

Official Journal

of the European Communities

ISSN 0378-6978

L 92

Volume 37

9 April 1994

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 787/94 of 29 March 1994 on special measures for farmers affected by the 1992/93 drought in Portugal** 1
- Commission Regulation (EC) No 788/94 of 8 April 1994 fixing the import levies on rice and broken rice 6
- Commission Regulation (EC) No 789/94 of 8 April 1994 fixing the premiums to be added to the import levies on rice and broken rice 8
- Commission Regulation (EC) No 790/94 of 8 April 1994 amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender 10
- ★ **Commission Regulation (EC) No 791/94 of 7 April 1994 concerning the stopping of fishing for anchovy by vessels flying the flag of France** 12
- ★ **Commission Regulation (EC) No 792/94 of 8 April 1994 laying down detailed rules for the application of Council Regulation (EEC) No 3118/93 to road haulage operators on own account** 13
- ★ **Commission Regulation (EC) No 793/94 of 8 April 1994 amending Regulation (EEC) No 84/93 on the specific aid to be granted to producer groups in the raw tobacco sector** 14
- ★ **Commission Regulation (EC) No 794/94 of 8 April 1994 adapting the codes and descriptions of certain products listed in the Annex to Council Regulation (EEC) No 827/68 on the common organization of the market in certain products listed in Annex II to the Treaty** 15
- ★ **Commission Regulation (EC) No 795/94 of 8 April 1994 amending Regulation (EEC) No 1621/93 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 regarding the system for fixing the import levies for cereals** 17

Contents (continued)	Commission Regulation (EC) No 796/94 of 8 April 1994 amending Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter	19
★	Commission Regulation (EC) No 797/94 of 8 April 1994 amending Regulation (EEC) No 2839/93 on the special sale of intervention butter for export to the Republics of the former Soviet Union	20
	Commission Regulation (EC) No 798/94 of 8 April 1994 fixing the export levies in the cereals sector	21
	Commission Regulation (EC) No 799/94 of 8 April 1994 opening a standing invitation to tender for the export of 100 000 tonnes of maize held by the German intervention agency	23
	Commission Regulation (EC) No 800/94 of 8 April 1994 fixing the aid for cotton ...	25
	Commission Regulation (EC) No 801/94 of 8 April 1994 on the issue of import licences for high-quality fresh, chilled or frozen beef and veal	26
★	Council Directive 94/13/EC of 29 March 1994 amending Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community	27

II *Acts whose publication is not obligatory*

Council

94/195/EC :

★	Council Decision of 29 March 1994 appointing an alternate member of the Committee of the Regions	31
---	---	-----------

94/196/EC :

★	Council Decision of 29 March 1994 appointing an alternate member of the Committee of the Regions	32
---	---	-----------

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 787/94**of 29 March 1994****on special measures for farmers affected by the 1992/93 drought in Portugal**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 42 and 43 thereof,

Having regard to the proposals from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Portugal suffered a severe drought between Autumn 1991 and Spring 1992 resulting, on the one hand, in almost total loss of the cereals harvest in certain regions and, on the other, in particular high additional costs for the feeding of cattle, sheep, goats and horses in certain regions; whereas special aid schemes were introduced to mitigate the resulting loss of income to the producers concerned;

Whereas the drought continued until Spring 1993 in certain regions, with similar economic consequences for cereals producers and stockfarmers; whereas provision should therefore be made for special aid measures similar to those taken under Council Regulation (EEC) No 3311/92 of 9 November 1992 on special measures for farmers affected by the 1991/92 drought in Portugal ⁽³⁾;

Whereas the economic consequences of the drought could slow down the integration of Portuguese agriculture into the common market organizations; whereas, in order to support Portuguese efforts to overcome the difficulties, the European Agricultural Guidance and Guarantee Fund, (EAGGF) Guarantee Section, should make a financial contribution to the aid in question not exceeding the appropriations entered in the general budget of the European Communities for financing the measures provided for in Regulation (EEC) No 3311/92 and carried over from 1993 to 1994 for the purpose;

Whereas, in addition, the Portuguese Republic should continue to be authorized to grant aid from the national budget for producers keeping horses in the regions most severely affected by the drought,

HAS ADOPTED THIS REGULATION:

TITLE I

Measures to assist cereals producers*Article 1*

1. The Portuguese Republic is hereby authorized to grant special aid to producers of common wheat, barley, rye and triticale who are particularly affected by the severe drought which prevailed in Portugal during the period from Autumn 1992 to Spring 1993 in the areas listed in Annex I.

2. Cereals producers who obtained an average yield per hectare of less than 1 000 kg of common wheat, 850 kg of barley and triticale and 650 kg of rye on their holdings in 1993 shall be considered to be particularly affected.

Article 2

Farmers who submitted a crop declaration under the special aid scheme provided for in Council Regulation (EEC) No 3653/90 of 11 December 1990 introducing transitional measures governing the common organization of the market in cereals and rice in Portugal ⁽⁴⁾ and, in duly substantiated cases, other farmers who can prove that their cereals crops have been affected shall be eligible for the aid.

⁽¹⁾ OJ No C 81, 18. 3. 1994, p. 4.

⁽²⁾ Opinion delivered on 11 March 1994 (not yet published in the Official Journal).

⁽³⁾ OJ No L 332, 18. 11. 1992, p. 1.

⁽⁴⁾ OJ No L 362, 27. 12. 1990, p. 28. Regulation as amended by Regulation (EEC) No 738/93 (OJ No L 77, 31. 3. 1993, p. 1).

Article 3

1. The aid per hectare shall amount to:

- ECU 215 per hectare for producers who were unable to produce any cereals on the areas indicated in the crop declaration referred to in Article 2;
- ECU 170 per hectare for other producers.

2. The amounts stated in paragraph 1 shall be reduced by the compensatory payments granted pursuant to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support scheme for producers of certain arable crops⁽¹⁾.

Article 4

Where necessary, detailed rules for the application of this Title, in particular those relating to controls, shall be laid down in accordance with the procedure set out in Article 23 of Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽²⁾.

TITLE II

Measures to assist stockfarmers*Article 5*

The Portuguese Republic is hereby authorized to grant special aid to producers keeping suckler cows, dairy cows, ewes and she-goats in regions affected by the severe drought which prevailed in Portugal during the period from Autumn 1992 to Spring 1993 who undertake to keep the herd or flock until at least 31 December 1993.

For the purposes of this Regulation:

- the particularly affected regions shall be as listed in Annex II hereto,
- the severely affected regions shall be as listed in Annex III.

Article 6

Where Article 5 applies, aid may be granted to producers holding suckler cows who received, for 1992, the suckler

cow premium introduced by Regulation (EEC) No 2066/92⁽³⁾. Where the number of suckler cows held at 1 September 1993:

- is equal to the number for which the premium was granted for 1992, the aid may be granted for no more than that number of animals,
- is less than the number of animals for which the premium was granted for 1992, the aid shall be granted for that lower number,
- is greater than the number of animals for which the premium was granted for 1992, the aid shall be granted for that higher number, provided that the animals were already held at 1 January 1993, subject to appropriate checks by the competent authorities.

Aid may also be paid to producers keeping suckler cows as referred to in Article 5 who did not receive the suckler cow premium for the 1992 marketing year but who can prove to the satisfaction of the competent authorities that they actually held suckler cows likely to have been eligible under Regulation (EEC) No 805/68⁽⁴⁾ at least for the period 1 January to 1 September 1993. The aid may be granted for no more than that number of suckler cows.

Article 7

Where Article 5 applies, aid may be granted to producers delivering or directly selling milk or milk products whose individual reference quantities as referred to in Article 5c of Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽⁵⁾, are not more than 120 000 kg.

The aid shall be granted only to producers within the particularly affected regions referred to in the first indent of the second paragraph of Article 5 who can prove to the satisfaction of the competent authorities that they actually held dairy cows at least for the period 1 January to 1 September 1993. The aid may be granted for no more than that number of dairy cows.

The number of dairy cows eligible for calculation of the aid shall not in any case exceed seventeen per producer and the total aid per dairy cow may not exceed that granted in accordance with Regulation (EEC) No 3311/92.

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 49.

⁽²⁾ OJ No L 181, 1. 7. 1992, p. 12. Regulation as last amended by Regulation (EC) No 232/94 (OJ No L 30, 3. 2. 1994, p. 7).

⁽³⁾ OJ No L 181, 1. 7. 1992, p. 21. Regulation as last amended by Regulation (EEC) No 2193/93 (OJ No L 196, 5. 8. 1993, p. 22).

⁽⁴⁾ OJ No L 148, 28. 6. 1968, p. 24. Regulation as last amended by Regulation (EC) No 3611/93 (OJ No L 328, 29. 12. 1993, p. 7).

⁽⁵⁾ OJ No L 148, 28. 6. 1968, p. 13. Regulation as last amended by Regulation (EC) No 230/94 (OJ No L 30, 3. 2. 1994, p. 1).

Article 8

Where Article 5 applies, aid may be granted to producers holding ewes or she-goats who received the premium referred to in Article 5 of Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, for the 1993 marketing year. The aid may be granted for no more than the number of eligible ewes or she-goats, subject to an appropriate check by the competent authorities.

Article 9

1. The aid shall not exceed:
 - (a) in particularly affected regions, ECU 145 per suckler cow, ECU 14,5 per ewe and she-goat and ECU 75 per dairy cow;
 - (b) in severely affected regions, ECU 60 per suckler cow and ECU 6 per ewe and she-goats.
2. If the animals were not present for the whole of the period 1 January to 1 May 1993 in the regions referred to in Article 5, the maximum amounts set out in paragraph 1 of this Article shall be reduced in proportion to the time during which they were present.

Article 10

Where necessary, the Commission may lay down detailed rules for the application on this Title in accordance with the procedure laid down in Article 27 of Regulation (EEC) No 805/68 in the case of suckler cows, Article 30 of Regulation (EEC) No 804/68 in the case of dairy cows and Article 30 of Regulation (EEC) No 3013/89 in the case of ewes or she-goats.

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

Done at Brussels, 29 March 1994.

TITLE III

Other provisions*Article 11*

The Portuguese Republic is authorized to grant, from the national budget, in addition to the special 'drought' aid, aid not exceeding ECU 110 per breeding mare more than twelve months old in particularly affected regions.

Article 12

1. The aid referred to in this Regulation shall be converted using the agricultural conversion rate applicable on 1 July 1993.
2. The Community shall make a financial contribution to the aid referred to in Titles I and II not exceeding the appropriations approved by the budgetary authority for the financing of the measures provided for in Regulation (EEC) No 3311/92 and carried over from 1993 to 1994 for that purpose. The aid shall be deemed intervention within the meaning of Article 1 (2) of Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricultural policy⁽²⁾.

Article 13

The Portuguese Republic shall take the measures necessary to ensure that the aid provided for in this Regulation is only granted to those eligible. The measures shall include appropriate penalties in the case of aid applications containing false information either deliberately or as a result of gross negligence.

The Portuguese Republic shall inform the Commission of measures taken to give effect to this Article.

Article 14

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

For the Council

The President

G. MORAITIS

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1. Regulation as last amended by Regulation (EC) No 233/94 (OJ No L 30, 3. 2. 1994, p. 9).

⁽²⁾ OJ No L 94, 28. 4. 1970, p. 13. Regulation as last amended by Regulation (EEC) No 2048/88 (OJ No L 185, 15. 7. 1988, p. 1).

*ANNEX I***Regions referred to in Article 1**

Concelhos	Freguesias
— Barrancos — Moura — Serpa — Alandroal — Mourão — Arronches — Campo Maior — Elvas	
— Vidigueira	— Pedrógão
— Reguengos	— S. Pedro do Corval — Monsaraz — S. Marcos do Campo — Campinho — Santo Aleixo
— Monforte	

*ANNEX II***Regions particularly affected by the drought, as referred to in the first indent of the second paragraph of Article 5***Alentejo region*

- Agricultural area (*): 61
- Concelho de Mourão

(*) Pursuant to Decree-Law (Decreto-Lei) 46/89 of 15. 2. 1989.

*ANNEX III***Regions severely affected by the drought referred to in the second indent of the second paragraph of Article 5***Trás-os-Montes region*

- Agricultural areas : 12, 13, 20 (except S. João da Pesqueira) and 21 (except Carrazeda de Ansiães)
- Concelho de Macedo de Cavaleiros

*Beira Interior region : whole region**Beira Litoral region*

- Agricultural areas : 27, 28, 29, 30 and 31

Ribatejo and Oeste region

- Agricultural areas : 47, 48, 49 and 50
- Concelhos de : Santarém, Cartaxo and Montijo

*Alentejo region : whole region (except agricultural area 61 and Mourão)**Algarve region : whole region*

COMMISSION REGULATION (EC) No 788/94**of 8 April 1994****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2666/93 ⁽⁵⁾, as last amended by Regulation (EC) No 733/94 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 April 1994.

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

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

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

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.
⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 4.
⁽⁶⁾ OJ No L 87, 31. 3. 1994, p. 36.

ANNEX

to the Commission Regulation of 8 April 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ^(*)		
	Arrangement in Regulation (EEC) No 3877/86 ^(*)	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ^(*)	Third countries (except ACP) ⁽³⁾
1006 10 21	—	145,29	297,79
1006 10 23	—	136,43	280,06
1006 10 25	—	136,43	280,06
1006 10 27	210,05	136,43	280,06
1006 10 92	—	145,29	297,79
1006 10 94	—	136,43	280,06
1006 10 96	—	136,43	280,06
1006 10 98	210,05	136,43	280,06
1006 20 11	—	182,52	372,24
1006 20 13	—	171,43	350,07
1006 20 15	—	171,43	350,07
1006 20 17	262,55	171,43	350,07
1006 20 92	—	182,52	372,24
1006 20 94	—	171,43	350,07
1006 20 96	—	171,43	350,07
1006 20 98	262,55	171,43	350,07
1006 30 21	—	226,02	475,90
1006 30 23	—	269,67	563,11
1006 30 25	—	269,67	563,11
1006 30 27	422,33	269,67	563,11
1006 30 42	—	226,02	475,90
1006 30 44	—	269,67	563,11
1006 30 46	—	269,67	563,11
1006 30 48	422,33	269,67	563,11
1006 30 61	—	241,07	506,84
1006 30 63	—	289,48	603,66
1006 30 65	—	289,48	603,66
1006 30 67	452,75	289,48	603,66
1006 30 92	—	241,07	506,84
1006 30 94	—	289,48	603,66
1006 30 96	—	289,48	603,66
1006 30 98	452,75	289,48	603,66
1006 40 00	—	49,36	104,73

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

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

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

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

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

(⁶) No import levy applies to products originating in the OCT pursuant to Article 101 (1) of Decision 91/482/EEC, subject to the provisions of Decision 93/127/EEC.

COMMISSION REGULATION (EC) No 789/94
of 8 April 1994
fixing the premiums to be added to the import levies on rice and broken rice

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2667/93 ⁽³⁾, as last amended by Regulation (EC) No 734/94 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 9 April 1994.

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

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 245, 1. 10. 1993, p. 7.

⁽⁴⁾ OJ No L 87, 31. 3. 1994, p. 38.

ANNEX

to the Commission Regulation of 8 April 1994 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 4	1st period 5	2nd period 6	3rd period 7
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EC) No 790/94**of 8 April 1994****amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 3611/93⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender⁽³⁾, as last amended by Regulation (EC) No 612/94⁽⁴⁾, opens buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary

to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 11 April 1994.

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

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 328, 29. 12. 1993, p. 7.

⁽³⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 77, 19. 3. 1994, p. 18.

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

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}, paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1, lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do artigo 1.º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O

COMMISSION REGULATION (EC) No 791/94

of 7 April 1994

concerning the stopping of fishing for anchovy by vessels flying the flag of France

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy⁽¹⁾, and in particular Article 21 (3) thereof,Whereas Council Regulation (EC) No 3676/93 of 21 December 1993 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1994 and certain conditions under which they may be fished⁽²⁾, provides for anchovy quotas for 1994;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of anchovy in the water of ICES

division VIII by vessels flying the flag of France or registered in France have reached the quota allocated for 1994,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of anchovy in the waters of ICES division VIII by vessels flying the flag of France or registered in France are deemed to have exhausted the quota allocated to France for 1994.

Fishing for anchovy in the waters of ICES division VIII by vessels flying the flag of France or registered in France is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of entry into force of this Regulation.

*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, 7 April 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission⁽¹⁾ OJ No L 261, 20. 10. 1993, p. 1.⁽²⁾ OJ No L 341, 31. 12. 1993, p. 1.

COMMISSION REGULATION (EC) No 792/94

of 8 April 1994

laying down detailed rules for the application of Council Regulation (EEC) No 3118/93 to road haulage operators on own account

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3118/93 of 25 October 1993 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State⁽¹⁾, and in particular Article 1 (4) thereof,

Whereas cabotage authorizations should be issued both to undertakings entitled to carry out road haulage operations on own account and to undertakings performing road haulage operations for hire or reward;

Whereas the host Member State should consider the cabotage authorization as sufficient evidence that an undertaking is entitled to carry out road haulage operations on own account in accordance with point 4 of the Annex to the First Council Directive of 23 July 1962 on the establishment of common rules for certain types of carriage of goods by road⁽²⁾, as last amended by Regulation (EEC) No 881/92⁽³⁾;

Whereas all conditions for the issue and use of cabotage authorizations as laid down by Regulation (EEC) No 3118/93 shall apply to road haulage cabotage operations on own account;

Whereas this Regulation should apply as from 1 January 1994 in order to cover own-account cabotage operations already carried out under Regulation (EEC) No 3118/93,

HAS ADOPTED THIS REGULATION:

Article 1

Undertakings entitled in the Member State of establishment, in accordance with that Member State's legislation, to carry out road haulage operations on own account, shall be entitled to receive the cabotage authorizations referred to in Article 2 of Regulation (EEC) No 3118/93, under the same conditions as undertakings performing road haulage operations for hire or reward.

Article 2

The authorities of the host Member State shall consider the cabotage authorizations as sufficient evidence that the undertaking is entitled to carry out road haulage operations on own account, as defined in point 4 of the Annex to the First Directive.

Article 3

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

It shall apply with effect from 1 January 1994.

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

Done at Brussels, 8 April 1994.

For the Commission

Abel MATUTES

Member of the Commission

⁽¹⁾ OJ No L 279, 12. 11. 1993, p. 1.

⁽²⁾ OJ No 70, 6. 8. 1962, p. 2005/62.

⁽³⁾ OJ No L 95, 9. 4. 1992, p. 1.

COMMISSION REGULATION (EC) No 793/94

of 8 April 1994

amending Regulation (EEC) No 84/93 on the specific aid to be granted to producer groups in the raw tobacco sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco ⁽¹⁾, and in particular Article 12 (3) thereof,

Whereas Article 2 (1) (g) of Commission Regulation (EEC) No 84/93 ⁽²⁾, as last amended by Regulation (EC) No 3477/93 ⁽³⁾, provides that producers may withdraw from membership of a producer group after one year; whereas there are groups of tobacco producers which were set up well before the entry into force of the new common market organization which have in some cases provided for longer minimum membership periods in order to guarantee the group a more stable membership and the best possible operating conditions; whereas these groups should be allowed to maintain existing conditions unaltered;

Whereas, in accordance with Article 3 of Regulation (EEC) No 84/93, Member States must forward to the Commission draft decisions on recognition of groups; whereas verification of the draft decisions forwarded by Member States to the Commission constitutes a very heavy administrative burden; whereas, on the basis of the Commission's observations to date, the Member States have the information necessary for the correct application of Community provisions; whereas, therefore, the prior verification of draft decisions by the Commission is no longer indispensable and may be replaced by an examination as part of the Commission's general monitoring tasks;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 84/93 is hereby amended as follows:

1. In Article 2 (1) (g), the second subparagraph is replaced by the following:

'However, if the group:

- was set up prior to 1 August 1992, or is the result of a merger of groups set up before that date, the provisions of the first subparagraph shall not apply,
- receives the aid provided for in Title III of Council Regulation (EEC) No 1360/78 ^(*), the provisions referred to in Article 6 (1) (d) of the said Regulation shall apply.

^(*) OJ No L 166, 23. 6. 1978, p. 1.'

2. In Article 3, paragraph 2 is replaced by the following:

'2. The Member State concerned shall approve the application for recognition or shall reject it within two months from the date of submission of the application.'

Article 2

This Regulation shall enter into force on the seventh 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, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 70.

⁽²⁾ OJ No L 12, 20. 1. 1993, p. 5.

⁽³⁾ OJ No L 317, 18. 12. 1993, p. 30.

COMMISSION REGULATION (EC) No 794/94

of 8 April 1994

adapting the codes and descriptions of certain products listed in the Annex to Council Regulation (EEC) No 827/68 on the common organization of the market in certain products listed in Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 234/79 of 5 February 1979 on the procedure for adjusting the Common Customs Tariff nomenclature used for agricultural products⁽¹⁾, as amended by Regulation (EEC) No 3209/89⁽²⁾, and in particular Article 2 (1) thereof,

Whereas Commission Regulation (EEC) No 2551/93⁽³⁾ amending Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽⁴⁾, as last amended by Regulation (EC) No 779/94⁽⁵⁾, contains the combined nomenclature currently in force;

Whereas certain code numbers and certain descriptions in the Annex to Council Regulation (EEC) No 827/68⁽⁶⁾, as last amended by Regulation (EEC) No 2430/93⁽⁷⁾, no longer correspond to those in the combined nomenclature;

Whereas powder and flakes of bananas falling within CN code 1106 30 10 were incorporated into the common organization of the market in bananas instituted by Council Regulation (EEC) No 404/93⁽⁸⁾, as amended by Commission Regulation (EC) No 3518/93⁽⁹⁾;

Whereas the Annex to Regulation (EEC) No 827/68 should be adapted accordingly;

Whereas the measures provided for in this Regulation are in accordance with the opinions of the relevant management committees,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 827/68 is hereby amended as follows:

1. the code numbers and descriptions corresponding to CN codes 0408 and 1106 30 are replaced by those set out in the Annex hereto;
2. CN codes '2206 00 91 to 2206 00 99' are replaced by '2206 00 31 to 2206 00 89';
3. CN code 'ex 2309 90 99' is replaced by CN codes 'ex 2309 90 93 and ex 2309 90 98'.

Article 2

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

It shall apply with effect from 1 January 1994.

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

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 34, 9. 2. 1979, p. 2.

⁽²⁾ OJ No L 312, 27. 10. 1989, p. 5.

⁽³⁾ OJ No L 241, 27. 9. 1993, p. 1.

⁽⁴⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽⁵⁾ OJ No L 91, 8. 4. 1994, p. 12.

⁽⁶⁾ OJ No L 151, 30. 6. 1968, p. 16.

⁽⁷⁾ OJ No L 223, 2. 9. 1993, p. 9.

⁽⁸⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽⁹⁾ OJ No L 320, 22. 12. 1993, p. 15.

ANNEX

CN code	Description
ex 0408	Birds' eggs, not in shell, and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter :
	– Egg yolks :
ex 0408 11	– – Dried :
0408 11 20	– – – Unfit for human consumption (a)
ex 0408 19	– – Other :
0408 19 20	– – – Unfit for human consumption (a)
	– Other :
ex 0408 91	– – Dried :
0408 91 20	– – – Unfit for human consumption (a)
ex 0408 99	– – Other :
0408 99 20	– – – Unfit for human consumption (a)
ex 1106 30	– Flour, meal and powder of the products of Chapter 8 :
1106 30 90	– – Other

COMMISSION REGULATION (EC) No 795/94

of 8 April 1994

amending Regulation (EEC) No 1621/93 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 regarding the system for fixing the import levies for cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Articles 10, 11 and 12 thereof,

Whereas Article 5 of Commission Regulation (EEC) No 1621/93 ⁽³⁾ provides for a fluctuation of ECU 1 before the levy is amended; whereas, to guarantee a greater stability of the levy amount, that amount should be increased to ECU 1,50 per tonne;

Whereas Article 1 (2) (b) of Regulation (EEC) No 1621/93 provides for the application of coefficients of equivalence to compensate for deviations in quality from the standard quality for which the threshold price is fixed;

Whereas yellow/white millet from China and 'Bullrush' millet from east Africa (Sudan, Tanzania, Kenya) have been on offer on the world market for some time and these varieties are not listed in Annex I to Regulation (EEC) No 1621/93;

Whereas, with a view to determining caf prices, it is necessary to fix coefficients of equivalence for those qualities taking into account the standard Community qualities for millet on the one hand, and the difference in price and characteristics between those qualities and the qualities listed in Annex I to Regulation (EEC) No 1621/93 on the other;

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

Regulation (EEC) No 1621/93 is hereby amended as follows:

1. the third subparagraph of Article 5 is replaced by the following:

'The levy shall be amended only if the calculation shows a fluctuation of more than ECU 1,50 per tonne in relation to the levy as previously fixed.';

2. in Annex I, the following varieties are added to the heading 'Millet':

Country of origin	Description of cereal quality	Coefficient of equivalence in ecus per 1 000 kg	
		Amount to be deducted from the price for the cereal quality	Amount to be added to the price for the cereal quality
'China	Yellow/White	0	0
East Africa (Sudan, Tanzania, Kenya)	Bullrush		5'

Article 2

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 155, 26. 6. 1993, p. 36.

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

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 796/94

of 8 April 1994

amending Regulation (EEC) No 3143/85 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 230/94⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream⁽³⁾, as last amended by Regulation (EEC) No 2045/91⁽⁴⁾, and in particular Article 7a thereof,

Whereas Commission Regulation (EEC) No 3143/85⁽⁵⁾, as last amended by Regulation (EEC) No 1756/93⁽⁶⁾, introduces a scheme for the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter;

Whereas Council Regulation (EEC) No 2072/92⁽⁷⁾, as last amended by Regulation (EEC) No 1723/93⁽⁸⁾, fixes the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheeses for two annual periods from 1 July 1993 to 30 June 1995; whereas that Regulation provides for a reduction in the intervention price for butter from 1 July 1994;

Whereas that reduction has already been taken into account for fixing the maximum account of aid established for the sale by invitation to tender under Commis-

sion Regulation (EEC) No 429/90⁽⁹⁾, as last amended by Regulation (EEC) No 1756/93, of butter originating from the market and intended for the same use as that provided for in Regulation (EEC) No 3143/85;

Whereas, therefore, the sale price for butter provided for in Regulation (EEC) No 3143/85 should be adjusted so as to take account of the reduction in the intervention price provided for from 1 July 1994 and the security to be lodged should be adjusted;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 of Regulation (EEC) No 3143/85 is hereby amended as follows:

- in paragraph 1, 'ECU 183' is replaced by 'ECU 178',
- in the first indent to the first subparagraph of paragraph 4, 'ECU 202' is replaced by 'ECU 197'.

Article 2

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

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

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 187, 13. 7. 1991, p. 1.

⁽⁵⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁶⁾ OJ No L 161, 2. 7. 1993, p. 48.

⁽⁷⁾ OJ No L 215, 30. 7. 1992, p. 65.

⁽⁸⁾ OJ No L 159, 1. 7. 1993, p. 123.

⁽⁹⁾ OJ No L 45, 21. 2. 1990, p. 8.

COMMISSION REGULATION (EC) No 797/94**of 8 April 1994****amending Regulation (EEC) No 2839/93 on the special sale of intervention butter
for export to the Republics of the former Soviet Union**

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 230/94 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Article 2 (1) and (4) of Commission Regulation (EEC) No 2839/93 of 18 October 1993 on the special sale of intervention butter for export to the Republics of the former Soviet Union ⁽³⁾, as last amended by Regulation (EC) No 110/94 ⁽⁴⁾, lays down the final date for submission of tenders under the tendering procedure referred to in that Regulation; whereas Article 8 (3) of that Regulation lays down the final date for completion of the customs formalities for release for consumption in the Republics referred to in Article 1 (2) thereof; whereas those time limits were fixed in order to comply with the time limits fixed in the derogation adopted on 22 June 1993 by the Committee of the Protocol regarding milk fat, acting under the General Agreement on Tariffs and Trade (GATT); whereas those time limits were extended and as a result, the time limits fixed in the aforemen-

tioned Articles of Regulation (EEC) No 2839/93 should also be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2839/93 is hereby amended as follows:

1. '22 March 1994' in Article 2 (1) and (4) is replaced by '24 May 1994';
2. '30 June 1994' in Article 8 (3) is replaced by '31 August 1994'.

Article 2

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

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

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 260, 19. 10. 1993, p. 8.

⁽⁴⁾ OJ No L 19, 22. 1. 1994, p. 19.

COMMISSION REGULATION (EC) No 798/94
of 8 April 1994
fixing the export levies in the cereals sector

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 16 (2) thereof,

Whereas, pursuant to Article 16 of Regulation (EEC) No 1766/92, appropriate measures may be taken when the quotations or prices on the world market for one or more products reach the level of Community prices and when that situation is likely to continue and to deteriorate, thereby disturbing or threatening to disturb the Community market;

Whereas the high level of prices in international trade is such as to hinder imports into the Community of durum wheat or lead to it being exported from the Community;

Whereas the situation referred to above currently obtains; whereas, in order to safeguard supplies in the Community, an export levy should be introduced for durum wheat;

Whereas Article 3 of Council Regulation (EEC) No 1766/92 fixes the threshold price for cereals for the 1993/94 to 1995/96 marketing years;

Whereas Article 15 of Commission Regulation (EEC) No 1533/93⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾, provides for the application of an export levy; whereas, pursuant to Article 2 of the same Regulation, export levies are to be fixed in particular in the light of the prices charged on the representative Community markets and their trends and the quotations recorded on the markets of third countries; whereas that Regulation also provides that account should be taken of the economic aspects of

the exports contemplated and the advantage of avoiding disturbance on the Community market;

Whereas the export levy may be varied where the world market situation or the specific requirements of certain markets make this necessary;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as amended by Regulation (EEC) No 3528/93⁽⁶⁾, are to be used to convert the amount expressed in third-country currencies and are the basis for determining the agricultural conversion rates of the currencies of the Member States; whereas the detailed rules for determining and applying these conversion rates are laid down in Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 547/94⁽⁸⁾;

Whereas the application of the aforementioned rules to the current market situation in the cereals sector, and in particular to the quotations or prices of these products in the Community and on the world market, leads to the export levy being fixed at the amount set out in the Annex to this Regulation;

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 export levy referred to in Article 15 of amended Regulation (EEC) No 1533/93 for the products falling within CN code 1001 10 00 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 9 April 1994.

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

Done at Brussels, 8 April 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. 12. 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 8 April 1994 fixing the export levies in the cereals sector

CN code	Destination	Amount of levy in ecu/tonne
1001 10 00	Algeria	0 ⁽¹⁾
	Other third countries	35,00

⁽¹⁾ For exports carried out within the framework of Regulations (EC) No 151/94 (OJ No L 23, 28. 1. 1994, p. 5) and (EC) No 646/94 (OJ No L 80, 24. 3. 1994, p. 14).

COMMISSION REGULATION (EC) No 799/94

of 8 April 1994

opening a standing invitation to tender for the export of 100 000 tonnes of maize
held by the German intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 5 thereof,Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;

Whereas on 25 March 1994 Germany notified the Commission that it wished to put up for sale for export 100 000 tonnes of maize held by its intervention agency; whereas it is possible to accede to that request;

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 German intervention agency may, on the conditions laid down in Regulation (EEC) No 2131/93 open a standing invitation to tender for the export of 100 000 tonnes of maize held by it.

Article 2

1. The invitation to tender shall cover a maximum of 100 000 tonnes of maize to be exported to all countries of zone II (a), (b) and (c).

2. The regions in which the 100 000 tonnes of maize are stored are stated in Annex I to this Regulation.

Article 3

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 2131/93, until the end of the third month following.

Tenders submitted in response to this invitation to tender may not be accompanied by applications for export certificates pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁵⁾.

Article 4

1. Notwithstanding Article 7 (1) of Regulation (EEC) No 2131/93 the time limit for submission of tenders under the first partial invitation to tender shall expire on 14 April 1994 at 9 a.m. (Brussels time).

2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Thursday at 9 a.m. (Brussels time).

3. The last partial invitation to tender shall expire on 26 May 1994.

4. The tenders shall be lodged with the German intervention agency.

Article 5

The German intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be made as specified in the table in Annex II to this Regulation, to the telex or telefax numbers in Annex III.

Article 6

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, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Hessen/Rheinland-Pfalz/Baden-Württemberg/Saarland/Bayern	100 000

ANNEX II

Standing invitation to tender for the export of 100 000 tonnes of maize held by the German intervention agency

(Regulation (EC) No 799/94)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

⁽¹⁾ This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX III

The only numbers to use to call Brussels are (DG VI-C-1 (Attention : Messrs Thibault and Brus)) :

- telex : 22037 AGREC B
22070 AGREC B (Greek characters)
- telefax : — 295 01 32
— 296 10 97
— 295 25 15.

COMMISSION REGULATION (EC) No 800/94
of 8 April 1994
fixing the aid for cotton

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2419/93⁽⁴⁾, as last amended by Regulation (EC) No 773/94⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 49,827 per 100 kilograms.

Article 2

This Regulation shall enter into force on 9 April 1994.

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

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 222, 1. 9. 1993, p. 35.

⁽⁵⁾ OJ No L 90, 7. 4. 1994, p. 31.

COMMISSION REGULATION (EC) No 801/94

of 8 April 1994

on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

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

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

Whereas Commission Regulation (EC) No 212/94 of 31 January 1994 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EC) No 129/94 and (EC) No 131/94 for high-quality beef and frozen buffalo meat (2) provides in Article 6, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (3), as last amended by Regulation (EEC) No 2867/93 (4);

Whereas Article 1 (1) (d) of Regulation (EC) No 212/94 fixes the amount of high-quality fresh, chilled or frozen

beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1994 at 10 000 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION :

Article 1

1. All applications for import licences from 1 until 5 April 1994 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EC) No 212/94 shall be met in full.

2. Applications for licences may be submitted, in accordance with Article 15 of Regulation (EEC) No 2377/80, during the first five days of May 1994 for 3 711 tonnes.

Article 2

This Regulation shall enter into force on 9 April 1994.

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

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

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

(2) OJ No L 27, 1. 2. 1994, p. 38.

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

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

COUNCIL DIRECTIVE 94/13/EC

of 29 March 1994

amending Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Council Regulation (EEC) No 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands ⁽⁴⁾ integrates the Canary Islands into the Community's customs territory and into the common policies; whereas, under Articles 2 and 10 of that Regulation, application of the common agricultural policy is subject to the entry into force of specific supply arrangements; whereas such application must also be accompanied by specific measures concerning agricultural production;

Whereas Council Decision 91/314/EEC of 26 June 1991 setting up a programme of options specific to the remote and insular nature of the Canary Islands (Poseican) ⁽⁵⁾ outlines the options to be implemented to take account of the specific problems and constraints faced by the Islands;

Whereas these measures involve the adaptation of Directive 77/93/EEC ⁽⁶⁾ to accommodate the specific plant health situation in the Canary Islands and to extend the application of certain measures of that Directive for a period expiring six months after the date by which Member States must have implemented forthcoming provisions dealing with the Annexes to the Directive for the protection of the French overseas departments and of the Canary Islands;

Whereas it has become necessary to adapt the provisions relating to the derogations from the general rules

provided for in Article 14 of Directive 77/93/EEC to the objectives of the internal market; whereas it is accordingly necessary to amend Articles 3, 4, 5, 6, 10 and 12 of the said Directive;

Whereas the provisions concerning additional requirements, referred to in Article 11 of Directive 77/93/EEC, are no longer compatible with the rules of the internal market, and should therefore be repealed,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 77/93/EEC is hereby amended as follows:

1. Article 1 shall be amended as follows:

(a) In paragraph 2 the words 'the Canary Islands' shall be deleted.

(b) The following paragraph shall be added after paragraph 3:

'3a This Directive shall also concern protective measures against the introduction of harmful organisms into the Canary Islands from other parts of Spain and, conversely, into other parts of Spain from the Canary Islands.'

(c) In paragraph 4 the words 'and in the Canary Islands' shall be inserted after the words 'French overseas departments'.

(d) The following paragraphs shall be added after paragraph 6:

'7. In respect of the protective measures against the introduction of harmful organisms from the French overseas departments into other parts of France and into the other Member States and against their spread within the French overseas departments, the dates referred to in Articles 1 (5), 3 (4), 4 (2) (a) and (4), 5 (2) and (4), 6 (4), (5) and (9), 10 (1), (2) (b) and (5) and 12 (6), (7) and (8) of this Directive shall be replaced by a date which corresponds to the end of a six-month period following the date by which Member States must implement forthcoming provisions dealing with Annexes I to V to Directive 77/93/EEC for the protection of the French overseas departments. With effect from the same date paragraphs (3) and (4) shall be repealed.'

⁽¹⁾ OJ No C 97, 6. 4. 1993, p. 13.

⁽²⁾ OJ No C 255, 20. 9. 1993, p. 242.

⁽³⁾ OJ No C 201, 26. 7. 1993, p. 31.

⁽⁴⁾ OJ No L 171, 29. 6. 1991, p. 1. Regulation as last amended by Regulation (EEC) No 284/92 (OJ No L 31, 7. 2. 1992, p. 6).

⁽⁵⁾ OJ No L 171, 29. 6. 1991, p. 5.

⁽⁶⁾ OJ No L 26, 31. 1. 1977, p. 20. Directive as last amended by Directive 92/103/EEC (OJ No L 363, 11. 12. 1992, p. 1).

8. In respect of the protective measures against the introduction of harmful organisms from the Canary Islands into other parts of Spain and into the other Member States and against their spread within the Canary Islands, the dates referred to in Articles 1 (5), 3 (4), 4 (2) (a) and (4), 5 (2) and (4), 6 (4), (5) and (9), 10 (1), (2) (b) and (5) and 12 (6), (7) and (8) of this Directive shall be replaced by a date which corresponds to the end of a six-month period following the date by which Member States must implement forthcoming provisions dealing with Annexes I to V to Directive 77/93/EEC for the protection of the Canary Islands. With effect from the same date paragraph 3a shall be repealed.'

2. Article 3 (7) shall be replaced by the following :

'7. (a) In accordance with the procedure laid down in Article 16a, it may be decided that Member States shall lay down that the introduction into their territories, and the spread within their territories, of specified organisms, whether singly or not, which are considered to be harmful to plants or plant products but are not listed in Annexes I and II, shall be prohibited or require special authorization under conditions specified under the same procedure.

(b) In accordance with the procedure laid down in Article 16a, it may be decided that Member States shall lay down that the introduction into their territories, and the spread within their territories, of specified organisms, which are listed in Annex II, but which occur on plants other than those listed in that Annex, and which are considered to be harmful to plants or plant products, shall be prohibited or require special authorization under conditions specified under the same procedure.

(c) In accordance with the procedure laid down in Article 16a, it may be decided that Member States shall lay down that the introduction into their territories, and the spread within their territories, of specified organisms, which are listed in Annexes I and II, which are in an isolated state and which are considered to be harmful to plants or plant products, shall be prohibited or require special authorization under conditions specified under the same procedure.

(d) Subparagraphs (a), (b) and (c) shall also apply to such organisms where they are not affected by Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms (*) or other more specific Community provisions regarding genetically modified organisms.

(e) Paragraphs 1 and 5 (a) and paragraphs 2 and 5 (b) shall not apply, in accordance with the conditions which shall be determined pursuant to the procedure laid down in Article 16a, for trial or scientific purposes and for work on varietal selections.

(f) After the measures provided for in subparagraphs (a), (b) and (c) have been adopted, those subparagraphs shall not apply, in accordance with conditions which shall be determined pursuant to the procedure laid down in Article 16a, for trial or scientific purposes and for work on varietal selections.

(*) OJ No L 117, 8. 5. 1990, p. 15.'

3. In Article 4 the following paragraphs shall be added after paragraph 4 :

'5. Paragraphs 1 and 2 (a) shall not apply, in accordance with conditions which shall be determined pursuant to the procedure laid down in Article 16a, for trials or scientific purposes and for work on varietal selections.

6. (a) Provided that there is no risk of harmful organisms spreading, a Member State may provide that paragraphs 1 and 2 (a) shall not apply in individual specified cases to plants, plant products and other objects which are grown, produced or used in its immediate frontier zone with a third country and introduced into that Member State in order to be worked in nearby locations in the frontier zone of its territory.

(b) When granting such a derogation, the Member State shall specify the location and the name of the person working it. Such details, which shall be updated regularly, shall be available to the Commission.

(c) Plants, plant products and other objects which form the subject of a derogation under subparagraph (a) shall be accompanied by documentary evidence of the location in the relevant third country from which the said plants, plant products and other objects originate.'

4. Article 5 shall be amended as follows :

(a) In paragraph 4, the following sentence shall be added :

'This paragraph and paragraphs 1 and 2 shall not apply to the movement of small quantities of plants, plant products, foodstuffs or animal feeding-stuffs where they are intended for use by the owner or recipient for non-industrial and non-commercial purposes or for consumption during transport, provided that there is no risk of harmful organisms spreading.'

(b) The following paragraphs shall be added after paragraph 4:

'5. Paragraphs 1, 2 and 4 shall not apply, in accordance with the conditions which shall be determined pursuant to the procedure laid down in Article 16a, for trial or scientific purposes and for work on varietal selections.

6. (a) Provided that there is no risk of harmful organisms spreading, a Member State may provide that paragraphs 1, 2 and 4 shall not apply in individual specified cases to plants, plant products and other objects which are grown, produced or used in its immediate frontier zone with a third country and introduced into that Member State in order to be worked in nearby locations in the frontier zone of its territory.

(b) When granting such a derogation, the Member State shall specify the location and the name of the person working it. Such details which shall be updated regularly, shall be available to the Commission.

(c) Plants, plant products and other objects which form the subject of a derogation under subparagraph (a) shall be accompanied by documentary evidence of the location in the relevant third country from which the said plants, plant products and other objects originate.'

5. Article 6 shall be amended as follows:

The following subparagraph shall be added to paragraph 4:

'Paragraphs 1, 2 and 3 shall not apply to the movement of small quantities of plants, plant products, foodstuffs or animal feedingstuffs where they are intended for use by the owner or recipient for non-industrial and non-commercial purposes or for consumption during transport, provided that there is no risk of harmful organisms spreading.'

6. Article 10 shall be amended as follows:

In paragraph 2 the following subparagraph shall be added:

'(c) Paragraphs (a) and (b) shall not apply to the movement of small quantities of plants, plant products, foodstuffs or animal feedingstuffs where they are intended for use by the owner or recipient for non-industrial and non-commercial purposes or

for consumption during transport, provided that there is no risk of harmful organisms spreading.'

7. In Article 11 (2) the second subparagraph shall be deleted.

8. Article 12 shall be amended as follows:

(a) The following paragraphs shall be added after paragraph 3a:

'3b. provided that there is no risk of harmful organisms spreading:

— paragraphs 1 and 2 shall not apply where plants, plant products or other objects are directly moved between two places within the Community via the territory of a non-member country;

— paragraphs 1 and 2 and Article 4 (1) shall not apply in the case of transit through the territory of the Community;

— paragraphs 1 and 2 shall not apply in the case of small quantities of plants, plant products, foodstuffs or animal feedingstuffs where they are intended for use by the owner or recipient for non-industrial and non-commercial purposes or for consumption during transport.

3c. Paragraphs 1 and 2 shall not apply, in accordance with the conditions which shall be determined pursuant to the procedure laid down in Article 16a, for trial or scientific purposes and for work on varietal selections.

3d. (i) Provided that there is no risk of harmful organisms spreading, a Member State may provide that paragraphs 1 and 2 shall not apply in individual specified cases to plants, plant products and other objects which are grown, produced or used in its immediate frontier zone with a third country and introduced into that Member State in order to be worked in nearby locations in the frontier zone of its territory.

(ii) When granting such a derogation, the Member State shall specify the location and the name of the person working it. Such details, which shall be updated regularly, shall be available to the Commission.

(iii) Plants, plant products and other objects which form the subject of a derogation under point (i) shall be accompanied by documentary evidence of the location in the relevant third country from which the said plants, plant products and other objects originate.'

- (b) In paragraph 8, the following subparagraph shall be added :

'In the case of a removal referred to in first subparagraph, second indent, or a refusal referred to in the first subparagraph, fourth indent, the Member States shall lay down that the phytosanitary certificates or the reforwarding phytosanitary certificates produced when the plant, plant products or other objects are submitted for introduction into their territory, be cancelled by the responsible official bodies referred to in Article 2 (1) (g). Upon cancellation, the said certificate shall bear on its face and in a prominent position a triangular stamp in red, marked "certificate cancelled", from the said responsible bodies showing at least their name and the date of refusal. It shall be in capital letters, and in at least one of the official languages of the Community.'

9. Article 14 shall be amended as follows :

- (a) Paragraphs 1 and 2 shall be deleted.
- (b) Former paragraph 3 shall become paragraph 1 and first subparagraph shall be replaced by the following :

'1. In accordance with the procedure laid down in Article 16, or, in urgent cases, with that laid down in Article 17, Member States may be authorized on request to provide for derogations :

- from Article 4 (1) with regard to Annex III, Part A and Part B without prejudice to the provisions of Article 4 (5) and from Article 5 (1) and the third indent of Article 12 (1) (a) with regard to other requirements referred to in Annex IV, Part A, Section 1 and Annex IV, Part B ;
- from Articles 7 (2) and 12 (1) (b), in the case of wood, if equivalent safeguards are given,

provided that it is established that the risk of spreading harmful organisms is obviated by one or more of the following factors :

- the origin of the plants or plant products,
- appropriate treatment,
- special precautions for the use of the plants or plant products.'

- (c) Former paragraph 4 shall become paragraph 2 and shall be replaced by the following :

'2. In the case of the derogations provided for in paragraph 1, an official statement that the conditions for granting the derogation are fulfilled shall be required for each individual case.'

- (d) Former paragraph 5 shall become paragraph 3 and shall be replaced by the following :

'3. Member States shall inform the Commission of the derogations which they have granted in accordance with paragraph 1. The Commission shall notify the other Member States of this information each year.

In accordance with the procedure laid down in Article 16, Member States may be exempted from providing this information.'

- (e) Paragraph 6 shall be deleted.

Article 2

The conditions referred to in Article 1 (2), Article 1 (3), Article 1 (4) (b) and Article 1 (8) shall be adopted by 1 September 1994.

Article 3

1. Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive by 1 January 1995. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

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

Article 4

This Directive is addressed to the Member States.

Done at Brussels, 29 March 1994.

For the Council

The President

G. MORAITIS

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 29 March 1994

appointing an alternate member of the Committee of the Regions

(94/195/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 198a thereof,

Having regard to Council Decision of 26 January 1994 appointing the members and alternate members of the Committee of the Regions for the period 26 January 1994 to 25 January 1998 ⁽¹⁾,

Whereas an alternate member's seat on the Committee has become vacant following Mr Enrique Amat Vicedo's resignation, which was brought to the Council's attention on 17 March 1994;

Having regard to the proposal from the Spanish Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Mr Juan José García Escribano is hereby appointed an alternate member of the Committee of the Regions in place of Mr Enrique Amat Vicedo for the remainder of the latter's term of office, which runs until 25 January 1998.

Done at Brussels, 29 March 1994.

For the Council

The President

G. MORAITIS

⁽¹⁾ OJ No L 31, 4. 2. 1994, p. 29.

COUNCIL DECISION**of 29 March 1994****appointing an alternate member of the Committee of the Regions**

(94/196/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 198a thereof,

Having regard to the Council Decision of 26 January 1994 appointing the members and alternate members of the Committee of the Regions for the period 26 January 1994 to 25 January 1998 ⁽¹⁾,

Whereas a seat of alternate member on the Committee has become vacant following the resignation of Dr Giancarlo Bolognini, which was brought to the Council's attention on 10 March 1994;

Having regard to the proposal from the Italian Government,

HAS DECIDED AS FOLLOWS:

Sole Article

Dr Michele Di Puppo is hereby appointed an alternate member of the Committee of the Regions in place of Dr Giancarlo Bolognini for the remainder of his term of office, which expires on 25 January 1998.

Done at Brussels, 29 March 1994.

*For the Council**The President*

G. MORAITIS

⁽¹⁾ OJ No L 31, 4. 2. 1994, p. 29.