regulations (EEC) No 4088/87 and (EEC) No 700/88 it must be concluded that the requirement for reintroduction of the preferential customs duty laid down in the last indent of Article 2 (3) of Regulation (EEC) No 4088/87 is met for single-flower (standard) carnations originating in Israel; whereas the preferential customs duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of single-flower (standard) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel the preferential customs duty set by Regulation (EEC) No 2604/93 is reintroduced.

Article 2

This Regulation shall enter into force on 5 February 1994.

⁽¹⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽²⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽⁶⁾ OJ No L 326, 28. 12. 1993, p. 52.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 239, 24. 9. 1993, p. 1.

⁽⁴⁾ OJ No L 263, 22. 10. 1993, p. 10.

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

Done at Brussels, 4 February 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION No 264/94/ECSC

of 1 February 1994

on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 74 and the first subparagraph of Article 95 thereof,

Whereas a Europe Agreement establishing an association between the European Communities and their Member States, of the other part, and the Republic of Hungary, of the one part, hereinafter referred to as 'the Agreement', was signed in Brussels on 16 December 1991;

Whereas pending the entry into force of the Europe Agreement, its provisions on trade and trade-related matters have been given effect since 1 March 1992 by an 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 the Republic of Hungary, of the other part, signed in Brussels on 16 December 1991⁽¹⁾;

Whereas pursuant to the conclusions of the Copenhagen European Council on 21 and 22 June 1993 regarding new trade concessions for the Central and Eastern European countries, an Additional Protocol to the Interim Agreement was signed on 22 December 1993 by the European Economic Community and the European Coal and Steel Community, of the one part, and Hungary, of the other part⁽²⁾;

Whereas Commission Decision No 523/92/ECSC⁽³⁾ lays down certain procedures for applying the Interim Agreement on trade and trade-related measures between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Hungary, of the other part;

Whereas it is necessary to lay down the procedures for applying various provisions of the agreement and in particular those contained in Protocol 2 on ECSC products by adopting provisions similar to those provided for in Decision No 523/92/ECSC;

Whereas such procedures have been laid down for the European Economic Community by Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Commu-

nity, of the one part, and the Republic of Hungary, of the other part⁽⁴⁾;

Whereas, as regards measures of commercial protection it is necessary to lay down specific provisions concerning the general rules set out in Commission Decision No 2424/88/ECSC of 29 July 1988 on protection against dumped or subsidized imports from countries not members of the European Coal and Steel Community⁽⁵⁾ where the Agreement makes this necessary;

Whereas account should be taken of the undertakings set out in the Agreement when examining whether a safeguard measure should be introduced;

Whereas it is desirable to ensure that the rules for the application of the Agreement should be similar for both the European Economic Community and the European Coal and Steel Community;

Whereas certain measures provided for in the Agreement go beyond the powers of action provided for in the Treaty and it is therefore necessary in this case to refer to the provisions of Article 95, after consultation with the consultative committee and with the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

The Commission may, with the assent of the Council, decide to refer to the Association Council established by the Agreement with regard to the measures provided for in Articles 28 and 115 (2) of the Agreement. Where necessary, the Commission shall adopt these measures in accordance with the same procedure.

The Commission may take the decisions to this end on its own initiative or at the request of a Member State.

Article 2

1. In the case of a practice that may justify application by the Community of the measures provided for in Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case on its own initiative or at the request of a Member State, shall decide whether such

⁽¹⁾ OJ No L 116, 30. 4. 1992, p. 2.

⁽²⁾ OJ No L 25, 29. 1. 1994, p. 7.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 38.

⁽⁴⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽⁵⁾ OJ No L 209, 2. 8. 1988, p. 18.

practice is compatible with the Agreement. Where necessary, except in the case of public aids to which Decision No 2424/88/ECSC applies, when measures shall be taken according to the procedures laid down in that Decision.

Such measures shall be taken under the conditions provided for in Article 8 of Protocol 2 to the Agreement.

2. In the case of a practice that may cause safeguard measures to be applied to the Community by Hungary on the basis of Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case, shall decide whether the practice is compatible with the principles set out in the Agreement. Where necessary, it shall take appropriate decisions on the basis of the criteria laid down in Articles 65 and 66 of the ECSC Treaty and Article 85 of the Treaty establishing the European Community, and of the rules applicable to State aids, including secondary legislation.

Article 3

In the case of a practice which is liable to warrant the application, by the Community, of the measures provided for in Article 29 of the Agreement, the introduction of anti-dumping measures shall be decided upon in accordance with the provisions laid down in Decision No 2424/88/ECSC and the procedure provided for in Article 33 (2) and (3) (b) or (d) of the Agreement.

Article 4

1. Where a Member State requests the Commission to apply safeguard measures as provided for in Article 30 or 31 of the Agreement, and if the Commission decides not to apply them, the Commission shall inform the Council and the Member States accordingly within five working days of receipt of the request from the Member State.

Member States shall provide the Commission with the information needed to justify their requests to apply safeguard measures.

Any Member State may refer the decision of the Commission to the Council within 10 working days of its notification.

If the Council, acting by the qualified majority referred to in Article 28 (4) of the Treaty, indicates its intention to request a different decision, the Commission shall inform Hungary thereof forthwith and shall notify it of the opening of the consultations within the Association Council as provided for in Article 33 (2) and (3) of the Agreement.

The Council, acting by a qualified majority, may ask the Commission within one month of the conclusion of the

consultations with Hungary within the Association Council, to adopt safeguard measures.

2. Where the Commission, at the request of a Member State or on its own initiative, decides that the safeguard measures provided for in Article 30 or 31 of the Agreement should be applied:

- it shall inform the Member States forthwith if acting on its own initiative or, if it is responding to a Member State's request, within five working days of the date of receipt of that request,
- it shall consult the committee mentioned in Article 5 (2) of Regulation (EC) No 3941/93 (hereinafter referred to as 'the committee'),
- at the same time it shall inform Hungary and notify the Association Council of the opening of consultations as referred to in Article 33 (2) and (3) of the Agreement,
- at the same time it shall provide the Association Council with all the information necessary for these consultations.

3. In any event, the consultations within the Association Council shall be deemed to be completed 30 days after the notification referred to in the fourth subparagraph of paragraph 1 and in paragraph 2.

At the need of the consultations or on expiry of the period of 30 days, and if no other arrangement proves possible, the Commission, after consulting the committee, may take appropriate measures to implement Articles 30 and 31 of the Agreement.

4. The decision referred to in paragraph 3 shall be notified forthwith to the Council, the Member States and Hungary; it shall also be notified to the Association Council.

It shall be immediately applicable.

5. Any Member State may refer the Commission decision referred to in paragraph 3 to the Council within 10 working days of receiving notification of the decision.

6. If the Commission has not taken a decision within the meaning of the second subparagraph of paragraph 3 within 10 working days of the end of the consultations with the Association Council or, as the case may be, the end of the period of 30 days, any Member State which has referred the matter to the Commission in accordance with paragraph 2 may refer it to the Council.

7. In the cases referred to in paragraph 5 the Council, acting by a qualified majority, may, within one month, ask the Commission to adopt different safeguard measures, and in the cases mentioned in paragraph 6, ask the Commission to take measures.

Article 5

1. Where exceptional circumstances arise within the meaning of Article 33 (3) (d) of the Agreement, the Commission may take immediate safeguard measures in the cases referred to in Articles 30 and 31 of the Agreement.

2. If the Commission receives a request from a Member State it shall take a decision thereon within five working days of receipt of the request.

The Commission shall notify the Council and the Member States of its decision.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 4 (5).

The procedure set out in Article 4 (5) to (7) shall be applicable.

If the Commission has not taken a decision within the time limit mentioned in paragraph 2, any Member State which has referred the matter to the Commission may refer it to the Council in accordance with the procedure laid down in the preceding subparagraphs.

Article 6

Notification to the Association Council by the Community as required by the Agreement shall be the responsibility of the Commission.

Article 7

This Decision shall enter into force on the same day as the Europe Agreement.

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

Done at Brussels, 1 February 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION DECISION No 265/94/ECSC

of 1 February 1994

on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 74 and the first subparagraph of Article 95 thereof,

Whereas a Europe Agreement establishing an association between the European Communities and their Member States, of the other part, and the Republic of Poland, of the one part, hereinafter referred to as 'the Agreement', was signed in Brussels on 16 December 1991;

Whereas pending the entry into force of the Europe Agreement, its provisions on trade and trade-related matters have been given effect since 1 March 1992 by an 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 the Republic of Poland, of the other part, signed in Brussels on 16 December 1991⁽¹⁾;

Whereas pursuant to the conclusions of the Copenhagen European Council on 21 and 22 June 1993 regarding new trade concessions for the central and eastern European countries, an Additional Protocol to the Interim Agreement was signed on 5 January 1994 by the European Economic Community and the European Coal and Steel Community, of the one part, and Poland, of the other part⁽²⁾;

Whereas Commission Decision No 522/92/ECSC⁽³⁾ lays down certain procedures for applying the Interim Agreement on trade and trade-related measures between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Poland, of the other part;

Whereas it is necessary to lay down the procedures for applying various provisions of the agreement and in particular those contained in Protocol 2 on ECSC products by adopting provisions similar to those provided for in Decision No 522/92/ECSC;

Whereas such procedures have been laid down for the European Economic Community by Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Commu-

nity, of the one part, and the Republic of Poland, of the other part⁽⁴⁾;

Whereas, as regards measures of commercial protection it is necessary to lay down specific provisions concerning the general rules set out in Commission Decision No 2424/88/ECSC of 29 July 1988 on protection against dumped or subsidized imports from countries not members of the European Coal and Steel Community⁽⁵⁾ where the Agreement makes this necessary;

Whereas account should be taken of the undertakings set out in the Agreement when examining whether a safeguard measure should be introduced;

Whereas it is desirable to ensure that the rules for the application of the Agreement should be similar for both the European Economic Community and the European Coal and Steel Community;

Whereas certain measures provided for in the Agreement go beyond the powers of action provided for in the Treaty and it is therefore necessary in this case to refer to the provisions of Article 95, after consultation with the consultative committee and with the unanimous assent of the Council,

HAS ADOPTED THIS DECISION:

Article 1

The Commission may, with the assent of the Council, decide to refer to the Association Council established by the Agreement with regard to the measures provided for in Articles 28 and 115 (2) of the Agreement. Where necessary, the Commission shall adopt these measures in accordance with the same procedure.

The Commission may take the decisions to this end on its own initiative or at the request of a Member State.

Article 2

1. In the case of a practice that may justify application by the Community of the measures provided for in Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case on its own initiative or at the request of a Member State, shall decide whether such

⁽¹⁾ OJ No L 114, 30. 4. 1992, p. 2.

⁽²⁾ OJ No L 25, 29. 1. 1994, p. 2.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 35.

⁽⁴⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽⁵⁾ OJ No L 209, 2. 8. 1988, p. 18.

practice is compatible with the Agreement. Where necessary it shall, with the assent of the Council, adopt safeguard measures, except in the case of public aids to which Decision No 2424/88/ECSC applies, when measures shall be taken according to the procedures laid down in that Decision.

Such measures shall be taken under the conditions provided for in Article 8 of Protocol 2 to the Agreement.

2. In the case of a practice that may cause safeguard measures to be applied to the Community by Poland on the basis of Article 8 of Protocol 2 to the Agreement, the Commission, after examining the case, shall decide whether the practice is compatible with the principles set out in the Agreement. Where necessary, it shall take appropriate decisions on the basis of the criteria laid down in Articles 65 and 66 of the ECSC Treaty and Article 85 of the Treaty establishing the European Community, and of the rules applicable to State aids, including secondary legislation.

Article 3

In the case of a practice which is liable to warrant the application, by the Community, of the measures provided for in Article 29 of the Agreement, the introduction of anti-dumping measures shall be decided upon in accordance with the provisions laid down in Decision No 2424/88/ECSC and the procedure provided for in Article 33 (2) and (3) (b) or (d) of the Agreement.

Article 4

1. Where a Member State requests the Commission to apply safeguard measures as provided for in Article 30 or 31 of the Agreement, and if the Commission decides not to apply them, the Commission shall inform the Council and the Member States accordingly within five working days of receipt of the request from the Member State.

Member States shall provide the Commission with the information needed to justify their requests to apply safeguard measures.

Any Member State may refer the decision of the Commission to the Council within 10 working days of its notification.

If the Council, acting by the qualified majority referred to in Article 28 (4) of the Treaty, indicates its intention to request a different decision, the Commission shall inform Poland thereof forthwith and shall notify it of the opening of the consultations within the Association Council as provided for in Article 33 (2) and (3) of the Agreement.

The Council, acting by a qualified majority, may ask the Commission within one month of the conclusion of the consultations with Poland within the Association Council, to adopt safeguard measures.

2. Where the Commission, at the request of a Member State or on its own initiative, decides that the safeguard measures provided for in Article 30 or 31 of the Agreement should be applied:

- it shall inform the Member States forthwith if acting on its own initiative or, if it is responding to a Member State's request, within five working days of the date of receipt of that request,
- it shall consult the committee mentioned in Article 5 (2) of Regulation (EC) No 3942/93 (hereinafter referred to as 'the committee'),
- at the same time it shall inform Poland and notify the Association Council of the opening of consultations as referred to in Article 33 (2) and (3) of the Agreement,
- at the same time it shall provide the Association Council with all the information necessary for these consultations.

3. In any event, the consultations within the Association Council shall be deemed to be completed 30 days after the notification referred to in the fourth subparagraph of paragraph 1 and in paragraph 2.

At the need of the consultations or on expiry of the period of 30 days, and if no other arrangement proves possible, the Commission, after consulting the committee, may take appropriate measures to implement Articles 30 and 31 of the Agreement.

4. The decision referred to in paragraph 3 shall be notified forthwith to the Council, the Member States and Poland; it shall also be notified to the Association Council.

It shall be immediately applicable.

5. Any Member State may refer the Commission decision referred to in paragraph 3 to the Council within 10 working days of receiving notification of the decision.

6. If the Commission has not taken a decision within the meaning of the second subparagraph of paragraph 3 within 10 working days of the end of the consultations with the Association Council or, as the case may be, the end of the period of 30 days, any Member State which has referred the matter to the Commission in accordance with paragraph 2 may refer it to the Council.

7. In the cases referred to in paragraph 5 the Council, acting by a qualified majority, may, within one month, ask the Commission to adopt different safeguard measures, and in the cases mentioned in paragraph 6, ask the Commission to take measures.

Article 5

1. Where exceptional circumstances arise within the meaning of Article 33 (3) (d) of the Agreement, the Commission may take immediate safeguard measures in the cases referred to in Articles 30 and 31 of the Agreement.

2. If the Commission receives a request from a Member State it shall take a decision thereon within five working days of receipt of the request.

The Commission shall notify the Council and the Member States of its decision.

3. Any Member State may refer the Commission's decision to the Council in accordance with the procedure provided for in Article 4 (5).

The procedure set out in Article 4 (5) to (7) shall be applicable.

If the Commission has not taken a decision within the time limit mentioned in paragraph 2, any Member State which has referred the matter to the Commission may refer it to the Council in accordance with the procedure laid down in the preceding subparagraphs.

Article 6

Notification to the Association Council by the Community as required by the Agreement shall be the responsibility of the Commission.

Article 7

This Decision shall enter into force on the same day as the Europe Agreement.

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

Done at Brussels, 1 February 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION REGULATION (EC) No 266/94**of 4 February 1994****laying down detailed rules for the application in 1994 of the import arrangements for beef and veal provided for in the Agreement between the bilateral Community and Sweden**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1108/93 of 4 May 1993 laying down certain provisions for the application of the bilateral agreements on agriculture between the Community, of the one part and Austria, Finland, Iceland, Norway and Sweden of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by Regulation (EC) No 3611/93⁽³⁾, and in particular Article 15 (2) thereof,

Whereas by Decision 93/239/EEC⁽⁴⁾ the Council approved the Bilateral Agreement with Sweden in the field of agriculture; whereas that Agreement came into force on 1 January 1994⁽⁵⁾;

Whereas the arrangement between the European Economic Community and the Kingdom of Sweden on reciprocal trade in beef and veal, including cooked preparations, annexed to the abovementioned Agreement, provides for the opening of a tariff quota for imports, without levy or common customs tariff (CCT) duty, of 4 000 tonnes of beef and veal falling within CN code 0201 and 2 500 tonnes of products falling within CN code 1602 50 90; whereas Commission Regulation (EEC) No 2505/92 of 14 July 1992 amending Annexes I and II to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽⁶⁾ replaces CN code 1602 50 90 with CN codes 1602 50 31, 1602 50 39 and 1602 50 80;

Whereas the conversion coefficients for expressing a quantity of boned meat or cooked preparation in carcase

weight should be fixed; whereas such coefficients must be established in the light of the experience gained by the beef and veal industry;

Whereas, in order to ensure the regularity of imports, the said quantities should be spread over several periods of the year;

Whereas, while recalling the provisions of the agreement guaranteeing the origin of the product, management of the import system should be ensured through import licences; whereas, with that in mind, detailed rules should be laid down for the submission of application as well as the information to be included on applications and licences, notwithstanding certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance-fixing certificates for agricultural products⁽⁷⁾, as last amended by Regulation (EC) No 3519/93⁽⁸⁾, and Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁹⁾, as last amended by Regulation (EEC) No 2867/93⁽¹⁰⁾; whereas provision should also be made for licences to be issued after a delay for consideration and, where necessary, with the application of a single percentage reduction;

Whereas, in order to ensure efficient management of the system, provision should be made for the security in respect of the import licences under the system to be fixed at ECU 10 per 100 kilograms; whereas the risk of speculation inherent in such a system in the beef and veal sector requires that access to the system should be subject to precise conditions;

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

⁽¹⁾ OJ No L 113, 7. 5. 1993, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 328, 29. 12. 1993, p. 7.

⁽⁴⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽⁵⁾ OJ No L 346, 31. 12. 1993, p. 36.

⁽⁶⁾ OJ No L 267, 14. 9. 1992, p. 1.

⁽⁷⁾ OJ No L 331, 1. 12. 1988, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 16.

⁽⁹⁾ OJ No L 241, 13. 9. 1980, p. 5.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantity of beef and veal which may be imported during 1994 within the framework of the arrangement between the Community and Sweden on reciprocal trade in beef and veal shall be:

- 4 000 tonnes, expressed as carcase weight, of beef falling within CN code 0201,
- 2 500 tonnes, expressed as carcase weight, of products falling within CN codes 1602 50 31, 1602 50 39 and 1602 50 80.

2. For the purposes of paragraph 1:

- 100 kg of boned beef falling within CN code 0201 30 shall correspond to 139 kg carcase weight,
- 100 kg of products falling within CN codes 1602 50 31, 1602 50 39 or 1602 50 80 shall correspond to 214 kg carcase weight.

3. The import levy and CCT duty shall be fixed at zero.

Article 2

1. The quantities referred to in Article 1 (1) shall be staggered over the year as follows:

- 25 % during the period from 15 February to 31 March,
- 25 % during the period from 1 April to 30 June,
- 25 % during the period from 1 July to 30 September,
- 25 % during the period from 1 October to 31 December.

2. If, during 1994, the quantities for which applications for import licences have been submitted for the first, second or third period specified in the previous paragraph are less than the available quantities, the quantities remaining shall be added to the quantities available for the following period.

Article 3

1. In order to qualify under the import arrangements referred to in Article 1:

- (a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, can prove to the satisfaction of the competent authorities of the Member State concerned that they have been active in trade in beef and veal with third coun-

tries during the last 12 months and are entered in the official register of a Member State;

- (b) licence applications may be submitted only in the Member State in which the applicant is registered;

- (c) licence applications must relate either to the quantity referred to in the first indent of Article 1 (1) or to the quantity referred to in the second indent of Article 1 (1) and must cover a minimum of 15 tonnes of meat by product weight without exceeding the quantity available;

- (d) section 7 of licence applications and of the licence shall show the country of provenance (Sweden); licences shall carry with them an obligation to import from the country indicated;

- (e) section 20 of licence applications and of the licence shall show one of the following:

Reglamento (CE) n° 266/94,
 Forordning (EF) nr. 266/94,
 Verordnung (EG) Nr. 266/94,
 Κανονισμός (ΕΚ) αριθ. 266/94,
 Regulation (EC) No 266/94,
 Règlement (CE) n° 266/94,
 Regolamento (CE) n. 266/94,
 Verordening (EG) nr. 266/94,
 Regulamento (CE) n° 266/94;

- (f) section 24 of licences shall show one of the following:

Importación sin exacción reguladora ni derechos del AAC [Reglamento (CE) n° 266/94]

Ingen importafgift eller told i henhold til FTT [forordning (EF) nr. 266/94]

Abschöpfungs- und zollfreie Einfuhr [Verordnung (EG) Nr. 266/94]

Άνευ εισφοράς και δασμού του ΚΔ [Κανονισμός (ΕΚ) αριθ. 266/94]

No levy or CCT duty [Regulation (EC) No 266/94]

Pas de prélèvement ni droit du tarif douanier commun [Règlement (CE) n° 266/94]

Esenzione dal prelievo e dal dazio della TDC [regolamento (CE) n. 266/94]

Geen heffing of GDT-recht [Verordening (EG) nr. 266/94]

Sem direito nivelador nem direitos da Pauta Aduaneira Comum [Regulamento (CE) n° 266/94].

2. Notwithstanding Article 8 (2) of Regulation (EEC) No 2377/80, and with the exception of products falling within CN code 0201 30, section 16 of licence applications and licences may include one or more subheadings of CN code 0201.

Article 4

1. Licence applications shall be lodged during the first 10 days of each period specified in Article 2 (1).
2. If the same applicant lodges more than one application relating to the same group of products as referred to in the first or second indent of Article 1 (1), all applications from that person shall be inadmissible.
3. Member States shall notify the Commission of the applications lodged not later than 8 June 1993. Such notification shall comprise a list of applicants broken down by quantity and by CN code.

All notifications, including notifications of nil applications, shall be made by telex or fax, drawn up in accordance with the model set out in the Annex in the case where applicants have been lodged.

4. The Commission shall decide as soon as possible for each product group of the extent to which quantities may be awarded in respect of licence applications. If the quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix a single percentage reduction in quantities applied for.

5. Subject to the Commission's decision accepting the applications, the licences shall be issued on:

- 15 March,
- 25 April,
- 25 July,
- 27 October.

6. Licences shall be issued automatically and shall be valid throughout the Community.

Article 5

1. Without prejudice to this Regulation, Regulations (EEC) No 3719/88 and (EEC) No 2377/80 shall apply.
2. In the case of quantities imported under the terms of Article 8 (4) of Regulation (EEC) No 3719/88, the full levy and the normal CCT duties shall be collected on quantities in excess of those stated on the import licence.
3. Notwithstanding Article 9 (1) of Regulation (EEC) No 3719/88, licences issued pursuant to this Regulation shall not be transferable.
4. Notwithstanding Articles 4 and 6 of Regulation (EEC) No 2377/80, the security for licences shall be ECU 10 per 100 kilograms by weight of product and the term of validity of licences issued pursuant to the second subparagraph of Article 3 (4) of this Regulation shall expire on 31 December 1994.

Article 6

On importation into the Community, products shall be accepted under this Regulation on presentation of the original of the proof of origin issued or drawn up in Sweden, in accordance with Annex VI of the Bilateral Agreement on agriculture concluded between the Community and Sweden.

Article 7

Products shall be accepted under this Regulation only upon presentation of a declaration from the competent Swedish authorities that no export subsidy has been paid in respect of the quantities in question.

Article 8

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

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

Done at Brussels, 4 February 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

APPLICATION OF REGULATION (EC) No 266/94

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI/D/2 — BEEF AND VEAL SECTOR FAX
(EC) 00 (32 2) 296 60 27

Application for import licences at zero levy and CCT duty

Member State

Country of origin	Serial number	Applicant (name and address)	Quantity (in tonnes)	CN code
Sweden				
		Total quantity applied for		

Member State :

Fax No :

Tel :

COMMISSION REGULATION (EC) No 267/94
of 4 February 1994

laying down detailed rules for the application of the arrangements applicable to the importation into the Community of sheepmeat and goatmeat products originating in Bosnia-Herzegovina, Croatia, Slovenia and the former Yugoslav Republic of Macedonia concerning the year 1994

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

Having regard to Council Regulation (EEC) No 3125/92 of 26 October 1992 on the arrangements applicable to the importation into the Community of sheepmeat and goatmeat products originating in Bosnia-Herzegovina, Croatia, Slovenia, Montenegro, Serbia and the former Yugoslav Republic of Macedonia⁽¹⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 3125/92 partly suspends the administration of the import arrangements laid down in the 1981 Agreement between the Community and the Socialist Federal Republic of Yugoslavia on trade in the sheepmeat and goatmeat sector⁽²⁾ and of the 1990 Adjustment Agreement⁽³⁾ and provides, on a temporary basis, for the exclusive administration of the arrangements by the Community, with the quantities agreed in that Agreement being distributed among the new Republics created from that Republic; whereas Article 3 of Regulation (EEC) No 3125/92 provides that detailed rules are to be adopted for this new administration;

Whereas steps should be taken, to that end, to determine the distribution of the quantities among the various Republics and the procedures to be followed for the issue of import licences and in particular the model to be used for the document showing the origin of the quantities;

Whereas, however, no quantities should be fixed for Serbia and Montenegro for as long as the prohibition provided for in Council Regulation (EEC) No 990/93⁽⁴⁾, remains in force;

Whereas the 1981 Agreement between the Community and the Socialist Federal Republic of Yugoslavia provided for a limitation of exports to Greece during certain sensitive periods; whereas similar agreements with other third countries also provide for such a limitation; whereas such agreements have been extended until the end of 1994;

Whereas the sound management of the market as well as certain specified problems linked to the imports from the Republics of former Yugoslavia pending the classification of relations with the countries in question, require that, by way of exceptional measures, a limitation be placed during sensitive periods, on exports to Greece; whereas these restrictions shall be strictly limited to the 1994 marketing year;

Whereas steps should be taken also to determine the authorities issuing the document showing the origin of the quantities in the various Republics;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Under the arrangements laid down in Regulation (EEC) No 3125/92, of the quantities of sheepmeat and goatmeat products provided for in the 1981 Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia, a quantity of 3 200 tonnes shall be distributed annually among the following new Republics created from that Republic as follows:

(tonnes carcase equivalent)

CN code	Description	Third countries concerned and quantities			
		Bosnia Herzegovina	Croatia	Slovenia	Former Yugoslav Republic of Macedonia
0104	Live sheep and goats:	0	0	0	100
0104 10 30	— live lamb up to a year old ⁽¹⁾				
0104 10 80	— other live sheep other than pure-bred breeding animals ⁽¹⁾				
0104 20 90	— live goats other than pure-bred breeding animals ⁽¹⁾				
0204	Meat of sheep or goats:	850	450	50	1 750
	— fresh or chilled	0	0	0	0
	— frozen				

⁽¹⁾ For products falling within CN subheadings 0104 10 30, 0104 10 80 and 0104 20 90, the net mass (live weight) / carcase mass (carcase equivalent weight) conversion coefficient to be used is 0,47.

⁽¹⁾ OJ No L 313, 30. 10. 1992, p. 3.

⁽²⁾ OJ No L 137, 23. 5. 1981, p. 29.

⁽³⁾ OJ No L 95, 12. 4. 1990, p. 1.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

2. However, with regard to the Republics referred to above for which slaughterhouses approved in respect of exportation to the Community do not yet exist, the quantities of meat shall be converted into quantities of live animals, expressed as carcase weight.

Article 2

1. Applications for licences to import the quantities referred to in Article 1 shall be submitted to the competent authorities of the Member States, within the first 10 days of each quarter.

2. Applications for import licences shall :

- be accompanied by a document of origin, a model of which is set out in Annex I, complying with Article 3, issued at most one month previously by one of the issuing authorities listed in Annex II,
- contain an indication of the price level proposed for importation of the quantities.

The competent authorities of the Member States shall keep the document of origin for three years.

3. Import licences may be issued for the first quarters of the year within the limits of half of the quantities laid down in respect of each Republic. For each of the last three quarters, import licences for the said products may be issued within the limits of the balance remaining available.

However, in respect of Greece, and for 1993, import licences may be issued only up to a limit of 320 tonnes for the first quarter and 128 tonnes for the fourth quarter, for all the four Republics.

Article 3

1. The document of origin referred to in Article 2 shall be drawn up in one original and three copies of different colours and shall consist of a form, a model of which is shown in Annex I.

The form shall measure approximately 210 × 297 mm. The original shall be drawn up on paper which shall show up any tampering by mechanical or chemical means.

2. The forms shall be printed and completed in one of the Community languages.

3. Each document shall bear a serial number in the top right-hand box. The copies shall bear the same number as the original.

4. The issuing authority shall keep two copies and return the original and one copy to the applicant.

Article 4

1. The issuing authorities listed in Annex II must :

- (a) be recognized as such by the exporting third country ;
- (b) undertake to provide the Commission and the Member States, at their request, with any information that can be used for verifying the accuracy of the particulars shown on the document of origin and on the import licence applications.

2. The Commission shall revise the list if an issuing authority ceases to be recognized or fails to fulfil one of the obligations incumbent on it or if a new issuing authority is designated.

Article 5

1. Applications for import licences broken down by product and by country of origin shall be forwarded by the Member States to the Commission at the latest by the 16th day of each quarter.

2. The Commission shall decide by product and by origin :

- (a) to authorize the issue of licences for all the quantities applied for and forwarded to it ; or
- (b) to reduce such quantities by a single percentage.

3. Licences shall be issued on the 30th day of each quarter.

Article 6

1. Import licences shall be valid for three months from their date of issue within the meaning of Article 21 (1) of Commission Regulation (EEC) No 3719/88 (1).

2. Licence applications and licences shall bear in Box 8 the name of the Republic of origin. In the case of products falling within CN codes 0104 10 30, 0104 10 80 and 0104 20 90, licence applications and licences shall bear in Boxes 17 and 18 particulars of the net mass and the number of animals to be imported.

A licence shall make it compulsory to import products from the country indicated.

3. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, only the quantity indicated in Box 17 of the import licence may be put into free circulation ; the number '0' shall be entered to this effect in Box 19 of the said licence.

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

4. Import licences issued in respect of the quantities referred to in paragraph 1 shall bear in Box 24 one of the following entries :

- Exacción limitada a cero (aplicación del Reglamento (CE) n° 3581/93)
- Importafgift begrænset til nul (jf. forordning (EF) nr. 3581/93)
- Beschränkung der Abschöpfung auf Null (Anwendung der Verordnung (EG) Nr. 3581/93)
- Εισφορά περιοριζόμενη στο μηδέν (εφαρμογή του κανονισμού (ΕΚ) αριθ. 3581/93)
- Levy limited to zero (application of Regulation (EC) No 3581/93)
- Prélèvement limité à zéro (application du règlement (CE) n° 3581/93)
- Prelievo limitato a zero (applicazione del regolamento (CE) n. 3581/93)
- Heffing beperkt tot nul (toepassing van Verordening (EG) nr. 3581/93)
- Direito nivelador limitado a zero (aplicação do Regulamento (CE) n° 3581/93).

Article 7

The level of the security relating to the import licences shall be :

- ECU 0,5 per animal for live animals,
- ECU 2 per 100 kg net mass for other products.

Article 8

Member States shall notify the Commission by telex or fax, at the latest on the 15th day following the date of issue, of the quantities, by product and by origin, in respect of which import licences have been issued under this Regulation.

Article 9

By way of derogation to the timing referred to in Article 2 (1) and Article 5 (1) 2 and 3 the following provisions shall apply for the first quarter of 1993 :

- applications for import licences shall be submitted to the competent authorities of each Member State at the latest on 18 February 1994,
- applications for import licences broken down by product and country of origin shall be forwarded by the Member States to the Commission at the latest on 22 February 1994,
- licences shall be issued by 28 February 1994 at the latest.

Article 10

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

It is applicable until 31 December 1994.

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

Done at Brussels, 4 February 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX II***List of authorities in exporting countries empowered to issue documents of origin**

Croatia : Euroinspekt, Zagreb, Croatia

Slovenia : Inspekt, Ljubljana, Slovenia

Former Yugoslav Republic of Macedonia : Economic Chamber, Skopje

Bosnia-Herzegovina : Economic Chamber of Bosnia and Herzegovina.

COMMISSION REGULATION (EC) No 268/94

of 4 February 1994

amending Commission Regulation (EEC) No 3477/92 laying down detailed rules for the application of the raw tobacco quota system for the 1993 and 1994 harvests

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco⁽¹⁾, and in particular Article 11 thereof,

Whereas the time limits for distributing the quotas and cultivation certificates for the 1994 harvest should be laid down taking account of the experience gained in the operations for the previous harvest;

Whereas the threshold quantities applicable to the 1994 harvest are greater than those laid down for the 1993 harvest for certain groups of varieties, but less than those for others; whereas the additional quantities should be distributed between the interested parties in accordance with objective criteria taking account of certain priorities to be determined by the Member States on the basis of their individual situations;

Whereas a voluntary exchange of quotas or cultivation certificates among interested producers may help to rationalize production; whereas, to this end, Commission Regulation (EEC) No 3477/92⁽²⁾, as last amended by Regulation (EEC) No 1668/93⁽³⁾, should be amended;

Whereas the provisions of this Regulation apply to the quotas and cultivation certificates in respect of the 1994 harvest and should therefore be implemented at the earliest opportunity;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3477/92 is amended as follows:

1. in Article 1 (1), '15 December 1993' is replaced by '22 February 1994';
2. Article 9 (5) is replaced by the following:
'5. Where the guarantee threshold fixed for a group of varieties for the 1994 harvest and a particular

Member State in accordance with Article 9 (2) of Regulation (EEC) No 2075/92 is higher than the guarantee threshold applicable to the 1993 harvest, the quantity exceeding that guarantee threshold shall be distributed in accordance with objective criteria to be laid down by the Member State.

Where applicable, the quantities available under the first subparagraph shall be reduced by those set aside for the purposes of paragraph 4.

Member States may, in particular, provide that additional quantities are to be allocated as a priority to producers:

- (a) affected by a reduction in the quantities covered by their cultivation certificate or their quota statements in relation to the previous harvest, as regards another group of varieties;
- (b) who, as a result of the additional quantity, can significantly rationalize their production of the tobacco in the group of varieties in question;
- (c) who began production of the group of varieties in question in 1990 or 1991.

Member States which set up a national pool of cultivation certificates or quotas in accordance with Article 16a, may also transfer the additional quantities to that pool;

3. in the last sentence of Article 11 (3) the words 'for the 1993 harvest' are deleted;
4. the following Article 16a is inserted:

'Article 16a

1. With the authorization of the Member State concerned, producers may exchange among themselves their rights to a cultivation certificate or quota statement for one group of varieties. The Member State may provide for the establishment of a national cultivation certificate or quota pool intended for those eligible to exchange groups of varieties.

2. The transfer of the right to a cultivation certificate or quota in accordance with paragraph 1 shall be deemed to be a definitive transfer between the producers concerned of the reference quantities on which the issuing of the cultivation certificate or quota was based.'

Article 3

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

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 70.

⁽²⁾ OJ No L 351, 2. 12. 1992, p. 11.

⁽³⁾ OJ No L 158, 30. 6. 1993, p. 27.

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

Done at Brussels, 4 February 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 269/94**of 4 February 1994****amending Regulation (EEC) No 2781/93 and increasing to 900 000 tonnes the amount of durum wheat held by the Italian intervention agency for which a standing invitation to tender for resale on the internal market has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾, lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;

Whereas Commission Regulation (EEC) No 2781/93 ⁽⁵⁾, as last amended by Regulation (EC) No 3570/93 ⁽⁶⁾, opened a standing invitation to tender for the resale on the internal market of 800 000 tonnes of durum wheat held by the Italian intervention agency;

Whereas in the present situation on the market the quantity of durum wheat held by the Italian intervention

agency put up for sale on the internal market of the Community should be increased to 900 000 tonnes;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 2781/93 'of 800 000 tonnes' is replaced by 'of 900 000 tonnes'.

Article 2

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

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

Done at Brussels, 4 February 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 252, 9. 10. 1993, p. 13.

⁽⁶⁾ OJ No L 326, 28. 12. 1993, p. 6.

COMMISSION REGULATION (EC) No 270/94
of 4 February 1994
fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾, and in particular Article 16 ⁽⁸⁾ thereof,

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93 ⁽⁵⁾, as last amended by Regulation (EC) No 246/94 ⁽⁶⁾;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 5 February 1994.

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

Done at Brussels, 4 February 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 40.

⁽⁶⁾ OJ No L 30, 3. 2. 1994, p. 45.

ANNEX

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

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	33,95 ⁽¹⁾
1701 11 90	33,95 ⁽¹⁾
1701 12 10	33,95 ⁽¹⁾
1701 12 90	33,95 ⁽¹⁾
1701 91 00	40,12
1701 99 10	40,12
1701 99 90	40,12 ⁽²⁾

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

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

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

COMMISSION REGULATION (EC) No 271/94**of 4 February 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 (EC) No 133/94⁽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 236/94⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 236/94 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⁽⁴⁾, as amended by Regulation (EC) No 3528/93⁽⁵⁾, 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⁽⁶⁾,

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 Regulation (EC) No 236/94, are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 February 1994.

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

Done at Brussels, 4 February 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 30, 3. 2. 1994, p. 13.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 4 February 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	30,69 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	32,99 ⁽¹⁾
1701 12 90 910	30,69 ⁽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	34,57
1701 99 10 950	34,57
	— 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 272/94

of 4 February 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 3 February 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 5 February 1994.

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

Done at Brussels, 4 February 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 4 February 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

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 ^(*)
1002 00 00	116,11 ^(*)
1003 00 10	119,81
1003 00 90	119,81 ^(*)
1004 00 00	93,90
1005 10 90	81,46 ⁽²⁾ ⁽³⁾
1005 90 00	81,46 ⁽²⁾ ⁽³⁾
1007 00 90	95,38 ^(*)
1008 10 00	23,81 ^(*)
1008 20 00	42,09 ^(*)
1008 30 00	0 ^(*)
1008 90 10	^(*)
1008 90 90	0
1101 00 00	165,62 ^(*)
1102 10 00	200,09
1103 11 10	30,11
1103 11 90	189,09
1107 10 11	172,36
1107 10 19	131,54
1107 10 91	224,14 ⁽¹⁰⁾
1107 10 99	170,23 ^(*)
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.

^(*) 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.

^(*) 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.

^(*) 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).

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

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

^(*) 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 273/94**of 4 February 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 3

February 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 5 February 1994.

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

Done at Brussels, 4 February 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 4 February 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	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 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 274/94

of 4 February 1994

making imports of Atlantic salmon subject to observance of the minimum price

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EEC) No 1891/93⁽²⁾, and in particular Article 24 (2) thereof,

Whereas because of the disturbances caused on the Community market by imports of Atlantic salmon at abnormally low prices, the Commission, by Regulation (EC) No 3193/93⁽³⁾, made imports of Atlantic salmon falling within CN codes ex 0302 12 00, ex 0303 22 00, ex 0304 10 13 and ex 0304 20 13 observe a minimum price until 31 January 1994 in order to prevent any threat to the objectives of Article 39 of the Treaty as regards in particular producers' incomes;

Whereas, in view of the foreseeable volume of imports and import prices, the threat of disturbance of the market in salmon remains and this situation risks continuing or even worsening in the months to come, with a possible effect on other fishery products; whereas this situation is causing serious commercial difficulties in the fisheries sector and, given the current exceptional circumstances, the sector is demanding the adoption of immediate measures; whereas, therefore, a minimum import price constitutes the strictly necessary measure of protection to deal with this situation;

Whereas some salmon is fished at sea in accordance with the recommendations made by the International Baltic Sea Fishery Commission and exported to the Community in quantities small in relation to the Community market but significant in terms of the export trade of the fishing countries concerned; whereas prices for these products are customarily below the minimum import prices set by

the present Regulation; whereas, steps should be taken to give these products continued access to the Community market; whereas, accordingly, the minimum price should not apply to imports of these products,

HAS ADOPTED THIS REGULATION:

Article 1

1. (a) The release for free circulation in the Community of Atlantic salmon falling within CN codes ex 0302 12 00, ex 0303 22 00, ex 0304 10 13 and ex 0304 20 13 shall be subject to the condition that the free-at-frontier price must be no less than the minimum import price given in the Annex hereto.
- (b) The conditions in subparagraph (a) shall not apply where the Member State of landing is satisfied that the salmon landed was caught at sea in accordance with the recommendations made by the International Baltic Sea Fishery Commission and landed directly in a Community port.
2. This Regulation shall not apply to products which are proved already to have left the supplier country on the date of its entering into force and to have no possible destination other than the Community.
3. Interested parties shall furnish proof, to the satisfaction of the competent customs authorities, by means of all customs and transport documents, that the conditions referred to in paragraph 1, or, where appropriate, those referred to in paragraph 2, have been met.

Article 2

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

It shall apply until 15 March 1994.

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 172, 15. 7. 1993, p. 1.

⁽³⁾ OJ No L 285, 20. 11. 1993, p. 32.

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

Done at Brussels, 4 February 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

ANNEX

SPECIES: Atlantic salmon (*Salmo salar*): CN codes: ex 0302 12 00, ex 0303 22 00, ex 0304 10 13 and ex 0304 20 13, fresh, chilled or frozen

<i>(in ecu per net tonne)</i>	
Description of product	Minimum price on importation
— Whole	2 970
— Gutted	3 300
— Gutted without head	3 630
— Fillets	4 290

COMMISSION REGULATION (EC) No 275/94

of 4 February 1994

making imports of certain fishery products subject to observance of the reference price

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Regulation (EEC) No 1891/93⁽²⁾, and in particular Article 22 (6) thereof,

Whereas Article 22 (4) of Regulation (EEC) No 3759/92 envisages *inter alia* that where the free-at-frontier price of a specified product, imported from a third country, stays below the reference price and where considerable quantities of that product are imported, imports of products listed, *inter alia* in Annex I Section A, Annex IV Section B and Annex V may be made subject to the condition that the free-at-frontier price is at least equal to the reference price;

Whereas Commission Regulation (EEC) No 3191/82⁽³⁾, amended by Regulation (EEC) No 3474/85⁽⁴⁾, laid down detailed rules for the reference price system in the fishery products sector and in particular for the determination of the free-at-frontier price referred to in Article 22 (3) of Regulation (EEC) No 3759/92;

Whereas the reference prices for fishery products for the 1994 fishing year were fixed by Commission Regulation (EC) No 3601/93⁽⁵⁾;

Whereas over recent months it has been established that on the Community market the free-at-frontier price of significant quantities of certain fishery products have remained below the reference price for these products; whereas, in view of this, there is a danger that the stabil-

ization measures on the Community market could be threatened; whereas this situation is causing serious commercial difficulties in the fisheries sector and, given the current exceptional circumstances, the sector is demanding the adoption of immediate measures; whereas, therefore, in order to avoid disturbances due to offers at abnormally low prices, it is necessary to require that imports of the products in question comply with the reference price, this constituting the strictly necessary measure of protection to deal with this situation;

Whereas, in accordance with the second subparagraph of Article 22 (6) of Regulation (EEC) No 3759/92, the Commission may adopt the measure provided for in this Regulation in the interval between the scheduled meetings of the Management Committee for Fish Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The placing into free circulation in the Community of the fishery products listed in the Annex shall be subject to the condition that the free-at-frontier price is at least equal to the reference price given in the Annex.
2. This Regulation does not apply to the frozen products listed in the Annex provided it can be proved, to the satisfaction of the competent customs authorities, that they were in transit towards the Community on the date of entry into force of this Regulation, and provided they are put into free circulation by 28 February 1994 at the latest.

Article 2

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

It shall apply until 15 March 1994.

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 172, 15. 7. 1993, p. 1.

⁽³⁾ OJ No L 338, 30. 11. 1982, p. 13.

⁽⁴⁾ OJ No L 333, 11. 12. 1985, p. 16.

⁽⁵⁾ OJ No L 330, 30. 12. 1993, p. 17.

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

Done at Brussels, 4 February 1994.

For the Commission
Yannis PALEOKRASSAS
Member of the Commission

ANNEX

1. Fresh or chilled products

Species	Size (l)	Reference price (ECU/tonne)			
		Gutted fish with head (l)		Whole fish (l)	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Cod of the species <i>Gadus morhua</i> ex 0302 50 10	1	926	874	669	514
	2	926	874	669	514
	3	874	720	514	412
	4	689	473	391	278
	5	484	278	288	185
Coalfish (<i>Pollachius virens</i>) ex 0302 63 00	1	473	473	368	368
	2	473	473	368	368
	3	468	468	363	363
	4	378	273	200	147
Haddock (<i>Melanogrammus aeglefinus</i>) ex 0302 62 00	1	660	586	513	440
	2	660	586	513	440
	3	564	476	396	271
	4	498	410	374	256
Hake of the species <i>Merluccius merluccius</i> ex 0302 69 65	1	2 812	2 643	2 221	2 052
	2	2 137	1 996	1 659	1 518
	3	2 109	1 968	1 631	1 490
	4	1 799	1 659	1 406	1 153
	5	1 687	1 546	1 321	1 068
		Whole or gutted fish with head		Without head	
		Extra, A (l)	B (l)	Extra, A (l)	B (l)
Monkfish (<i>Lophius</i> spp.) ex 0302 69 81	1	1 343	970	3 452	2 685
	2	1 716	1 343	3 261	2 493
	3	1 716	1 343	3 069	2 302
	4	1 437	1 063	2 685	1 918
	5	821	448	1 918	1 151

(l) The freshness categories, sizes and presentations are those defined pursuant to Article 2 of Regulation (EEC) No 3759/92.

2. Frozen products

Species	Presentation	Reference prices (ECU/tonne)
1. Cod (<i>Gadus morhua</i> , <i>Gadus ogac</i> and <i>Gadus macrocephalus</i>) and fish of the species <i>Boreogadus saida</i> ex 0303 60 11, ex 0303 60 19, ex 0303 60 90, ex 0303 79 41	Whole fish :	
	— with or without head	935
	Fillets :	
	— industrial blocks, with bones (standard)	2 032
	— industrial blocks, boneless	2 348
	— individual fillets, with skin	2 224
	— individual fillets, skinless	2 567
	— blocks in immediate packing weighing not more than 4 kg	2 456
ex 0304 20 21 ex 0304 20 29	Minced blocks	1 008
ex 0304 90 35 ex 0304 90 38 ex 0304 90 39		
ex 0303 60 11, ex 0303 60 19, ex 0303 60 90, ex 0303 79 41, ex 0304 90 35, ex 0304 90 38, ex 0304 90 39	Pieces and other meat	1 188

Species	Presentation	Reference prices (ECU/tonne)
2. Coalfish (<i>Pollachius virens</i>) ex 0303 73 00	Whole fish : — with or without head	615
ex 0304 20 31	Fillets : — industrial blocks, with bones (standard) — industrial blocks, boneless — individual fillets, with skin — individual fillets, skinless — blocks in immediate packing weighing not more than 4 kg	1 220 1 344 1 247 1 379 1 408
ex 0304 90 41	Minced blocks	673
ex 0303 73 00, ex 0304 90 41	Pieces and other meat	809
3. Haddock (<i>Melanogrammus aeglefinus</i>) ex 0303 72 00	Whole fish : — with or without head	815
ex 0304 20 33	Fillets : — industrial blocks, with bones (standard) — industrial blocks, boneless — individual fillets, with skin — individual fillets, skinless — blocks in immediate packing weighing not more than 4 kg	1 820 2 391 2 166 2 487 2 427
ex 0304 90 45	Minced blocks	805
ex 0303 72 00, ex 0304 90 45	Pieces and other meat	952
4. Hake (<i>Merluccius</i> spp.) ex 0303 78 10	Whole fish : — with or without head	771
ex 0304 20 57	Fillets : — industrial blocks, with bones (standard) — industrial blocks, boneless — individual fillets, with skin — individual fillets, skinless — blocks in immediate packing weighing not more than 4 kg	1 036 1 220 1 055 1 132 1 197
ex 0304 90 47	Minced blocks	777
ex 0303 78 10 ex 0304 90 47	Pieces and other meat	1 023
5. Alaska pollack (<i>Theragra chalcogramma</i>) ex 0304 20 85	Fillets : — industrial blocks, with bones (standard) — industrial blocks, boneless	933 1 086

COMMISSION DIRECTIVE 94/3/EC

of 21 January 1994

establishing a procedure for the notification of interception of a consignment or a harmful organism from third countries and presenting an imminent phytosanitary danger

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protective measures against the introduction into the Member States of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Commission Directive 93/110/EEC⁽²⁾, and in particular Article 15 (4) thereof,

Whereas in the case of consignments of plants, plant products or other objects, or of isolated harmful organisms, from third countries, whether or not listed in Part B of Annex V to Directive 77/93/EEC, which are considered to involve an imminent danger of the introduction or spread of the harmful organisms, whether or not listed in Annexes I and II thereto, the Member State concerned shall inform the Commission and the other Member States of the measures taken to protect the territory of the Community from that danger;

Whereas that information should, on the one hand, assist the Commission in evaluating the scope of the interception and the resulting dangers and, where appropriate, in preparing as fast as possible any measures of protection or eradication in cooperation with the Member State concerned and, on the other hand, help the other Member States to face this danger;

Whereas for that purpose the Commission should establish a network for the notification of new occurrences of harmful organisms in accordance with the first indent of Article 19a (6) of the said Directive;

Whereas it is important that all relevant points of entry into the Community, potentially affected by an interception, as well as the Commission itself, shall immediately be informed of every interception at a point of entry into the Community, of a consignment of plants, plant products or other objects capable of presenting an imminent danger of introducing or spreading harmful organisms;

Whereas the role of the single central authority of each Member State is to coordinate matters relating to plant health under Directive 77/93/EEC;

Whereas such coordination includes the task of dispatching the notifications of interception between Member States as well as to all relevant points of entry within the territory of the Member State concerned which might be affected by an interception;

Whereas it is appropriate to establish a standard Community printed form for notification of interception, to be used by the relevant departments of the Member States;

Whereas the effective operation of the system requires the establishment of an information network for the use and processing of the information contained in those forms;

Whereas management of the system does not preclude use of part of the information contained in notification of interception forms for the purposes of the Convention for the Establishment of the European and Mediterranean Plant Protection Organization, signed in Paris on 18 April 1951, as last amended on 21 September 1988;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

For the purpose of this Directive, 'interception' shall mean any action taken or to be taken by a Member State pursuant to Article 12 (8) of Directive 77/93/EEC in respect of all or part of a consignment from a third country of plants, plant products or other objects, or of an organism harmful to plants or plant products, which does not meet the provisions of that Directive.

Article 2

1. Member States shall ensure that in the event of an interception, notification of interception is sent no later than two working days after the date of interception, except where a breach of Article 12 (1) (b) of Directive 77/93/EEC is committed, and preferably more rapidly in the case of an interception having involved a refusal, except where this is only a breach of Article 12 (1) (b) of that Directive, to the following:

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 303, 10. 12. 1993, p. 19.

- their own single central authority having responsibility,
- their own relevant responsible official bodies,
- their own points of entry in question,
- the single central authorities of the other Member States, without prejudice to the specific provisions of Article 4 of this Directive,
- the Commission.

2. The single central authority of the Member State having received notification of interception from another Member State ensure, immediately on receipt, that the information is sent to its own points of entry in question.

Article 3

Notification of interception shall be made on a form which conforms to the model shown in the Annex, duly completed in accordance with the recommendations in the guidelines for experts and national inspectors carrying out their activities under the second indent of Article 19 (a) (6) of Directive 77/93/EEC.

Article 4

Without prejudice to the fourth indent of Article 2 (1), and at the request of the Member State concerned, the Commission will take charge of dispatching the notifications of interception as the establishment of the network defined under the first indent of Article 19 (a) (6) of Directive 77/93/EEC progresses, by sending to the other Member States a form which conforms to that set out in the Annex of this Directive, duly completed.

Article 5

In order to fulfil the obligations related to this Directive, Member States shall preferably make use of the network set up by the Commission.

Article 6

At the request of the Member State concerned and within the limits of the network set up by the Commission, the

Commission shall forward the notification of interception forms to the European and Mediterranean Plant Protection Organization, to which Member States are required to forward any information on interception, pursuant to the Convention for the establishment of that Organization. Consequently, the Commission shall send to that Organization a form which conforms to that set out in the Annex, duly completed, but omitting points 1, 2, 3, 15 (c) to (g) and 17 of the form.

Article 7

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive three months after its publication in the *Official Journal of the European Communities*. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall immediately communicate to the Commission all provisions of national law which they adopt in the field covered by this Directive. The Commission shall inform the other Member States thereof.

Article 8

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

Done at Brussels, 21 January 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Model form provided for in Articles 3 and 4

EUROPEAN COMMUNITY : NOTIFICATION OF INTERCEPTION OF A CONSIGNMENT OR HARMFUL ORGANISM FROM A THIRD COUNTRY

1. CONSIGNOR a. Name : b. Address : c. Country :	2. INTERCEPTION FILE a. Reference number : Request for message to be sent to : ☐ b. Member States ☐ c. EPPO	
3. CONSIGNEE a. Name : b. Address : c. Country : d. Country + e. place of destination :	4. a. Plant protection organization of : b. to :	
	5. a. Country + b. place of export :	
	6. a. Country + b. place of origin :	
7. TRANSPORT a. Mode(s) of transport : b. Mean(s) of transport : c. Identification(s) :	9. IDENTIFICATION OF THE CONSIGNMENT a. Type of document : b. Document number : c. Country + d. place of issue : e. Date of issue :	
8. Point of entry :		
10. DESCRIPTION OF THE INTERCEPTED PART OF THE CONSIGNMENT a. Type of package(s)/container(s) : b. Distinguishing mark(s) of package(s)/container(s) : c. Number(s) of package(s)/container(s) : d. Plant, plant product or other object : e. Class of commodity :	11. a. Net mass/volume/number of units in the consignment : b. Unit of measures : 12. a. Net mass/volume/number of units of the intercepted part : b. Units of measure : 13. a. Net mass/volume/number of units of the contaminated part : b. Unit of measure :	
	14. REASON(S) FOR INTERCEPTION a. Reason(s) : b. Scientific name of the harmful organism : c. Extent of the contamination :	
15. MEASURES TAKEN a. Measures : b. Extent of the measures : QUARANTINE IMPOSED c. Begin date : d. Anticipated end date : e. Actual end date : f. Country + g. place of quarantine :	16. FREE TEXT	
17. INFORMATION ON THE INTERCEPTION a. Place/check point : b. Official service : c. Date :	18. SENDER OF THE MESSAGE a. Official service + b. official stamp : c. Person responsible for the file : d. Date :	

II

(Acts whose publication is not obligatory)

COUNCIL

**DECISION OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE
MEMBER STATES, MEETING WITHIN THE COUNCIL,**

of 24 January 1994

**extending Decision 92/585/ECSC on certain measures applicable with regard to the
twelve Republics of the former USSR concerning trade in certain steel products
covered by the ECSC Treaty**

(94/66/ECSC)

THE REPRESENTATIVES OF THE GOVERNMENTS OF
THE MEMBER STATES OF THE EUROPEAN COAL AND
STEEL COMMUNITY, MEETING WITHIN THE COUNCIL,

In agreement with the Commission,

HAVE DECIDED AS FOLLOWS:

Article 1

Decision 92/585/ECSC of the Representatives of the Governments of the Member States meeting within the Council⁽¹⁾ laying down the import arrangements applicable to the ECSC steel products mentioned in Annex I originating in Russia, Ukraine, Georgia, Belarus, Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, Moldova, Uzbekistan, Tajikistan and Turkmenistan is hereby extended until 30 June 1994.

Article 2

Taking into account the special arrangements from which imports from the Republics of the former USSR benefit in the new Länder of the Federal Republic of Germany and in East Berlin, a special quantitative quota of 350 000 tonnes of flat-rolled products and 20 000 tonnes of longs is hereby established for those Länder and East Berlin for the year 1994. Those imports will be made at zero duty.

The first subparagraph shall apply only if the imports in question are entered for free circulation on the territory of the new Länder and East Berlin and if the products are used on that territory or undergo processing thereon, thus acquiring Community origin.

The Federal Republic of Germany and the Commission will take all the measures necessary to ensure that those products are actually used only in the beneficiary Länder and East Berlin.

Article 3

This Decision will be reviewed when specific import arrangements for ECSC steel products are agreed with a country to which this Decision applies.

Article 4

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

It shall apply from 1 January 1994.

Done at Brussels, 24 January 1994.

The President
G. MORAITIS

⁽¹⁾ OJ No L 396, 31. 12. 1992, p. 48.

ANNEX I

LIST OF PRODUCTS SUBJECT TO QUOTA

A. Flat-rolled products	3. Other flat-rolled products		
1. Coils			
7208 11 00	7208 34 10	7211 49 10	7227 90 10
7208 12 10	7208 34 90	7211 90 11	7227 90 30
7208 12 91	7208 35 10	7212 10 10	7227 90 50
7208 12 95	7208 35 90	7212 10 91	7227 90 70
7208 12 98	7208 44 10	7212 21 11	
7208 13 10	7208 44 90	7212 29 11	
7208 13 91	7208 45 10	7212 30 11	3. Other longs
7208 13 95	7208 45 90	7212 40 10	
7208 13 98	7208 90 10	7212 40 91	7207 19 11
7208 14 10	7209 11 00	7212 50 31	7207 19 14
7208 14 91	7209 12 10	7212 50 51	7207 19 16
7208 14 99	7209 12 90	7212 60 11	7207 20 51
7208 21 10	7209 13 10	7212 60 91	7207 20 55
7208 21 90	7209 13 90	7219 21 11	7207 20 57
7208 22 10	7209 14 10	7219 21 19	7214 20 00
7208 22 91	7209 14 90	7219 21 90	7214 30 00
7208 22 95	7209 21 00	7219 22 10	7214 40 10
7208 22 98	7209 22 10	7219 22 90	7214 40 31
7208 23 10	7209 22 90	7219 23 10	7214 40 39
7208 23 91	7209 23 10	7219 23 90	7214 40 90
7208 23 95	7209 23 90	7219 24 10	7214 50 10
7208 23 98	7209 24 10	7219 24 90	7214 50 31
7208 24 10	7209 24 91	7219 31 10	7214 50 39
7208 24 91	7209 24 99	7219 31 90	7214 50 90
7208 24 99	7209 31 00	7219 32 10	7214 60 00
7211 12 10	7209 32 10	7219 32 90	7215 90 10
7211 19 10	7209 32 90	7219 33 10	7216 10 00
7211 22 10	7209 33 10	7219 33 90	7216 21 00
7211 29 10	7209 33 90	7219 34 10	7216 22 00
7219 11 10	7209 34 10	7219 34 90	7216 40 10
7219 11 90	7209 34 90	7219 35 10	7216 40 90
7219 12 10	7209 41 00	7219 35 90	7216 50 10
7219 12 90	7209 42 10	7225 40 70	7216 50 91
7219 13 10	7209 42 90	7225 40 90	7216 50 99
7219 13 90	7209 43 10	B. Longs	7216 90 10
7219 14 10	7209 43 90	1. Beams	7218 90 50
7219 14 90	7209 44 10		7222 10 11
7225 10 10	7209 44 90	7207 19 31	7222 10 19
7225 20 20	7209 90 10	7207 20 71	7222 10 21
7225 30 00	7210 11 10	7216 31 11	7222 10 29
	7210 12 11	7216 31 19	7222 10 31
2. Heavy plates	7210 12 19	7216 31 91	7222 10 39
7208 31 00	7210 20 10	7216 31 99	7222 10 81
7208 32 10	7210 31 10	7216 32 11	7222 10 89
7208 32 30	7210 39 10	7216 32 19	7222 30 10
7208 32 51	7210 41 10	7216 32 91	7222 40 11
7208 32 59	7210 49 10	7216 32 99	7222 40 19
7208 32 91	7210 50 10	7216 33 10	7222 40 30
7208 32 99	7210 60 11	7216 33 90	7224 90 31
7208 33 10	7210 60 19		7224 90 39
7208 33 91	7210 70 31	2. Wire rod	7228 10 10
7208 33 99	7210 70 39		7228 10 30
7208 41 00	7210 90 31	7213 10 00	7228 20 11
7208 42 10	7210 90 33	7213 20 00	7228 20 19
7208 42 30	7210 90 35	7213 31 10	7228 20 30
7208 42 51	7210 90 39	7213 31 90	7228 30 20
7208 42 59	7211 19 91	7213 39 10	7228 30 40
7208 42 91	7211 19 99	7213 39 90	7228 30 61
7208 42 99	7211 22 90	7213 41 00	7228 30 69
7208 43 10	7211 29 91	7213 49 00	7228 30 70
7208 43 91	7211 29 99	7213 50 10	7228 30 89
7208 43 99	7211 30 10	7213 50 90	7228 60 10
7211 11 00	7211 41 10	7221 00 10	7228 70 10
7211 21 00	7211 41 91	7221 00 90	7228 70 31
		7227 10 00	7228 80 10
		7227 20 00	7228 80 90
			7301 10 00

*ANNEX II***Quotas Ex-USSR (six months)**

<i>Flat-rolled products</i>	112 783 tonnes
(of which : coils	72 202 tonnes
heavy plate	25 285 tonnes)
 <i>Long</i>	52 703 tonnes
(of which : beams	5 149 tonnes
wire rod	5 270 tonnes)

COUNCIL DECISION

of 24 January 1994

**on the conclusion of a Protocol on financial and technical cooperation between
the European Economic Community and the Syrian Arab Republic**

(94/67/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 238, in conjunction with Article 228 (3) second subparagraph thereof,

Having regard to the recommendation from the Commission ⁽¹⁾,Having regard to the assent of the European Parliament ⁽²⁾,

Whereas the Protocol on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Protocol on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic is hereby approved on behalf of the Community.

The text of the Protocol is attached to this Decision.

*Article 2*The President of the Council shall give the notification provided for in Article 22 (1) of the Protocol ⁽³⁾.*Article 3*This Decision shall take effect on the day following that of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 24 January 1994.

*For the Council**The President*

G. MORAITIS

⁽¹⁾ OJ No C 16, 24. 1. 1991, p. 9.⁽²⁾ OJ No C 20, 24. 1. 1994.⁽³⁾ See page 49 of this Official Journal.

PROTOCOL**on financial and technical cooperation between the European Economic Community
and the Syrian Arab Republic**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

of the one part, and

THE SYRIAN ARAB REPUBLIC,

of the other part,

REAFFIRMING their resolve to implement, under the renewed Mediterranean policy of the Community, cooperation which will contribute to the economic and social development of Syria and promote the strengthening of relations between the Community and Syria,

ANXIOUS to pursue to this end the financial and technical cooperation provided for in the Cooperation Agreement between the European Economic Community and the Syrian Arab Republic,

HAVE DECIDED to conclude this Protocol and to this end have designated as their Plenipotentiaries :

THE COUNCIL OF THE EUROPEAN COMMUNITIES :

P.C. NIEMAN,

Ambassador Extraordinary and Plenipotentiary,
Permanent Representative of the Netherlands,
Chairman of the Permanent Representatives Committee ;

Eberhard RHEIN,

Acting Director-General, responsible for North-South Relations of the Directorate-General
for External Relations of the Commission of the European Communities ;

THE PRESIDENT OF THE SYRIAN ARAB REPUBLIC :

Siba NASSER,

Ambassador Extraordinary and Plenipotentiary ;

WHO, having exchanged their full powers, found in good and due form,

HAVE AGREED AS FOLLOWS :

Article 1

Within the framework of the financial and technical cooperation provided for in the Cooperation Agreement between the European Economic Community and the Syrian Arab Republic, the Community shall participate, on the terms set out in this Protocol, in the financing of measures intended to contribute to the economic and social development of Syria.

(a) ECU 115 million in the form of loans from the European Investment Bank, hereinafter referred to as 'the Bank', made from its own resources ;

(b) ECU 41 million from the Community's budgetary resources, in the form of grants ;

Article 2

1. For the purposes specified in Article 1 and for a period expiring on 31 October 1996, an aggregate amount of ECU 158 million may be committed as follows :

(c) ECU 2 million from the Community's budgetary resources, in the form of contributions to risk capital formation.

2. The loans referred to in paragraph 1 (a), with the exception of those intended for financing the oil sector, shall carry a 2 % interest rate subsidy financed by means of the funds referred to in paragraph 1 (b).

3. The risk capital referred to in paragraph 1 (c) shall contribute to the cooperation objectives and operations defined in Article 3, in particular those indicated in the second indent of paragraph 2 of that Article.

It shall be used primarily to make equity capital or the like available to Syrian private undertakings, public undertakings and undertakings with State participation, in particular those with which natural or legal persons who are nationals of a Community Member State are associated. It may be used under the same conditions to finance specific studies for the preparation and development of such undertakings' projects and to assist such undertakings in their starting-up period.

It shall be granted and administered by the Bank and may take the form of:

- (a) subordinated loans, where repayment and payment of any interest will not be made until other bank claims have been settled;
- (b) conditional loans, where repayment or duration will depend on the fulfilment of conditions specified at the time when the loan is granted;
- (c) acquisition of temporary minority holdings on behalf of the Community in the capital of undertakings established in Syria;
- (d) finance for the acquisition of holdings, in the form of conditional loans granted to Syria or, with the Syrian Government's agreement, to Syrian undertakings, either directly or through the intermediary of Syrian financial institutions.

Article 3

1. The total amount fixed in Article 2 shall be used primarily for the financing or part-financing of cooperation projects or operations aimed at:

- developing and diversifying agricultural production so as to reduce Syria's food dependence, and efforts to diversify agricultural production and exports with a view to increasing the complementarity of the different Mediterranean regions,
- strengthening the economic links between the Community and Syria in their mutual interest by developing cooperation in the fields of industry,

training and research, technology, commerce and other services,

— environmental protection.

Economic infrastructure and industrial development, which are complementary to the above cooperation projects or operations may also be financed.

2. Of the eligible projects and operations, priority shall be given to those having the following aims:

- in the agricultural sector, developing the production of agricultural products in short supply, particularly food crops, *inter alia*, in the framework of multi-annual programmes and operations in the context of the national food strategy. For maximum effectiveness, concentration of resources in specific sectors shall be sought,
- in the industrial and service sectors, promotion of joint ventures between operators from the Community Member States and Syrian operators, direct contacts, exchange of information, promotion of investment, contribution of private capital, and support for small and medium-sized enterprises, including craft businesses, in order to promote employment,
- in the field of science and technology, expansion of Syria's training and research capability and establishment or development of links between Syrian and European private and public training and research institutions,
- in the trade sector, diversification and promotion of exports and organization of contacts between Syrian operators and operators from the Community Member States,
- in the environment sector, support for the definition and implementation of the policy to be followed by Syria, particularly through the training of experts, technical assistance and a contribution to investments; in view of the impact of demographic growth, support can be provided, at Syria's request, for the demographic policy and for family planning programmes,
- in the priority areas referred to above, practical training schemes linked to projects or operations in enterprises and research institutions.

3. The Community's financial contributions shall be used to cover internal and external costs necessarily incurred in carrying out approved projects or schemes (including costs in respect of studies, consulting engineers and technical assistance). In exceptional and duly justified cases they may be used degressively to cover current administrative, maintenance or operational expenditure incurred in the starting-up period of projects.

Article 4

1. A Community contribution of ECU 300 million shall be provided for in the form of grants for the Mediterranean countries for a period ending on 31 October 1996, in order to finance projects in support of the economic reforms undertaken as part of a structural adjustment programme.

The eligibility of the Mediterranean countries concerned for this aid will be determined on the basis of the following criteria :

- the countries must carry out reform programmes approved by the Bretton Woods institutions, or implement programmes recognized as similar, in concert with those institutions, in line with the extent and effectiveness of the reforms at macro-economic level, although not necessarily financially backed by them,

- account will be taken of the following factors : the economic situation of the country, with particular reference to its level of indebtedness and debt service burden, balance of payments situation and the availability of foreign currency, budgetary situation, monetary situation, per capita GDP, social situation and, in particular, level of unemployment.

2. Projects of the following two types may be financed in accordance with paragraph 1 :

- structural adjustment support in the form of sectoral or general import programmes designed to contribute to the use and strengthening of production capacity.

Counterpart funds generated by the import programmes will be used to finance measures provided for in the State's priority programme of public expenditure which are aimed at attenuating, in particular by employment creation, the negative social repercussions of structural adjustment, especially for disadvantaged groups,

- technical assistance linked to structural adjustment support programmes at macro-economic level and in sectors affected by structural adjustment.

3. A limited proportion of the grant aid provided for in this Protocol may be used to support structural adjustment under the same conditions of eligibility as set out in paragraph 1.

4. Where the relevant provisions of this Article are being applied, the necessary implementation procedures will be determined in an exchange of letters between the two Parties.

Article 5

1. Capital projects shall be eligible for financing either by loans from the Bank, combined with interest rate subsidies on the terms set out in Article 2 (2), or by risk capital, or by grants, or by a combination of these means.

2. Technical and economic cooperation shall normally be financed by grants.

Article 6

1. The amounts to be committed each year shall be distributed as evenly as possible throughout the period of application of this Protocol.

2. Any funds not committed at the end of the period referred to in Article 2 (1) shall be used until exhausted. In such cases, the funds shall be used in accordance with the same arrangements as those laid down in this Protocol.

Article 7

1. Loans granted by the Bank from its own resources shall be made in accordance with the arrangements, conditions and procedures laid down in its statute. They shall, as regards their duration, be subject to terms established on the basis of the economic and financial characteristics of the projects for which these loans are intended, also taking into account the conditions obtaining on the capital markets on which the Bank procures its resources. The interest rate shall be determined in accordance with the Bank's practice at the time of signature of each loan contract, subject to the interest rate subsidy referred to in Article 2 (2).

2. The terms and arrangements for contribution to risk capital formation shall be determined on a case-by-case basis.

3. Aid from the Community's budget resources, other than that in the form of interest rate subsidies for loans from the Bank or that intended for risk capital operations, shall be granted and administered by the Commission.

4. The funds referred to in Article 2 may be granted through the intermediary of the State or appropriate Syrian bodies, on condition that they allocate the amounts to the recipients on terms decided, by agreement with the Community, on the basis of the economic and financial characteristics of the projects and operations for which they are intended.

Article 8

Aid contributed by the Community for the execution of certain projects may, with the agreement of Syria, take the form of cofinancing in which, in particular, credit and development bodies and institutions of Syria, of Member States or of third States or international finance organizations would take part.

Article 9

The following shall be eligible for financial and technical cooperation :

(a) in general :

— the Syrian State,

(b) with the agreement of the Syrian Government, for projects or operations approved by it :

- official Syrian development agencies,
- private agencies working in Syria for economic and social development,
- undertakings carrying on their activities in accordance with industrial and business management methods and set up as legal persons within the meaning of Article 13,
- groups of producers who are nationals of Syria and, exceptionally, where no such groups exist, the producers themselves,
- scholarship holders and trainees sent by Syria under the training schemes referred to in Article 3.

Article 10

1. With a view to making optimum use of the instruments and means provided for in the Protocol and achieving the objectives laid down in Article 3, the Community and Syria shall, taking information provided by Syria as a basis, examine :

- the priority development objectives adopted at national level,
- the sector or sectors on which the Community contribution will be focussed, taking account in particular of the contributions of other providers of funds on a bilateral or multilateral basis and other Community instruments, including food aid,
- the measures and schemes best suited to achieving the sectoral objectives referred to in the second indent or, where such schemes are not sufficiently well defined, the broad objectives of the programmes for supporting the policies defined by the country in respect of those sectors.

2. On this basis the Community and Syria shall, by mutual agreement, draw up an indicative programme committing both Parties and determining the specific objectives of financial and technical cooperation, the priority sectors for intervention and the action programmes envisaged.

3. The indicative programme may be reviewed by mutual agreement to take account of any changes in Syria's economic situation or in the objectives and priorities laid down by its development plan.

4. The Community and Syria shall continue their exchanges of views within the appropriate bodies and shall, at least once during the period of implementation of the Protocol and at the latest before the end of the

third year following the entry into force of the Protocol, make an assessment of the implementation of the indicative programme.

Article 11

1. Within the framework laid down in accordance with Article 10, the Syrian State or, with the agreement of its Government, the other possible beneficiaries referred to in Article 9 shall submit their requests for financial aid to the Community.

2. The Community shall appraise the requests for financing in collaboration with the competent Syrian authorities and other beneficiaries, in accordance with the objectives referred to in Article 10, and shall inform them of the decisions taken on such requests.

Article 12

1. The execution, management and maintenance of schemes that are the subject of financing under this Protocol shall be the responsibility of Syria or of the other beneficiaries referred to in Article 9 of this Protocol.

The Community shall make sure that this financial aid is expended in accordance with the agreed allocations and to the best economic advantage.

2. The projects and action programmes shall be the subject of appropriate evaluation, the outcome of which shall be communicated to both Parties, which shall take appropriate measures by mutual agreement.

3. Certain rules for administering the financial aid granted by the Community shall be the subject of an exchange of letters or a framework agreement between the Commission and Syria upon conclusion of this Protocol.

Article 13

1. All natural and legal persons falling within the scope of the Treaty establishing the European Economic Community and all natural and legal persons of Syria may participate on equal terms in tendering procedures and other procedures for the award of contracts likely to be financed. Any such legal person, formed in accordance with the law of a Member State of the European Economic Community or with that of Syria must have its registered office, its administrative head office or its principal establishment in the territories in which the Treaty establishing the European Economic Community is applied or in Syria; however, where only its registered office is in the said territories or in Syria, the activities of such legal person must be effectively and continuously linked with the economy of those territories or of Syria.

2. In agreement with Syria and with the aim of encouraging regional cooperation, natural and legal persons who are nationals of developing countries associated with the Community through overall cooperation or association agreements may be authorized by the Community,

on a case-by-case basis, to participate in the operations referred to in paragraph 1 which are financed by the Community. The eligibility of the natural or legal persons shall be assessed on the same terms as those set out in paragraph 1, *mutatis mutandis*.

Article 14

To promote participation by Syrian undertakings in the performance of contracts and to ensure the rapid and effective implementation of projects and operations financed from resources administered by the Commission :

1. An accelerated procedure for issuing invitations to tender, involving shorter time limits for the submission of tenders, may be used by Syria in agreement with the Commission where it is a question of works contracts which, because of their scale, are mainly of interest to Syrian undertakings.

The organization of this accelerated procedure shall not rule out the possibility of issuing an international invitation to tender where it appears that the nature of the works to be carried out or the usefulness of widening participation justifies recourse to international competition.

2. Where urgency of the situation is established or where the nature, small scale or particular characteristics of certain works or supplies so warrant, Syria may, in agreement with the Commission, authorize, as an exception, the placing of contracts after restricted invitations to tender, the conclusion of contracts by direct agreement and the performance of contracts through public works departments.

The procedures referred to in points 1 and 2 above may be used for operations whose estimated cost is less than ECU 4 million.

Article 15

1. Syria shall apply to contracts awarded for the execution of projects or schemes financed by the Community tax and customs arrangements no less favourable than those applied *vis-à-vis* the most favoured State or international development organization.

2. The content of the arrangements referred to in paragraph 1 shall be the subject of an exchange of letters between the Parties.

Article 16

Syria shall take the necessary measures to ensure that interest and all other payments due to the Bank in respect of transactions concluded under this Protocol are exempted from any national or local tax or levy.

Article 17

Where a loan is accorded to a beneficiary other than the Syrian State, the provision of a guarantee by the latter or

of other adequate guarantees shall be required by the Bank as a condition of the grant of the loan.

Article 18

Throughout the duration of the loans and risk capital operations provided for in Article 2, Syria shall undertake to :

- (a) place at the disposal of the beneficiaries of their guarantors the currency necessary for the payment of interest and commission and amortization of loans and risk-capital aid granted for the implementation of aid measures on its territory ;
- (b) make available to the Bank the currency necessary for the transfer of all sums received by it in national currency which represent the net revenue and proceeds from transactions involving the acquisition by the Community of holdings in the capital of undertakings.

Article 19

The results of financial and technical cooperation may be examined within the Cooperation Council. The latter shall establish, where appropriate, the general guidelines for such cooperation.

Article 20

One year before the expiry of this Protocol, the Contracting Parties shall examine what arrangements could be made for financial and technical cooperation during a possible further period.

Article 21

This Protocol shall be annexed to the Cooperation Agreement between the European Economic Community and the Syrian Arab Republic.

Article 22

1. This Protocol shall be subject to approval in accordance with the Contracting Parties' own procedures, and the Parties shall notify one another that the procedures necessary to this end have been completed.

2. This Protocol shall enter into force on the first day of the second month following the date on which the notifications provided for in paragraph 1 have been given.

Article 23

This Protocol is drawn up in two copies in the Danish, Dutch, English, French, German, Greek, Italian, Portuguese, Spanish and Arabic languages, each of these texts being equally authentic.

En fe de lo cual, los plenipotenciarios abajo firmantes suscriben el presente Protocolo.

Til bekræftelse heraf har undertegnede befuldmægtigede underskrevet denne protokol.

Zu Urkund dessen haben die unterzeichneten Bevollmächtigten ihre Unterschriften unter dieses Protokoll gesetzt.

Εἰς πίστωση τῶν ἀνωτέρω, οἱ υπογεγραμμένοι πληρεξούσιοι ἔθεσαν τῆς υπογραφῆς τοὺς στο παρόν πρωτόκολλο.

In witness whereof the undersigned Plenipotentiaries have signed this Protocol.

En foi de quoi, les plénipotentiaires soussignés ont apposé leurs signatures au bas du présent protocole.

In fede di che, i plenipotenziari sottoscritti hanno apposto le loro firme in calce al presente protocollo.

Ten blyke waarvan de ondergetekende gevolmachtigden hun handtekening onder dit Protocol hebben geplaatst.

Em fé do que, os plenipotenciários abaixo assinados apuseram as suas assinaturas no final do presente protocolo.

واشبات لما تقدم . وضع المندوبون المفوضون
توقيعهم اسفل هذا البروتوكول .

Hecho en Bruselas, el diecisiete de julio de mil novecientos noventa y uno.

Udfærdiget i Bruxelles, den syttende juli nitten hundrede og enoghalvfems.

Geschehen zu Brüssel am siebzehnten Juli neunzehnhunderteinundneunzig.

Έγινε στις Βρυξέλλες, στις δέκα επτά Ιουλίου χίλια εννιακόσια ενενήντα ένα.

Done at Brussels on the seventeenth day of July in the year one thousand nine hundred and ninety-one.

Fait à Bruxelles, le dix-sept juillet mil neuf cent quatre-vingt-onze.

Fatto a Bruxelles, addì diciassette luglio millenovecentonovantuno.

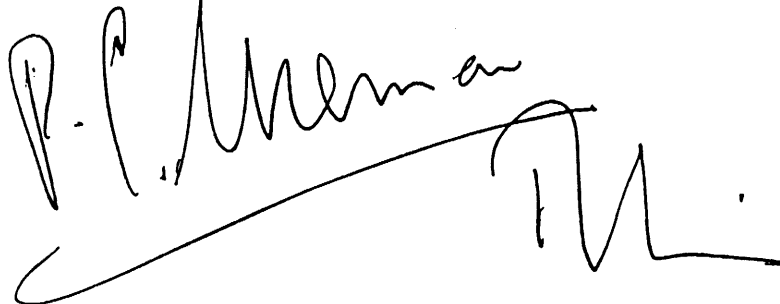
Gedaan te Brussel, de zeventiende juli negentienhonderd een-en-negentig.

Feito em Bruxelas, em dezassete de Julho de mil novecentos e noventa e um.

حرر في بروكسل في السابع عشر من شهر تموز عام الف وتسعمائة
واحد وتسعون

Por el Consejo de las Comunidades Europeas,
For Rådet for De Europæiske Fællesskaber,
Für den Rat der Europäischen Gemeinschaften,
Για το Συμβούλιο των Ευρωπαϊκών Κοινοτήτων,
For the Council of the European Communities,
Pour le Conseil des Communautés européennes,
Per il Consiglio delle Comunità europee,
Voor de Raad van de Europese Gemeenschappen,
Pelo Conselho das Comunidades Europeias,

عن مجلس المجموعات الأوروبية



Por el Gobierno de la República Árabe Siria
For Regeringen for den Arabiske Republik Syrien
Für die Regierung der Arabischen Republik Syrien
Για την κυβέρνηση της Αραβικής Δημοκρατίας της Συρίας
For the government of the Syrian Arab Republic
Pour le gouvernement de la République arabe syrienne
Per il governo della Repubblica araba siriana
Voor de Regering van de Syrische Arabische Republiek
Pelo Governo da República Árabe da Síria

عن حكومة الجمهورية العربية السورية



CORRIGENDA

Corrigendum to Commission Regulation (EC) No 214/94 of 31 January 1994 laying down detailed rules for the application of 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

(Official Journal of the European Communities No L 27 of 1 February 1994)

Page 46, Article 1 (1):

for: '... Council Regulations (EEC) No 3838/90 ⁽⁶⁾, (EEC) No 3667/91 ⁽⁷⁾ and (EEC) No 3392/92 ⁽⁸⁾ ...',

read: '... Council Regulation (EEC) No 3838/90 ⁽⁶⁾, (EEC) No 3667/91 ⁽⁷⁾ or (EEC) No 3392/92 ⁽⁸⁾'
