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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 665/94

of 21 March 1994

on the introduction of transitional tariff measures for Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland, Romania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Russia, Tajikistan, Turkmenistan, Ukraine, Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia, until 31 December 1994 to take account of German unification

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 28 and 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Common Customs Tariff will be fully applicable to the territory of the former German Democratic Republic as from 3 October 1990, the date of German unification;

Whereas the former German Democratic Republic had concluded numerous agreements with Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia which provided for a yearly exchange of specific goods in maximum quantities or to maximum values at a zero rate of duty; whereas the former German Democratic Republic had concluded long-term cooperation and investment agreements with Czechoslovakia, Poland and the USSR which will give rise to reciprocal deliveries of goods at zero rates of duty for many years to come;

Whereas agreements of the first type have not been renewed after 31 December 1990 and agreements of the second type will be re-negotiated at Community, German or private enterprise level, but whereas this process of re-negotiation will take some time;

Whereas the maximum quantities or values mentioned in these agreements do not entail legally binding obligations between the parties; whereas non-enforcement thereof cannot therefore give rise to any compensation by the Community;

Whereas it is necessary, therefore, during a transitional period to attenuate the impact resulting from German

unification on both types of agreement as otherwise serious repercussions on enterprises in the territory of the former German Democratic Republic and in Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland, Romania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Russia, Tajikistan, Turkmenistan, Ukraine, Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia could result and, indeed, the stability of the economies of these countries might be adversely affected thereby;

Whereas for these reasons it is appropriate to suspend temporarily the duties of the Common Customs Tariff for products originating in Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland, Romania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Russia, Tajikistan, Turkmenistan, Ukraine, Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia, which are covered by the abovementioned agreements between the former German Democratic Republic and these countries, up to the maximum quantities or values laid down therein;

Whereas it is appropriate, in view of the special circumstances of German unification, for the said suspension of duties to be applicable to the products concerned only in so far as they are put into free circulation in the territory of the former German Democratic Republic;

Whereas it is necessary to make provision for determining the origin of the goods which will be covered by the said suspension of duties;

Whereas, in view of the difficulties in applying these measures and the fact that some of their consequences are unforeseeable, it is appropriate to emphasize the transi-

tional character of these measures and restrict their duration to a one-year period up to 31 December 1994;

Whereas a similar transitional arrangement was set up until 31 December 1992 by Regulation (EEC) No 3568/90⁽¹⁾ and by Decision No 3788/90/ECSC⁽²⁾ extended until 31 December 1993 by Regulation (EEC) No 1343/93⁽³⁾ and by Decision No 1535/93/ECSC⁽⁴⁾; whereas in the light of experience since 1990 it seems suitable to exclude products of Annex II to the Treaty from the benefit of the present arrangements;

Whereas it is appropriate to provide for special measures and a procedure to put them in place, in case the temporary suspension of duties causes or threatens to cause serious injury to a branch of Community industry;

Whereas these measures must be solely related to the customs tariff and, in any event, must not prejudice the application of Community measures under the common commercial policy,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 1 January to 31 December 1994, import duties within the meaning of Article 4 (10) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽⁵⁾ including the anti-dumping duties to be applied on 3 October 1990, shall be suspended for goods originating in Bulgaria, the Czech Republic, the Slovak Republic, Hungary, Poland, Romania, Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Russia, Tajikistan, Turkmenistan, Ukraine, Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia, covered by the agreements listed in Annexes I and II concluded between those countries and the former German Democratic Republic — the essential elements of which have been published in communication No 91/C151/01 of 10 June 1991⁽⁶⁾ — up to the maximum quantities or values established by the said agreements.

The agricultural products which are referred to in Annex II to the Treaty shall be excluded from the benefit of these tariff measures.

2. The provisions of paragraph 1 shall be applicable only if:

— the goods in question are released for free circulation in the territory of the former German Democratic

Republic and are consumed there or undergo processing conferring Community origin there⁽⁷⁾,

— a licence issued by the relevant German authorities stating that the goods in question fall within the scope of the provisions contained in paragraph 1 is submitted in support of the declaration of entry for release for free circulation.

3. The Commission and the competent German authorities shall take whatever measures are needed to ensure that the final consumption of the products in question, or the processing by which they acquire Community origin, takes place in the territory of the former German Democratic Republic.

Article 2

To determinate the origin of the goods referred to in Article 1, Articles 22 to 26 of Regulation (EEC) No 2913/92 shall apply.

Article 3

1. If the suspension of the Common Customs Tariff duties referred to in Article 1 causes serious injury to Community producers of like or directly competitive products in one or more Member States, the Commission may, on its own initiative or at the request of a Member State, restore the normal duty for the products concerned.

Any Member State may refer any difficulties to the Commission. The Commission shall, as a matter of urgency, examine the question and submit its conclusions, possibly accompanied by appropriate measures.

2. The procedure set out in Article 11 of Council Regulation (EEC) No 1765/82 of 30 June 1982 on common rules for imports from State-trading countries⁽⁸⁾ shall be followed.

3. These measures shall not prejudice the application of Community measures under the common commercial policy.

Article 4

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

It shall apply from 1 January 1994.

⁽¹⁾ OJ No L 353, 17. 12. 1990, p. 1.

⁽²⁾ OJ No L 364, 28. 12. 1990, p. 27.

⁽³⁾ OJ No L 133, 27. 5. 1993, p. 1.

⁽⁴⁾ OJ No L 151, 22. 6. 1993, p. 23.

⁽⁵⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽⁶⁾ OJ No C 151, 10. 6. 1991.

⁽⁷⁾ Checks on this use shall be carried out pursuant to the relevant Community provisions on end-use (Article 82 of Regulation (EEC) No 2913/92).

⁽⁸⁾ OJ No L 195, 5. 7. 1982, p. 1. Regulation as last amended by Regulation (EEC) No 1013/93 (OJ No L 105, 30. 4. 1993, p. 1).

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

Done at Brussels, 21 March 1994.

For the Council

The President

Y. PAPANTONIOU

ANNEX I

1. Protocol between the Government of the German Democratic Republic and the Government of the People's Republic of Bulgaria on trade in goods in 1990 (29 November 1989)
 2. Protocol 5 to the Agreement between the Government of the German Democratic Republic and the Government of the Czechoslovak Socialist Republic on trade in goods from 1986 to 1990 (13 December 1989)
 3. Protocol between the Government of the German Democratic Republic and the Government of the Republic of Hungary on bilateral trade in goods and services in 1990 (19 January 1990)
 4. Protocol between the Government of the German Democratic Republic and the Government of the Polish People's Republic on bilateral trade in goods and services in 1989 (30 November 1988)
 5. Protocol between the Government of the German Democratic Republic and the Government of the Socialist Republic of Romania on bilateral trade in goods in 1990 (16 November 1989)
 6. Protocol between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on trade in goods and payments in 1990 (22 November 1989)
 7. Protocol between the Government of the German Democratic Republic and the Federal Executive Council of the Skupstina of the Socialist Federal Republic of Yugoslavia on bilateral trade in goods and services in 1990 (20 December 1989)
-

ANNEX II

- Agreement of 20 January 1986 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the exploitation of the Jamburg natural gas deposits
- Agreement of 28 October 1987 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the construction of mining and processing combines for oxidic ores including the Agreement of 28 October 1987 on residence and employment conditions for the contracting organizations
- Agreement of 15 April 1985 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in shipbuilding and the mutual supply of ships and ship's fittings
- Agreement of 21 July 1976 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the construction of a 750 kV electricity transfer network
- Agreement of 21 June 1974 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on joint investment in natural gas (Orenburg) (annual take-up of 2 800 million cubic metres until 1998)
- Agreement of 16 November 1973 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on joint investment in asbestos (Kijembai plant) (annual take-up of 40 000 tonnes until 1991)
- Agreement of 21 June 1973 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on joint investment in pulp (Ust-Ilimsk plant) (annual take-up of 56 000 tonnes until 1992)
- Agreement of 14 July 1965 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on the construction of nuclear power stations (Nord and Stendal I)
- Agreement of 3 June 1987 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the rehabilitation of 210 m W thermal power units
- Ministerial Agreement of 6 June 1980 concerning specialization and cooperation in the manufacture of, and trade in, types of paper and cardboard and cooperation in science and technology
- Ministerial Agreement of 24 May 1989 concerning cooperation in the development and production of computerized scanning machines
- Agreement of 23 December 1976 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the manufacture of products of rubber technology
- Agreement of 27 June 1977 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in developing the production and ensuring the supply of roller bearings
- Ministerial Agreement of 14 December 1985 concerning specialization and cooperation in the manufacture of type 1532 cotton-combing machinery
- Agreement of 14 December 1984 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the manufacture of patented colour formers
- Agreement of 28 June 1979 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the manufacture of feeding yeasts in Mosyr
- Ministerial Agreement of 17 December 1986 concerning specialization and cooperation in the field of catalytic reactors
- Agreement of 9 December 1975 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on the further development of integration in the chemical industry
- Agreement of 18 June 1982 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in developing production and user technology in the field of nitrification inhibitors for nitrogenous fertilizers

- Agreement of 15 June 1973 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on the foundation of an international economic body for the phototechnical industry (Assofoto)
 - Agreement of 30 October 1986 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the construction of the Stendal II nuclear power-station
 - Agreement of 9 December 1983 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the construction and rehabilitation of cold storage depots for potatoes, fruit and vegetables
 - Agreement of 9 December 1983 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the production of lucerne seed
 - Agreement of 14 December 1984 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in expanding the production of kieselguhr (filter powder) for the food-processing industry
 - Agreement of 22 December 1977 between the Government of the German Democratic Republic and the Government of the Union of Soviet Socialist Republics on cooperation in the improvement, development and establishment of new technological processes and installations for the treatment of waste water from cities and industrial plants
 - Agreement of 18 December 1959 between the Government of the German Democratic Republic, the Government of the Polish People's Republic and the Government of the USSR on the construction of an oil pipeline from the USSR to the GDR via Poland
 - Agreement of 18 January 1961, amended on 12 November 1972, between the Government of the German Democratic Republic and the Government of the Polish People's Republic on the construction and financing of the oil pipeline from the USSR to Poland and the GDR
 - Agreement of 18 October 1969 between the Government of the German Democratic Republic and the Government of the Polish People's Republic on the construction and financing of a second pipeline for transporting oil from the USSR to Poland and across Polish territory to the GDR
 - Agreement of 17 August 1983 between the Government of the German Democratic Republic and the Government of the Polish People's Republic on the construction and financing of a crossing of the Vistula at Plock for the first and second strands of the 'Friendship' oil pipeline
 - Agreement of 12 June 1972 between the Government of the German Democratic Republic and the Government of the Polish People's Republic on the joint construction, management and running of a cotton-spinning mill on the territory of the latter
 - Agreement of 28 November 1973 between the Government of the German Democratic Republic and the Government of the Polish People's Republic on the construction of a feeding yeast production plant in the GDR and the supply of feeding yeast to Poland
 - Agreement of 6 September 1985 between the Government of the German Democratic Republic and the Government of the Polish People's Republic on the supply of sulphur with deferment of the GDR's credit balance
 - Agreement of 2 July 1971 between the Government of the German Democratic Republic and the Czechoslovak Socialist Republic on the transport of natural gas from the USSR to the GDR across the territory of the CSSR, and the Protocols to this Agreement of 12 January 1973 and 31 May 1989
-

COMMISSION REGULATION (EC) No 666/94**of 25 March 1994****amending for the second time Regulation (EEC) No 1706/93 fixing countervailing charges on seeds**

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

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds⁽¹⁾, as last amended by Regulation (EC) No 3375/93⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Commission Regulation (EEC) No 1706/93⁽³⁾, as amended by Regulation (EC) No 338/94⁽⁴⁾, fixed countervailing charges on seeds in respect of a certain type of hybrid maize and sorghum for sowing;

Whereas, since that time, a significant variation has been recorded in the free-at-frontier offer prices which, under the terms of Article 4 (2) of Commission Regulation (EEC) No 1665/72⁽⁵⁾ as amended by Regulation (EEC) No 2811/86⁽⁶⁾, requires that these charges be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to amended Regulation (EEC) No 1706/93 is replaced by the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 26 March 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.
⁽²⁾ OJ No L 303, 10. 12. 1993, p. 9.
⁽³⁾ OJ No L 176, 30. 6. 1992, p. 38.
⁽⁴⁾ OJ No L 43, 16. 2. 1994, p. 12.
⁽⁵⁾ OJ No L 175, 2. 8. 1972, p. 49.
⁽⁶⁾ OJ No L 260, 12. 9. 1986, p. 8.

ANNEX

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CN code	Amount of countervailing charge ⁽¹⁾	Country of origin ⁽²⁾
1005 10 11	8,1	400
	13,8	404
	20,4	066
	34,9	068
	34,9	1
1005 10 13	3,2	091
	3,2	090
	3,2	093
	4,2	388
	6,3	063
	8,8	064
	21,7	061
	35,2	066
	38	068
1005 10 15	38	2
	7,2	061
	7,2	063
	22,6	093
	29,4	090
	29,4	091
	51,6	064
	64,0	052
	77,1	512
	77,6	066
	87,1	092
	92,1	388
	140,7	524
	140,7	3

⁽¹⁾ The countervailing charge may not exceed 4 % of the customs value.

⁽²⁾ Origin identification :

- 1 Other countries with the exception of Austria, Argentina, Bosnia-Herzegovina, Croatia, Chile, Hungary, Slovenia and the territory of former Yugoslav Republic of Macedonia
 - 2 Other countries with the exception of Japan, Austria, Argentina, Turkey, Chile, the United States, Canada and Croatia
 - 3 Other countries with the exception of Argentina, Bulgaria, Canada, Austria and the United States
- 038 Austria
052 Turkey
061 Czech Republic
063 Slovak Republic
064 Hungary
066 Romania
068 Bulgaria
090 The territory of former Yugoslav Republic of Macedonia
091 Slovenia
092 Croatia
093 Bosnia-Herzegovina
388 South Africa
400 the United States
404 Canada
512 Chile
524 Uruguay

COMMISSION REGULATION (EC) No 667/94**of 25 March 1994****fixing the export refunds on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

the export refund on rice and broken rice is being calculated;

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

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾, as amended by Regulation (EC) No 3528/93 ⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁷⁾, as amended by Regulation (EC) No 574/94 ⁽⁸⁾;

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

Whereas Council Regulation (EEC) No 990/93 ⁽⁹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ADOPTED THIS REGULATION :

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 25 March 1994 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	187,00	1006 30 65 100	01	234,00
1006 20 13 000	01	187,00		02	240,00
1006 20 15 000	01	187,00		03	245,00
1006 20 17 000	—	—		04	234,00
1006 20 92 000	01	187,00	1006 30 65 900	01	234,00
1006 20 94 000	01	187,00		04	234,00
1006 20 96 000	01	187,00	1006 30 67 100	—	—
1006 20 98 000	—	—	1006 30 67 900	—	—
1006 30 21 000	01	187,00	1006 30 92 100	01	234,00
1006 30 23 000	01	187,00		02	240,00
1006 30 25 000	01	187,00		03	245,00
1006 30 27 000	—	—		04	234,00
1006 30 42 000	01	187,00	1006 30 92 900	01	234,00
1006 30 44 000	01	187,00		04	234,00
1006 30 46 000	01	187,00	1006 30 94 100	01	234,00
1006 30 48 000	—	—		02	240,00
1006 30 61 100	01	234,00		03	245,00
	02	240,00		04	234,00
	03	245,00	1006 30 94 900	01	234,00
	04	234,00		04	234,00
1006 30 61 900	01	234,00	1006 30 96 100	01	234,00
	04	234,00		02	240,00
1006 30 63 100	01	234,00		03	245,00
	02	240,00		04	234,00
	03	245,00	1006 30 96 900	01	234,00
	04	234,00		04	234,00
1006 30 63 900	01	234,00	1006 30 98 100	—	—
	04	234,00	1006 30 98 900	—	—
			1006 40 00 000	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, V, VII c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1).

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

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 668/94

of 25 March 1994

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas

the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁶⁾, as amended by Regulation (EC) No 3528/93 ⁽⁷⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies ; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁸⁾, as amended by Regulation (EC) No 547/94 ⁽⁹⁾ ;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 25 March 1994 fixing the corrective amount applicable to
the refund on rice and broken rice

(ECU/tonne)					
Product code	Destination (1)	Current 4	1st period 5	2nd period 6	3rd period 7
1006 20 11 000	01	0	0	0	0
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	01	0	0	0	0
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	01	0	0	0	0
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	01	0	0	0	0
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 61 900	01	0	0	0	0
	04	0	0	0	0
1006 30 63 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 63 900	01	0	0	0	0
	04	0	0	0	0
1006 30 65 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 65 900	01	0	0	0	0
	04	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 92 900	01	0	0	0	0
	04	0	0	0	0
1006 30 94 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 94 900	01	0	0	0	0
	04	0	0	0	0
1006 30 96 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0

<i>(ECU/tonne)</i>					
Product code	Destination (*)	Current 4	1st period 5	2nd period 6	3rd period 7
1006 30 96 900	01	0	0	0	0
	04	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(*) The destinations are identified as follows :

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, V, VII c), Canada and zone VIII, except Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1).

NB : The zones are those defined in the Annex to Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 669/94
of 25 March 1994

**setting the amounts of aid for the supply of rice products from the Community
to the Canary Islands**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products last for the benefit of the Canary Islands⁽¹⁾, as last amended by Regulation (EEC) No 1974/93⁽²⁾, and in particular Article 2 thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1695/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands; whereas Commission Regulation (EEC) No 1997/92 of 17 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Canary Islands and establishing the forecast supply balance for these products⁽⁵⁾, as last amended by Regulation (EEC) No 1939/93⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as amended by Regulation (EC) No 3528/93⁽⁸⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁹⁾, as amended by Regulation (EC) No 547/94⁽¹⁰⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 199, 18. 7. 1992, p. 20.

⁽⁶⁾ OJ No L 176, 20. 7. 1993, p. 14.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 25 March 1994 setting the amounts of aid for the supply
of rice products from the Community to the Canary Islands

Product (CN code)	<i>(ECU/tonne)</i>	
	Amount of aid	
	Canary Islands	
Milled rice (1006 30)	248,00	
Broken rice (1006 40)	55,00	

COMMISSION REGULATION (EC) No. 670/94

of 25 March 1994

setting the amounts of aid for the supply of rice products from the Community
to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira⁽¹⁾, as last amended by Regulation (EEC) No 1974/93⁽²⁾, and in particular Article 10 thereof,

Whereas, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1696/92⁽³⁾, as last amended by Regulation (EEC) No 2596/93⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these products⁽⁵⁾, as last amended by Regulation (EEC) No 1939/93⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

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

Done at Brussels, 25 March 1994.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as amended by Regulation (EC) No 3528/93⁽⁸⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁹⁾, as amended by Regulation (EC) No 547/94⁽¹⁰⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.⁽³⁾ OJ No L 179, 1. 7. 1992, p. 6.⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.⁽⁵⁾ OJ No L 198, 17. 7. 1992, p. 37.⁽⁶⁾ OJ No L 176, 20. 7. 1993, p. 14.⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.⁽¹⁰⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 25 March 1994 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

Product (CN code)	<i>(ECU/tonne)</i>	
	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	248,00	248,00

COMMISSION REGULATION (EC) No 671/94

of 25 March 1994

fixing the corrective amount applicable to the refund on 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 13 (4) thereof,

Whereas Article 13 (4) of Regulation (EEC) No 1766/92 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Commission Regulation (EEC) No 1533/93 of 22 June 1993 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾, allows for the fixing of a corrective amount for the malt referred to in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 2 of Regulation (EEC) No 1533/93;

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾, as amended by Regulation (EC) No 3528/93 ⁽⁶⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁷⁾, as amended by Regulation (EC) No 547/94 ⁽⁸⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 13 (4) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 25 March 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 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 11. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 25 March 1994 fixing the corrective amount applicable to the refund on malt

Product code	(ECU/tonne)					
	Current	1st period	2nd period	3rd period	4th period	5th period
	4	5	6	7	8	9
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 90 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

Product code	(ECU/tonne)					
	6th period	7th period	8th period	9th period	10th period	11th period
	10	11	12	1	2	3
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EC) No 672/94
of 25 March 1994
amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 415/94 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 55, 26. 2. 1994, p. 11.

ANNEX

to the Commission Regulation of 25 March 1994 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	62,00	62,00	62,00	65,00
Barley (1003 00 90)	85,00	85,00	85,00	88,00
Maize (1005 90 00)	51,00	51,00	51,00	62,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 673/94**of 25 March 1994****amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands**

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands ⁽¹⁾, as last amended by Regulation (EEC) No 1974/93 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last amended by Regulation (EC) No 416/94 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

The Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ No L 55, 26. 2. 1994, p. 13.

ANNEX

to the Commission Regulation of 25 March 1994 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

		(Ecu/tonne)
Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	59,00
Barley	(1003 00 90)	82,00
Maize	(1005 90 00)	55,00
Durum wheat	(1001 10 00)	0,00
Oats	(1004 00 00)	82,00

COMMISSION REGULATION (EC) No 674/94
of 25 March 1994

**amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply
of cereals products from the Community to the Azores and Madeira**

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

Having regard to Council Regulation (EEC) No 1600/92
of 15 June 1992 introducing specific measures in respect
of certain agricultural products for the benefit of the
Azores and Madeira ⁽¹⁾, as last amended by Regulation
(EEC) No 1974/93 ⁽²⁾, and in particular Article 10 thereof,

Whereas the amounts of aid for the supply of cereals
products to the Azores and Madeira has been settled by
Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last
amended by Regulation (EC) No 417/94 ⁽⁴⁾, whereas, as a
consequence of the changes of the rates and prices for
cereals products in the European part of the Community
and on the world market, the aid for supply to the Azores
and Madeira should be set at the amounts given in the
Annex;

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

The Annex of amended Regulation (EEC) No 1833/92 is
replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.
⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.
⁽³⁾ OJ No L 185, 4. 7. 1992, p. 28.
⁽⁴⁾ OJ No L 55, 26. 2. 1994, p. 15.

ANNEX

to the Commission Regulation of 25 March 1994 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

		<i>(Ecu/tonne)</i>	
Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	59,00	59,00
Barley	(1003 00 90)	82,00	82,00
Maize	(1005 90 00)	55,00	55,00
Durum wheat	(1001 10 00)	0,00	0,00

COMMISSION REGULATION (EC) No 675/94**of 25 March 1994****laying down detailed rules for the application of Council Regulations (EC) No 3640/93 and (EC) No 3670/93 as regards the special arrangements for imports of maize and sorghum into Spain and of maize into Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3640/93 of 17 December 1993 on special arrangements for imports of maize and sorghum into Spain for the year 1993 ⁽¹⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EC) No 3670/93 of December 1993 on special arrangements for imports of maize into Portugal ⁽²⁾, and in particular Article 7 thereof,

Whereas, pursuant to the agreements between the European Economic Community and the United States of America within the GATT framework, the Community has undertaken, as from in the 1993/94 marketing year, to open a reduced-tariff quota for imports into Portugal of 500 000 tonnes of maize and, in respect of 1993, to import into Spain a minimum quantity of two million tonnes of maize and 300 000 tonnes of sorghum, minus the quantities of certain other products imported into that country during the same year;

Whereas, to ensure that the agreements are implemented, provision is made under the two import schemes, either for the direct purchase of cereals on the world market or alternatively, for a levy reduction on importation, licences being valid only in Portugal or in Spain; whereas, however, imports on preferential terms may create difficulties for the Community market;

Whereas, in the case of direct purchase on the world market, and with a view to enabling the operation to be carried out under optimum conditions and in particular at the lowest purchase and transport costs, an invitation to tender should be organized for supply and delivery to warehouse designated by the intervention agency concerned; whereas provision should be made for tenders to be lodged for individual lots in line with storage capacities available in certain areas of the Member State concerned and published in the notice of invitation to tender;

Whereas detailed rules should be adopted on the organization of the invitations to tender for the import levy

reduction and for direct purchase on the world market, and conditions should be defined for submitting tenders and lodging and releasing securities guaranteeing compliance with the successful tenderer's obligations;

Whereas, with a view to sound economic and financial management of the purchasing operations in question and in particular to avoid disproportionate and excessive risks for operators in view of foreseeable prices on the Spanish and Portuguese markets, provision should be made for importing onto the market, subject to a reduced levy, cereals which do not meet the quality requirements laid down in the invitation to tender; whereas in that case however, the levy reduction may not be greater than the last amount fixed pursuant to Article 3 of Regulation (EC) No 3640/93 of Article 2 of Regulation (EC) No 3670/93;

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

HAS ADOPTED THIS REGULATION:

CHAPTER I**Imports with levy reduction***Article 1*

The import levy reduction provided for in Article 3 of Regulation (EC) No 3640/93 and Article 2 of Regulation (EC) No 3670/93 shall be granted on importation into Spain of maize falling within CN code 1005 90 00 and sorghum falling within CN code 1007 00 90 and on importation into Portugal of maize falling within CN code 1005 90 00, covered by licences issued by the Spanish and Portuguese authorities as provided for in this Regulation.

Article 2

1. Where a tendering procedure is organized for the import levy reduction, interested parties shall reply to the invitation to tender either by lodging a written tender in exchange for an acknowledgement of receipt with the Spanish intervention agency or the General Directorate for Trade in Portugal or by forwarding the same to the latter by registered letter, telex, telefax or telegram.

⁽¹⁾ OJ No L 333, 31. 12. 1993, p. 13.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 35.

2. Tenders must give :

- the reference of the invitation to tender,
- the tenderer's name and exact addresses, together with the telex or telefax number,
- the nature and quantity of the product to be imported,
- the amount per tonne of the import levy reduction proposed in ecus,
- the country of origin of the cereals to be imported.

3. Tenders must be accompanied :

- (a) by evidence that the tenderer has lodged a security, the amount of which, per tonne, must be equal to the amount of the reduction proposed in the tender ;
- (b) a written undertaking by the tenderer that, within two days of receipt of notification of the award of contract, he will lodge with the competent body concerned a application for an import licence for the quantity awarded, together with an application for advance fixing of the import levy corresponding to the reduction proposed in the tender, and that he will import from the country of origin specified in the tender.

4. Tenders must specify only one country of origin ; they may not exceed the maximum quantity available for each tendering deadline.

5. Tenders not submitted in accordance with paragraphs 1 to 4 or containing conditions other than those laid down in the invitation to tender shall not be considered.

6. Tenders may not be withdrawn.

7. Tenders must be forwarded to the Commission by the competent body not later than two hours after the deadline for the lodging of tenders as specified in the invitation to tender. They must be forwarded in the form shown in Annex 1.

Where no tenders are submitted, the Member State concerned shall inform the Commission within the same time-limit.

Article 3

1. On the basis of the tenders lodged and forwarded under a tendering procedure for the import levy reduction the Commission shall decide, in accordance with the procedure laid down in Article 23 of Council Regulation (EEC) No 1766/92⁽¹⁾ :

- to fix a maximum import levy reduction, or
- not to pursue the tendering procedure.

Where it is decided to fix a maximum import levy reduction, any tender(s) for an amount equal to or less than the

maximum reduction shall be accepted. However, where the maximum reduction fixed under the tendering procedure for a given week leads to the acceptance of quantities exceeding the quantities remaining for importation pursuant to Regulations (EC) No 3640/93 and No 3670/93, the tenderer having lodged the tender corresponding to the accepted maximum reduction shall be awarded a quantity equal to the difference between the quantities applied for in the other accepted tenders and the quantity available. Where the maximum reduction fixed corresponds to several tenders, the quantity to be awarded shall be shared between the tenderers in proportion to the respective quantities for which they have tendered.

2. The amount of the import levy reduction awarded pursuant to paragraph 1 shall be increased by the difference between the threshold price applicable on the day of importation and the corresponding price applicable on the date of expiry of the deadline for submission of tenders.

3. The competent authorities of Spain or Portugal shall notify in writing all tenders of the outcome of their tenders as soon as the Commission has taken the decision referred to in paragraph 1.

Article 4

1. Licence applications shall be lodged on forms printed and/or drawn up in accordance with Article 16 of Commission Regulation (EEC) No 3719/88⁽²⁾. Where a flat-rate reduction is adopted by the Commission, applications shall be lodged on the first two working days of each week. Where the levy reduction is awarded under a tendering procedure, applications shall be lodged, for the awarded quantity, within two days of receipt of the notice of award, together with an application for advance fixing of the import levy corresponding to the reduction proposed in the tender.

2. Licence applications and the licences themselves shall carry one of the following entries in section 24 :

'levy reduction : licence valid only in Spain (Regulation (EC) No 675/94)', in the case of applications lodged with the Spanish authority.

'levy reduction : licence valid only in Portugal (Regulation (EC) No 675/94)', in the case of applications lodged with the Portuguese authority.

3. Where a flat-rate reduction is applied, licence applications shall be taken into consideration only where evidence is provided that a security of ECU 16 per tonne has been lodged in favour at the competent body concerned.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

Article 5

1. Licence applications shall be accompanied :

- in the case of a flat-rate reduction, by a written undertaking from the applicant to lodge, by the date of issue of the licence at the latest, a performance guarantee of an amount per tonne equal to the levy reduction granted ;
- in the case of a reduction agreed under a tendering procedure, evidence that the tenderer has lodged a security of an amount per tonne equal to the reduction proposed in the tender.

2. The level of security provided for in Article 12 (b) of Commission Regulation (EEC) No 891/89 ⁽¹⁾ shall apply to import licences issued under this Regulation.

3. Where a flat-rate reduction is adopted by the Commission, the advance fixing of the levy shall entail application of the levy reduction and import levy in force on the day on which the licence application is lodged.

4. Where the reduction is fixed under a tendering procedure, the advance fixing of the levy shall entail application of the levy in force on the day of award of contract.

5. Where the levy is fixed in advance :

- the net amount to be charged shall be shown in section 23 of the licence,
- the reduction granted shall be shown in section 24.

6. Applications shall be valid only if :

- they do not exceed the maximum quantity available for each deadline for lodging applications, and
- they are accompanied by evidence that the applicant's business activity includes international cereals trading in the importing Member State. For the purposes of this Article the provision of such evidence shall consist in presentation to the competent authority of either a copy of a certificate of payment of value added tax in the Member State concerned or a copy of either a customs clearance certificate issued by the Member State concerned in respect of an import or export licence or an invoice relating to intra-Community trade in the applicant's name for an operation conducted in any of the three preceding years.

Article 6

1. Where a flat-rate reduction is adopted by the Commission, licences shall be issued, within the quanti-

ties available, no later than the Friday following the last day for submission as specified in article 4. If the Friday is not a working day, they shall be issued on the first working day thereafter.

Should the applications made in respect of a week be for quantities exceeding those still available for import under Regulations (EC) 3640/93 and (EC) No 3670/93, the quantities for which licences are issued shall be the quantities indicated in the applications, reduced by a uniform percentage. The security for the quantities not covered by a licence shall be released immediately.

2. Where a levy reduction is fixed under a tendering procedure, licences shall be issued, on condition that the tenderer has lodged an application for an import licence as referred to in Article 2 (3) (c) before the specified deadline, for the quantities awarded not later than the third working day following the final date for submitting licence applications as set out in Article 4 (1).

3. The competent authorities shall notify the Commission of the quantities for which licences have been issued each week no later than the third working day of the following week.

4. By way of derogation from Article 21 (1) of Regulation (EEC) No 3719/88 import licences shall, for the purpose of determining their period of validity, be deemed to have been issued on the day of expiry of the deadline for lodging tenders or applications.

Article 7

1. The period of validity of licences shall be :

- the period specified in Article 8 of Regulation (EEC) No 891/89, in cases where a flat-rate reduction has been adopted by the Commission,
- the period specified in the Regulation opening the invitation to tender, in the case of licences issued under a tendering procedure for the levy reduction.

2. In section 8 of the import licence, a cross must be marked against the word 'yes'. Notwithstanding Article 2 (2) of Regulation No 891/89, the quantity released for free circulation shall be neither greater nor less than the quantity specified in sections 17 and 18 of the import licence. The figure 0 must be entered in section 19 of the licence.

3. By way of derogation from Article 9 of Regulation (EEC) No 3719/88, the rights arising from import licences under this Regulation shall not be transferable.

⁽¹⁾ OJ No L 94, 7. 4. 1989, p. 13.

Article 8

1. The security referred to in Article 5 (1) shall be released in the following cases:

- (a) where the tender is not accepted;
- (b) where the tenderer provides evidence:
 - that the imported product has been processed or utilized in the importing Member State; such evidence may consist in a bill of sale to a processor or consumer with headquarters in the importing Member State, or
 - that the countervailing duty referred to in Article 7 of Regulation (EC) No 3640/93 or Article 6 of Regulation (EC) No 3670/93 has been paid, or
 - that the product could not be imported, processed or utilized for reasons of force majeure, or
 - that the product has become unsuitable for any use whatsoever.

For quantities in respect of which the abovementioned evidence is not produced within 18 months of the date of acceptance of the declaration of release for free circulation the security shall be forfeit as levy.

The processing or utilization of the imported product shall be considered to have been effected if 95 % of the quantity released for free circulation has been processed or used.

2. Securities shall be subject to the provisions of Article 33 of Regulation (EEC) No 3719/88, except for the provision on the six-month time limit referred to in paragraph 3 (b) of the said Article.

3. Where the undertaking referred to in Article 2 (3) (b) is not fulfilled, the security referred to in Article 5 (1) shall be forfeit.

Article 9

1. Maize and sorghum released for free circulation with a reduced levy shall remain under customs surveillance or under administrative surveillance of equivalent effect until such time as it is used or processed.

2. The Member State concerned shall, if need be, take all necessary measures to ensure that the surveillance referred to in paragraph 1 is carried out. These measures shall include requiring importers to submit to any check considered necessary by the competent authorities and to keep specific records enabling the authorities to make such checks.

3. The Member State concerned shall immediately notify the Commission of the measures adopted pursuant to paragraph 2.

CHAPTER II

Direct purchase on the world market*Article 10*

1. Where Article 4 of Regulation (EC) No 3640/93 or Article 3 of Regulation (EC) No 3670/93 is applied, the Spanish or Portuguese intervention agency shall arrange for the product to be bought on the world market by the award of a supply contract under a tendering procedure. The supply shall consist in the purchase of the product on the world market and the delivery, not unloaded, to warehouses designated by the abovementioned intervention agency for placing under the customs warehousing procedure provided for in Council Regulation (EEC) No 2503/88 ⁽¹⁾.

The decision to purchase on the world market shall specify in particular the quantity of cereals to be imported, the dates of opening and closing of the invitation to tender and the final date for delivery of the goods.

2. A notice of invitation to tender drawn up in accordance with Annex 2 shall be published in the 'C' series of the *Official Journal of the European Communities*. The invitation shall relate to one or more lots. 'Lot' shall be understood as meaning the quantities to be delivered as specified in the invitation.

3. The intervention agency of the Member State concerned shall adopt, as required, additional measures for implementing the purchasing operations in question.

The agency shall notify the Commission immediately of such measures and shall inform operators thereof.

Article 11

1. Interested parties shall reply to the invitation to tender either by lodging a written tender in exchange for an acknowledgment of receipt with the intervention agency indicated in the notice of invitation to tender, or by forwarding the same to the latter by registered letter, telex, telefax or telegram.

Tenders must reach the intervention agency before 12 noon (Brussels time) on the day on which the deadline for the submission of tenders indicated in the notice of invitation to tender expires.

2. Tenders may not only be submitted in respect of whole lots. They shall give:

- the reference of the invitation to tender,
- the tenderer's name and exact address, together with the telex or telefax number,
- details of the lot concerned,
- the tender price proposed, per tonne of product, in the currency of the Member State concerned,

⁽¹⁾ OJ No L 225, 15. 8. 1988, p. 1.

- the country of origin of the cereals to be imported,
- separately, if the cif price, per tonne of product, in the currency of the Member State concerned, corresponding to the tender.

3. Tenders must be accompanied by evidence that the security referred to in Article 12 (1) has been lodged before expiry of the deadline for the submission of tenders.

4. Tenders not submitted in accordance with the Article or containing conditions other than those laid down in the invitation to tender shall not be considered.

5. Tenders may not be withdrawn.

Article 12

1. Tenders submitted shall be considered only where there is evidence that a security of ECU 20/tonne has been lodged.

2. Securities shall be lodged in accordance with the criteria laid down in the invitation to tender referred to in Article 10 (2) by the Member State concerned, in accordance with Commission Regulation (EEC) No 2220/85⁽¹⁾.

3. Securities shall be released immediately in the following cases:

- (a) where the tender is not accepted;
- (b) where the tenderer provides evidence that the supply contract has been performed in accordance with the conditions laid down in Article 15 for the accepted tender;
- (c) where the tenderer provides evidence that the goods could not be imported for reasons of *force majeure*.

Article 13

Tenders shall be opened and in read in public. This shall be done by the intervention agency immediately after the expiry of the deadline for the submission of tenders.

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

Done at Brussels, 25 March 1994.

Article 14

1. Without prejudice to the application of paragraphs 2 and 3, the decision to award the contract to the tenderer submitting the most favourable tender shall be notified in writing to all the tenderers not later than the second working day following the day on which the tenders are opened and read.

2. Where the tender judged most favourable is submitted simultaneously by more than one tenderer, the intervention agency shall draw lots to decide which tenderer is to be selected.

3. If the tenders submitted seem not to reflect the conditions normally applying on the markets, the intervention agency may decide to make no award. Invitations to tender shall be renewed within one week until all the lots are awarded.

Article 15

1. At the time of supply the intervention agency shall check the quantity and quality of the goods.

Subject to the application of the price reductions provided for in the notice of invitation to tender, the goods shall be rejected if the quality is below the minimum quality laid down. However the goods may be imported with a reduced levy, obtained by applying a flat-rate reduction in accordance with Chapter I.

2. Where, pursuant to paragraph 1, delivery does not take place, the security referred to in Article 12 shall be forfeit without prejudice to any other financial consequences for breach of the supply contract.

CHAPTER III

Final provisions

Article 16

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

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

*ANNEX I***Weekly tendering procedure for the levy reduction on imports of maize from third countries**

(Regulation (EC) No 675/94)

Deadline for submission of tenders (date/hour)

1	2	3	4	5
Number of tenderer	Quantity (in tonnes)	Amount of import levy reduction	Advance fixing of green rate (yes/no)	Origin of cereal
1				
2				
3				
4				
etc.				

*ANNEX II***MODEL FOR NOTICE OF INVITATION TO TENDER**

'Invitation to tender for the purchase of ... tonnes of ... on the world market by the intervention agency ...'

(Article 10 (2) of Commission Regulation (EC) No 675/94)

1. Product to be mobilized
2. Total quantity
3. List of warehouses for a lot
.....
.....
4. Characteristics of goods (quality required, minimum quality, price reductions)
.....
.....
5. Packaging (bulk)
6. Delivery period
7. Deadline for submission of tenders

COMMISSION REGULATION (EC) No 676/94
of 25 March 1994
on the supply of milk products as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 1 259 tonnes of milk powder;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOTS A, B, C and D

1. **Operation Nos** (1): 1026/93 (Lot A), 1027/93 (Lot B), 1028/93 (Lot C), 1029/93 (Lot D)
2. **Programme**: 1993
3. **Recipient** (2): UNRWA — Supply Division — Vienna International Centre, PO Box 700, A-1400 Vienna, Austria, telex: 135310 UNRWA A — fax (1) 230 75 29
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officer,
 - Lot A: Ashdod: West Bank, PO Box 19149, Jerusalem (tel.: 972 (2) 89 05 55; telex: 26194 UNRWA IL; fax: 972 (2) 81 65 64)
 - Lot B: Latakia: PO Box 4313, Damascus, SAR (tel.: 963 (11) 66 02 17; telex: 412006 UNRWA SY; fax: 963 (11) 24 75 13)
 - Lot C: Beirut: PO Box 947, Beirut, Lebanon (tel.: 86 31 32; telex: 21430 UNRWA LE; fax: 87 11 45 02 32 (satellite))
 - Lot D: Amman: PO Box 484, Amman, Jordan (tel.: 962 (6) 74 19 14 — 77 22 26; telex: 23402 UNRWA JFO JO; fax: 962 (6) 68 54 76)
5. **Place or country of destination** (3): Lot A: Israel; Lot B: Syria; Lot C: Lebanon; Lot D: Jordan
6. **Product to be mobilized**: Whole milk powder
7. **Characteristics and quality of the goods** (4) (5): (See OJ No C 114, 29. 4. 1991, p. 1, I.C.1)
8. **Total quantity**: 1 214 tonnes
9. **Number of lots**: four (Lot A: 431 tonnes; Lot B: 143 tonnes; Lot C: 315 tonnes; Lot D: 325 tonnes)
10. **Packaging and marking** (6) (7): 1 kg sachets
 - See OJ No C 114, 29. 4. 1991, p. 1, (I.C.2, I.C.3 and I.A.2.1)
 - Markings in English
 - Supplementary markings:
 - Lots A, B and C: 'UNRWA'
 - Lot D: 'UNRWA — Date of expiry ...' (date of manufacture plus nine months)
11. **Method of mobilization**: Community market
 - The whole milk powder must be manufactured after the award of the tender
12. **Stage of supply**: Lots A and B: free at port of landing — landed; Lots C and D: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lot A: Ashdod; Lot B: Latakia
16. **Address of the warehouse and, if appropriate, port of landing**:
 - Lot C: UNRWA warehouses, Beirut, Lebanon
 - Lot D: UNRWA warehouses, Amman, Jordan
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 6 to 26. 6. 1994
18. **Deadline for the supply**: 31. 7. 1994
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 11. 4. 1994 (Brussels time)

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

- (a) deadline for the submission of tenders : 12 noon (Brussels time) on 25. 4. 1994
- (b) period for making the goods available at the port of shipment in case of award of tender at port of shipment stage : 20. 6. to 10. 7. 1994
- (c) deadline for the supply : 14. 8. 1994

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

- (a) deadline for the submission of tenders : 12 noon (Brussels time) on 10. 5. 1994
- (b) period for making the goods available at the port of shipment in case of award of tender at port of shipment stage : 4. to 24. 7. 1994
- (c) deadline for the supply : 28. 8. 1994

22. Amount of tendering security : ECU 20 per tonne

23. Amount of delivery security : 10 % of the tender in ecus

24. Address for submission of tenders and tendering securities (¹) : Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi, 200, B-1049 Bruxelles (telex 22037 / 25670 AGREC B ; telefax : (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)

25. Refund payable on application by the successful tenderer (²) : Refund applicable 19. 3. 1994 fixed by Commission Regulation (EC) No 613/94 (OJ No L 77, 19. 3. 1994, p. 20)

LOT E

1. **Operation No⁽¹⁾**: 1191/93
2. **Programme**: 1993
3. **Recipient⁽²⁾**: Fédération Internationale des Sociétés de la Croix-Rouge et du Croissant-Rouge (IFRC) département approvisionnements et logistique, Case Postale 372, CH-1211 Genève 19; (tel (41-22) 730 42 22; telefax 733 03 95; telex 412133 LRC CH)
4. **Representative of the recipient**: Croix-Rouge burkinabée, BP 340, Ouagadougou; Tel: (226) 300877, Tlx: 363121, Telex LSCR 5438 BF Ouagadougou
5. **Place or country of destination⁽³⁾**: Burkina Faso
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽⁴⁾⁽⁵⁾**: See OJ No C 114, 29. 4. 1991, p. 1 (I.B.1)
8. **Total quantity**: 45 tonnes
9. **Number of lots**: one
10. **Packaging and marking⁽⁶⁾⁽⁷⁾**: See OJ No C 114, 29. 4. 1991, p. 1 (I.B.2, I.A.2.3, I.B.3)
Markings in French
Supplementary markings: FICR
11. **Method of mobilization**: the Community market
The skimmed-milk powder must be manufactured and the vitamins incorporated after the award of the tender
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: entrepôt Croix-Rouge Ouagadougou, Zone du Bois, Secteur 13
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 2 — 22. 5. 1994
18. **Deadline for the supply**: 3. 7. 1994
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 11. 4. 1994
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 25. 4. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 16. 5 — 5. 6. 1994
 - (c) deadline for the supply: 17. 7. 1994**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 10. 5. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 30. 5. — 19. 6. 1994
 - (c) deadline for the supply: 31. 7. 1994
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B / 25670 AGREC B; telefax: (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer⁽⁸⁾**: refund applicable on 19. 3. 1994, fixed by Commission Regulation (EC) No 613/94 (OJ No L 77, 19. 3. 1994, p. 20).

Notes :

- (¹) The operation should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106) shall not apply to this amount.
- (⁵) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate
- Lot B : The sanitary certificate and the certificate of origin must be signed and stamped by a Syrian Consulate, including a statement that consular fees and charges have been paid.
- Lot E : The shipping documents must be sent to the beneficiary's representative immediately after loading.
- (⁷) Lots A, C, D : Shipment to take place in 20-foot containers : Lot A : The contracted shipping terms shall be considered full liner terms (liner in/liner out) free port of landing container yard and is understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 day period should be clearly marked on the bill of lading. Bona fide detention charges levied in respect or container detention(s) in excess of the said 15 days as detailed above will be born by UNRWA. UNRWA shall not pay/ not be charged any container deposit fees.
- After take-over of the goods at the delivery stage, the recipient will bear all costs of shifting the container for destuffing outside the port area and of returning them to the container yard.
- Ashdod : consignment to be stowed in 20-foot containers containing not more than 17 tonnes each, net.
- (⁸) The bags must be placed in 20-foot containers. The free holding period for containers must be at least 15 days.
- (⁹) Notwithstanding OJ No C 114, point I.A(3)(c) is replaced by the following : 'the words "European Community".'

COMMISSION REGULATION (EC) No 677/94

of 25 March 1994

on the supply of milk products as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 1 260 tonnes of milk powder;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A, B and C

1. **Operation Nos** ⁽¹⁾: see Annex II
2. **Programme**: 1994
3. **Recipient** ⁽²⁾ ⁽³⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel. (31-70) 33 05 757; fax 36 41 701; telex 30960 euron nl)
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or countries of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽⁵⁾:
(see OJ No C 114, 29. 4. 1991, p. 1 (under I.B.1))
8. **Total quantity**: 1 260 tonnes
9. **Number of lots**: 3 (see Annex II)
10. **Packaging and marking** ⁽⁷⁾ ⁽⁸⁾: 25 kg
see OJ No C 114, 29. 4. 1991, p. 1 (under I.B.2, I.A.2.3 and I.B.3)
markings in English (A1-A3, B7), Spanish (C1-C9), French (A2 + A4-A7 + B1-B6) and Portuguese (A8 + A9 + C10)
A1-A3: Supplementary markings: 'Expiry date: ...'
11. **Method of mobilization**: the Community market
manufacture of skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 9 — 29. 5. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 11. 4. 1994
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 25. 4. 1994
 - (b) period for making the goods available at the port of shipment: 23. 5 — 12. 6. 1994
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 10. 5. 1994
 - (b) period for making the goods available at the port of shipment: 6 — 26. 6. 1994
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾:
Bureau de l'aide alimentaire,
à l'attention de Monsieur T. Vestergaard,
Bâtiment Loi 120, bureau 7/46,
200 rue de la Loi,
B-1049 Bruxelles,
telex: 22037 / 25670 AGREC B; telefax: (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on application by the successful tenderer** ⁽⁹⁾: refund applicable on 1. 3. 1994, fixed by Commission Regulation (EC) No 305/94 (OJ No L 40, 11. 2. 1994, p. 30)

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.
- The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106) shall not apply to this amount.
- (⁵) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, P.O. Box 1315, NL-1000 BH Amsterdam.
- (⁶) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- health certificate,
 - veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing.
- (⁷) Notwithstanding OJ No C 114, point I.A(3)(c) is replaced by the following : 'the words "European Community".'
- (⁸) Shipment to take place in 20-foot containers, condition FCL/FCL. The supplier shall be responsible for the cost of making the containers in the stack position to the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer, number of which to be provided to the beneficiary's forwarder.

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	País de destino
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Ação n°	País de destino
A	315	A1 : 15 A2 : 90 A3 : 30 A4 : 15 A5 : 45 A6 : 30 A7 : 15 A8 : 30 A9 : 45	48/94 49/94 50/94 51/94 52/94 53/94 54/94 55/94 56/94	Jordan Liban Uganda Burundi Comores Madagascar Madagascar Moçambique Moçambique
B	465	B1 : 240 B2 : 15 B3 : 15 B4 : 15 B5 : 15 B6 : 45 B7 : 120	57/94 58/94 59/94 60/94 61/94 62/94 63/94	Algérie Mali Mali Mali Mali Niger Ghana
C	480	C 1 : 30 C 2 : 45 C 3 : 90 C 4 : 30 C 5 : 45 C 6 : 45 C 7 : 60 C 8 : 15 C 9 : 15 C10 : 105	64/94 65/94 66/94 67/94 68/94 69/94 70/94 71/94 72/94 73/94	República Dominicana El Salvador Guatemala Perú Perú Perú Perú Perú Perú Brasil

COMMISSION REGULATION (EC) No 678/94**of 25 March 1994****determining the extent to which applications for imports licences introduced under a cheese quota opened by the Community with Bulgaria and Romania may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 385/94 of 21 February 1994 laying down detailed rules for in the Interim Agreements between the Community of the one part and Bulgaria and Romania of the other part⁽¹⁾, and in particular Article 4 thereof,

Whereas there have not been any applications for import licences for the cheeses referred to in Regulation (EC) No 385/94 for the period 1 January to 31 March 1994, whereas, as a result, the quantity available for the following period is the overall quantity referred to in the Annex to that Regulation,

Article 1

For the period from 1 April to 30 June 1994, applications for import licences may be introduced by virtue of Regulation (EC) No 385/94 for the overall quantity referred to in Annex I thereto for cheeses from Romania and Bulgaria.

Article 2

This Regulation shall enter into force on 28 March 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 50, 22. 2. 1994, p. 7.

**COMMISSION REGULATION (EC) No 679/94
of 25 March 1994**

determining to what extent licence applications submitted during March 1994 for live bovine animals weighing between 160 and 300 kg as part of an import quota provided for under European agreements concluded between the Community and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic (CSFR) may be accepted

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

Having regard to Commission Regulation (EC) No 358/94 of 17 February 1994 opening for 1994 and laying down detailed rules for the application of an import quota for live bovine animals weighing between 160 and 300 kg, originating in and coming from the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Federal Republic⁽¹⁾, and in particular Article 3 (4) thereof,

Whereas Article 1 (1) of Regulation (EC) No 358/94 lays down the number of head of live bovine animals weighing between 160 and 300 kg for fattening or slaughter originating in and coming from Poland, Hungary, the Czech Republic or the Slovak Republic which may be imported under special conditions during 1994;

Whereas the quantities for which import licence applications have been submitted exceed the quantities available; whereas, pursuant to Article 3 (4) of Regulation (EC) No 358/94, a single percentage reduction in the quantities applied for should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Applications submitted for 1994 under the import arrangements referred to in Regulation (EEC) No 358/94 shall be reduced by 98,176 %.

Article 2

This Regulation shall enter into force on 26 March 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 46, 18. 2. 1994, p. 34.

COMMISSION REGULATION (EC) No 680/94

of 25 March 1994

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular the third subparagraph of Article 13 (2) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1544/93⁽⁴⁾, and in particular Article 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in

Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁶⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, the refunds applicable for April 1994 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 25 March 1994 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 00 400	0
1001 90 99 000	58,00
1002 00 00 000	58,00
1003 00 90 000	80,00
1004 00 00 400	—
1005 90 00 000	45,00
1006 20 92 000	200,00
1006 20 94 000	200,00
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	250,00
1006 30 92 900	250,00
1006 30 94 100	250,00
1006 30 94 900	250,00
1006 30 96 100	250,00
1006 30 96 900	250,00
1006 40 00 000	—
1007 00 90 000	45,00
1101 00 00 100	79,00
1101 00 00 130	79,00
1102 20 10 100	65,20
1102 20 10 300	55,88
1102 30 00 000	—
1102 90 10 100	114,43
1103 11 10 200	—
1103 11 90 200	—
1103 13 10 100	83,83
1103 14 00 000	—
1104 12 90 100	99,48
1104 21 50 100	99,48

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), amended.

COMMISSION REGULATION (EC) No 681/94

of 25 March 1994

laying down certain additional detailed rules for the application of the supplementary trade mechanism (STM) between Spain and the Community as constituted on 31 December 1985 as regards certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 3818/92⁽²⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89⁽³⁾, as amended by Regulation (EEC) No 3831/92⁽⁴⁾, establishes the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector from 1 January 1990; whereas tomatoes, artichokes, melons and strawberries are included in the list;

Whereas Commission Regulation (EEC) No 3944/89⁽⁵⁾, as last amended by Regulation (EEC) No 3308/91⁽⁶⁾, lays down detailed rules for applying the supplementary trade mechanism, hereinafter called the 'STM', to fresh fruit and vegetables;

Whereas Commission Regulation (EC) No 419/94⁽⁷⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 27 March 1994 for the above products; whereas in view of last expected exports from Spain to the rest of the Community with the exception of Portugal, and of the Community market situation, a period I should be fixed for the melons;

Whereas, on the basis of the abovementioned criteria a period I and III should be determined for tomatoes and a period II should be determined for strawberries and for artichokes respectively until 2 May; whereas indicative ceilings should be determined pursuant to Article 3 of Regulation (EEC) No 3210/89 for very short periods, given the sensitivity of these products;

Whereas it should be stipulated that the provisions of Regulation (EEC) No 3944/89 relating to statistical monitoring, to the use of exit documents for Spanish consignments and to the various communications from the Member States apply in order to ensure that the STM operates;

Whereas the need for accurate information justifies communications on the statistical monitoring of trade at more frequent intervals;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For melons covered by the CN code set out in the Annex, the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in the Annex hereto.

2. For strawberries covered by CN code 0810 10 90, tomatoes covered by CN code 0702 00 10 and artichokes covered by CN code 0709 10 00:

- the indicative ceilings provided for in Article 83 (1) of the Act of Accession, and
- the periods provided for in Article 2 of Regulation (EEC) No 3210/89

shall be as set out in the Annex hereto.

Article 2

1. For consignments of the products referred to in Article 1 from Spain to the rest of the Community market, with the exception of Portugal, Regulation (EEC) No 3944/89, with the exception of Articles 5 and 7 thereof, shall apply.

However, the notification provided for in Article 2 (2) of that Regulation shall be made each Tuesday at the latest in respect of quantities consigned during the preceding week.

2. The notification provided for in the first paragraph of Article 9 of Regulation (EEC) No 3944/89 for products mentioned in Article 1 (2) subject to a period II or to a period III shall be forwarded to the Commission on Tuesday each week at the latest in respect of the preceding week.

During the application of a period I, those notifications shall be made once a month, on the fifth day of each month at the latest in respect of data from the preceding month; where appropriate, that notification shall bear the word 'nil'.

Article 3

This Regulation shall enter into force on 28 March 1994.

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 15.

⁽³⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 47.

⁽⁵⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁶⁾ OJ No L 313, 14. 11. 1991, p. 13.

⁽⁷⁾ OJ No L 55, 26. 2. 1994, p. 18.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89 and the ceilings provided for in Article 83 of the Act of Accession

Period from 28 March to 1 May 1994

Description of product	CN code	Period
Melons	0807 10 90	I

Description of product	CN code	Indicative ceiling (tonnes)	Period
Strawberries	0810 10 90 0810 10 10	28. 3. — 3. 4. 1994: 16 100	II
		4. 4. — 10. 4. 1994: 18 900	II
		11. 4. — 17. 4. 1994: 20 600	II
		18. 4. — 24. 4. 1994: 20 600	II
		25. 4. — 1. 5. 1994: 21 200	II
Tomatoes	0702 00 10	28. 3. — 31. 3. 1994: —	I
		1. 4. — 3. 4. 1994: 12 000	II
		4. 4. — 10. 4. 1994: 17 900	II
		11. 4. — 17. 4. 1994: 9 400	II
		18. 4. — 24. 4. 1994: 8 000	II
Artichokes	0709 10 00	25. 4. — 1. 5. 1994: 6 700	II
		28. 3. — 3. 4. 1994: 1 600	II
		4. 4. — 10. 4. 1994: 1 900	II
		11. 4. — 17. 4. 1994: 2 000	II
		18. 4. — 24. 4. 1994: 5 000	II
		25. 4. — 1. 5. 1994: 5 000	II

COMMISSION REGULATION (EC) No 682/94

of 25 March 1994

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾, as amended by Regulation (EC) No 3528/93⁽⁷⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁸⁾, as amended by Regulation (EC) No 547/94⁽⁹⁾;

Whereas Council Regulation (EEC) No 990/93⁽¹⁰⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽¹⁰⁾ OJ No L 102, 28. 4. 1993, p. 14.

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 25 March 1994 fixing the export refunds on olive oil

(ECU/100 kg)	
Product code	Amount of refund ⁽¹⁾ ⁽²⁾
1509 10 90 100	35,00
1509 10 90 900	55,00
1509 90 00 100	42,00
1509 90 00 900	67,00
1510 00 90 100	8,00
1510 00 90 900	27,00

(¹) For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 as well as for exports to third countries.

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

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 683/94**of 25 March 1994****fixing the maximum export refunds on olive oil for the eighth partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93**

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

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EC) No 3142/93⁽⁴⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

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

Whereas Article 6 of Regulation (EC) No 3142/93 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the eighth partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 March 1994.

Article 2

This Regulation shall enter into force on 26 March 1994.

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

Done at Brussels, 25 March 1994.

For the Commission

René STEICHEN

Member of the Commission

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 281, 16. 11. 1993, p. 3.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 25 March 1994 fixing the maximum export refunds on olive oil for the eighth partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

(ECU/100 kg)

Product code	Amount of refund (1)
1509 10 90 100	37,00
1509 10 90 900	58,00
1509 90 00 100	44,00
1509 90 00 900	71,00
1510 00 90 100	10,00
1510 00 90 900	—

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

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EC) No 684/94
of 25 March 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 633/94 ⁽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 24 March 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 26 March 1994.

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

Done at Brussels, 25 March 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 78, 22. 3. 1994, p. 30.

ANNEX

to the Commission Regulation of 25 March 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	32,67 ⁽¹⁾
1701 11 90	32,67 ⁽¹⁾
1701 12 10	32,67 ⁽¹⁾
1701 12 90	32,67 ⁽¹⁾
1701 91 00	37,94
1701 99 10	37,94
1701 99 90	37,94 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 23 March 1994

concerning certain protection measures relating to Classical Swine Fever in Germany and repealing Decision 94/27/EC and 94/28/EC

(Text with EEA relevance)

(94/178/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾ and, in particular, Article 10 (4) thereof,

Whereas as a result of outbreaks of Classical Swine Fever in different parts of Germany, the Commission adopted Decision 94/27/EC of 20 January 1994 concerning certain protection measures relating to Classical Swine Fever in Germany and repealing Decision 93/566/EC⁽³⁾;

Whereas an increased number of outbreaks of Classical Swine Fever have occurred in Bundesland Niedersachsen; whereas some of the outbreaks have occurred in parts with a high density of pigs;

Whereas in view of the trade in live pigs, fresh pigmeat and certain meat-based products these outbreaks are liable to endanger the herds of other Member States;

Whereas, since it is possible to identify geographically limited areas which present a particular risk, the restrictions on trade can be applied on a regional basis;

Whereas in accordance with the provisions of Council Directive 80/217/EEC of 22 January 1980 introducing

Community measures for the control of Classical Swine Fever⁽⁴⁾, as last amended by Council Decision 93/384/EEC⁽⁵⁾, Member States shall establish a protection zone and a surveillance zone around an outbreak site to control movement of pigs;

Whereas Germany has taken measures in accordance with Council Directive 80/217/EEC and, furthermore, has introduced further measures;

Whereas, however, in order to prevent the spread of disease to other parts of its territory, it is necessary that Germany should introduce appropriate measures of an equivalent level;

Whereas an increase in body temperature above 40 °C is considered to be one of the early symptoms of Classical Swine Fever;

Whereas it is necessary to establish a national well-equipped crisis unit which in cooperation with the veterinary authorities of the Länder shall collect and analyse surveillance data and participate in epidemiological investigations;

Whereas the protection measures introduced by Commission Decisions 94/27/EC and 94/28/EC of 24 January 1994 on marking and use of pigmeat in application of Article 9 of Council Directive 80/217/EEC by Germany⁽⁶⁾, in the interest of clarity, must be repealed;

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 19, 22. 1. 1994, p. 31.

⁽⁴⁾ OJ No L 47, 21. 2. 1980, p. 11.

⁽⁵⁾ OJ No L 166, 8. 7. 1993, p. 34.

⁽⁶⁾ OJ No L 19, 22. 1. 1994, p. 35.

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

HAS ADOPTED THIS DECISION:

Article 1

1. Germany shall not send to other Member States or to other parts of its territory live pigs coming from those parts of its territory described in Annex I.

2. Germany shall ensure that no pigs leave the area described in Annex II to the area described in Annex I.

3. The restrictions given in paragraph 2 shall not apply to pigs for slaughter which:

(a) originate from holdings situated outside the surveillance zones established in accordance with Article 9 of Directive 80/217/EEC;

(b) originate from a holding to which, following the epidemiological inquiry, no contact has been established with an infected holding;

(c) have been submitted to a health examination at the holding of origin by a veterinarian designated by the competent veterinary authorities and found to have presented no sign of disease; this examination must have taken place shortly before loading the consignment of pigs for slaughter;

(d) have been included in a programme for the detection of swine fever virus and which monitors their body temperatures. The programme shall be carried out as given in Annex III, Chapters I and II;

(e) have been transported directly from the holding of origin to a designated abattoir in Germany, which shall be situated inside the area described in Annex I where slaughtering shall take place within 12 hours of arrival at the abattoir.

4. When the control measures applied in the surveillance zones referred to under paragraph 3 (a) are lifted as provided for in Article 5 (2), the conditions listed under paragraphs 3 (b), (c) and (d) shall apply to pigs for slaughter coming from holdings situated outside the protection zone established around the outbreaks, which caused the establishment of the said surveillance zones.

5. Germany shall not send to other Member States breeding pigs and production pigs originating from a holding situated in the area outside the area described in Annex I unless the pigs:

— come from a holding where no live pigs have been introduced during the 30-day period immediately prior to the dispatch of the pigs in question,

— have been subject to a test for antibodies to Classical Swine Fever (HC virus) and found negative; this test shall be carried out in accordance with the provisions of Annex IV, point 1, of Directive 80/217/EEC within 10 days of certification,

— have undergone the clinical examination required in Council Directive 64/432/EEC⁽¹⁾ on the farm of origin. The examination shall comprise all pigs and related facilities on the holding of origin. The animals shall be identified by ear tags at the holding of origin and at any assembly centre so that these can be ascertained and traced back. The means of transport shall carry an official seal.

6. Intra-Community movements of the animals referred to in paragraph 5 shall only be allowed following three days advance notification to the competent authority in the Member State of destination.

Article 2

Live pigs coming from holdings situated in the area described in Annex II, but outside the zones subjected to the measures provided for in Article 9 of Council Directive 80/217/EEC, shall:

(a) — if slaughtered within this area, and whose meat is intended to be removed from the area,

or,

— if removed from the area for slaughter outside the area,

fulfill the conditions laid down in Article 1, paragraphs 3 (b), (c), (d) and (e) and the meat shall receive the mark described in Article 3 (1) (A) (e) of Council Directive 64/433/EEC⁽²⁾;

(b) — if slaughtered within this area and whose meat is intended for consumption within this area,

not be required to fulfill the conditions laid down in Article 1, paragraphs 3 (b), (c), (d) and (e), but the meat shall receive the mark described in the Annex to Council Directive 72/461/EEC⁽³⁾.

Article 3

During *ante mortem* inspection of pigs to be slaughtered, special attention shall be given by Germany to signs and lesions typical for Classical Swine Fever.

Article 4

1. The health certificate provided for in Council Directive 64/432/EEC accompanying pigs sent from Germany must be completed by the following:

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽³⁾ OJ No L 302, 31. 12. 1972, p. 24.

'Animals in accordance with Commission Decision 94/178/EC of 23 March 1994 concerning certain protection measures relating to Classical Swine Fever in Germany and repealing Decisions 94/27/EC and 94/28/EC.'

2. Meat consigned from Germany shall be accompanied by a certificate from an official veterinarian. The certificate shall bear the following words:

'Meat conforming to Commission Decision 94/178/EC of 23 March 1994 concerning certain protection measures relating to Classical Swine Fever in Germany and repealing Decisions 94/27/EC and 94/28/EC.'

3. Meat obtained from pigs slaughtered in accordance with the provisions of Article 1, paragraph 3 or 4, carrying the mark referred to in Article 2 (a) and consigned from Germany must be accompanied by the certificate given in Annex IV.

Article 5

1. Germany shall carry out serological screening of pigs kept:

- (a) in the part of its territory outside the area described in Annex II for antibodies to Classical Swine Fever virus (HC virus) in accordance with the requirements of Annex V, Chapter I;
- (b) in the area described in Annex II for antibodies of Classical Swine Fever virus (HC virus) in accordance with the requirements of Annex V, Chapter II.

The results obtained from the screening programme accompanied by an epidemiological analysis, shall be submitted every two weeks to the Commission.

2. Germany shall notify the Commission at least five days in advance of the lifting of surveillance zones established in accordance with Article 9 of Directive 80/217/EEC. Such notification shall be accompanied by the results of serological surveys carried out in the zone and by a detailed epidemiological report.

Article 6

Germany shall ensure that vehicles which have been used for the transport of pigs are cleaned and disinfected after

each operation, and shall furnish proof of such disinfection.

Article 7

Germany shall establish a national crisis unit which shall carry out the following duties:

- collect data on the surveillance activities carried out by land authorities,
- coordinate the measures in cases of emergency animal health problems and, in particular, the epidemiological investigation of these problems, in conjunction with the Land authorities.

The national crisis centre shall have sufficient resources to carry out these duties. In particular:

- staff trained in epidemiological investigation,
- data handling facilities,
- rapid communication links with Land and other authorities.

Article 8

The Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 9

The present Decision shall repeal Decision 94/27/EC and Decision 94/28/EC.

Article 10

This Decision shall be reviewed before 20 April 1994 taking into consideration the evolution of the animal disease situation in Germany.

Article 11

This Decision is addressed to the Member States.

Done at Brussels, 23 March 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Bundesland Niedersachsen

ANNEX II

All parts of the territory of Lower Saxony, Germany situated inside the line formed by:

- the motorway A 28 from Oldenburg to Bremen,
- the national road 51 from Bremen through Stuhr-Brinkum to Bassum,
- the national road 61 from Bassum to Sülingen,
- the national road 214 in direction south-west until it joins the local road in direction south towards Lavelsho until it crosses the river Aue,
- the river Aue until it reaches the border between Lower Saxony and Nordrhein-Westfalia,
- the border between Lower Saxony and Nordrhein-Westfalia in direction west and south until it reaches the Mittelland-Kanal,
- the Mittelland-Kanal in direction west until it crosses the border between Lower Saxony and Nordrhein-Westfalia,
- the border between Lower Saxony and Nordrhein-Westfalia in direction west until it crosses the local road from Recke in direction north to Fürstenau,
- the national road 402 from Fürstenau to Haselünne,
- the local road from Haselünne to Sägel and Börger and in direction north-east until it meets the Küstenkanal,
- the Küstenkanal in direction east until it enters Oldenburg.

ANNEX III**CHAPTER I****EXAMINATIONS FOR PRESENCE OF CLASSICAL SWINE FEVER VIRUS ANTIGEN**

The programme for detection of Classical Swine Fever virus antigen referred to in Article 1 (3) (d) shall include examination of tonsil tissue obtained from five pigs per holding. The laboratory examination of the tonsil tissue shall be performed in accordance with the provision of Annex I, Chapter B of Directive 80/217/EEC. The five tonsil samples may be replaced by 10 blood samples.

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

CHAPTER II**MONITORING OF BODY TEMPERATURE**

The programme for monitoring body temperature referred to in Article 1 (3) (d) of Decision 94/178/EC shall include the following :

1. Within the 12 hour period before loading a consignment of pigs intended for slaughter, the owner shall ensure that the body temperature of a number of pigs of the said consignment is monitored by inserting a thermometer into the rectum. The number of pigs to be examined shall be as given below :

No of pigs in consignment	No of pigs to be examined
0 - 25	all
26 - 30	26
31 - 40	31
41 - 50	35
51 -100	45
101 -200	51
200 +	60

At the time of examination, the owner shall record the following information on a table issued by the competent veterinary authorities for each pig : number of eartag, time of examination and temperature.

In cases where the examination shows a temperature of 40° C or above the owner shall immediately contact the official veterinarian who shall initiate a disease investigation and who shall take into account the provisions of Article 4 of Directive 80/217/EEC introducing Community measures for the control of Classical Swine Fever.

2. Shortly (0-3 hours) before loading of the consignment examined as described under paragraph (1), the said examination shall be repeated by a veterinarian designated by the competent veterinary authorities. For each pig examined the veterinarian shall record on a table issued by the competent veterinary authorities : number of eartag, time of examination and temperature.
3. At the time of loading of the consignment of pigs examined as described under paragraphs (1) and (2), the official veterinarian shall issue a health document, which shall accompany the consignment to the designated slaughterhouse.
4. At the slaughterhouse of designation the results of the temperature monitoring shall be made available to the veterinarian who performs the *ante mortem* examination.

ANNEX IV

CERTIFICATE

for fresh meat referred to in Article 4(3) of Commission Decision 94/178/EC

No (1)

Place of loading :

Ministry :

Department :

I. Identification of meat

Meat of pigs

Nature of cuts :

Nature of packaging :

Number of cuts or packages :

Net weight :

II. Origin of meat

Address and veterinary approval number of the approved slaughterhouse :

.....

Address and veterinary approval number of the approved cutting plant :

.....

.....

III. Destination of meat

The meat will be sent

from

(place of loading)

to

(placed of destination)

by the following means of transport (2) :

Name and address of consignor :

.....

Name and address of consignee :

.....

IV. Health attestation

I, the undersigned official veterinarian, certify that the meat described above was obtained under the conditions governing production and control laid down in Directive 64/433/EEC and is in conformity with the provisions of Commission Decision 94/178/EC concerning certain protection measures relating to Classical Swine Fever in Germany.

Done at, on

.....

(name and signature of the official veterinarian)

(1) Serial number issued by the official veterinarian.

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

ANNEX V**SEROLOGICAL SCREENING FOR ANTIBODIES TO CLASSICAL SWINE FEVER (HC VIRUS)****CHAPTER I****Screening in areas outside the areas described in Annex II**

The German authorities shall carry out a serological screening programme which samples the equivalent of 5 % of the national sow and boar populations each year (100 000 samples p.a).

The screening programme shall, where possible, make use of serum samples collected during the national programme for the eradication of Aujeszky's Disease. It will also concentrate on the herds or animals most likely to be at risk from Classical Swine Fever :

- small breeding herds near towns or on farms where sows are fattened for slaughter and may have been fed with swill,
- boars used for natural service particularly boars used on several farms,
- herds in areas containing wild boar,
- herds in Regierungsbezirke that have recorded Classical Swine Fever outbreaks since 1 January 1994.

CHAPTER II**Screening in areas described in Annex II**

All herds containing breeding animals shall be screened every 60 days. Within each herd sows should be sampled at random. The numbers of sows to be tested shall be as follows :

- in small herds (up to 40 sows) a sample of 21 sows,
 - in larger herds (40 sows or more) a sample of 27 sows.
-