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Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 952/94 of 28 April 1994 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	1
Commission Regulation (EC) No 953/94 of 28 April 1994 opening a standing invitation to tender for the export of 1 000 000 tonnes of barley held by the German intervention agency	4
* Commission Regulation (EC) No 954/94 of 27 April 1994 revoking Regulation (EC) No 791/94 concerning the stopping of fishing for anchovy by vessels flying the flag of France	7
* Commission Regulation (EC) No 955/94 of 28 April 1994 amending Annexes I and II of Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin	8
* Commission Regulation (EC) No 956/94 of 28 April 1994 laying down detailed rules for the granting of private storage aid for long-keeping cheeses	10
* Commission Regulation (EC) No 957/94 of 28 April 1994 laying down detailed rules for the application of the import arrangements provided for by Council Regulation (EC) No 775/94 in the beef and veal sector	13
Commission Regulation (EC) No 958/94 of 28 April 1994 fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex II to the Treaty	19
Commission Regulation (EC) No 959/94 of 28 April 1994 opening invitations to tender for the fixing of aid for the private storage of carcasses and half-carcasses of lamb	24
Commission Regulation (EC) No 960/94 of 28 April 1994 fixing the import levies on milk and milk products	25
Commission Regulation (EC) No 961/94 of 28 April 1994 fixing the export refunds on milk and milk products	28

Contents (continued)

Commission Regulation (EC) No 962/94 of 28 April 1994 fixing the import levies on products processed from cereals and rice	39
Commission Regulation (EC) No 963/94 of 28 April 1994 fixing the import levies on compound feedingstuffs	43
Commission Regulation (EC) No 964/94 of 28 April 1994 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	45
Commission Regulation (EC) No 965/94 of 28 April 1994 fixing the corrective amount applicable to the refund on cereals	48
Commission Regulation (EC) No 966/94 of 28 April 1994 fixing the export refunds on products processed from cereals and rice	50
Commission Regulation (EC) No 967/94 of 28 April 1994 fixing the export refunds on cereal-based compound feedingstuffs	53
Commission Regulation (EC) No 968/94 of 28 April 1994 fixing production refunds on cereals and rice	57

II *Acts whose publication is not obligatory*

Commission

94/222/EC :

- ★ **Commission Decision of 9 December 1993 concerning the exchange of letters between the European Community and the Republic of Austria regarding the exchange of letters on agriculture of 1972 on the granting of a reduction of customs duties for quality wines, put up in bottles, originating in the Community ⁽¹⁾** 58
- Exchange of letters regarding the exchange of letters on agriculture of 1972 on the granting of customs duty reductions for Community quality wine in bottles** 59

⁽¹⁾ Text with EEA relevance

I

*(Acts whose publication is obligatory)***COMMISSION REGULATION (EC) No 952/94****of 28 April 1994****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

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⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 1900/92⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 1901/92⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 1902/92⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 25 and 29 April 1994 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

imported product, such amount to be fixed at a standard rate ; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 3

This Regulation shall enter into force on 29 April 1994.

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

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

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : ECU 0,60 per 100 kg ;

(b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽³⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

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

COMMISSION REGULATION (EC) No 953/94**of 28 April 1994****opening a standing invitation to tender for the export of 1 000 000 tonnes of
barley 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 Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 13 thereof,

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

Whereas, given the current market situation, a standing invitation to tender should be opened for the export at the beginning of the 1993/94 cereals marketing year of 1 000 000 tonnes of barley held by the German intervention agency;

Whereas the proposed invitation to tender for the export of intervention stocks is special in that it will be opened at the end of the marketing year, from May 1994, but for deliveries which will not be possible until the new 1994/95 marketing year between 1 July and 30 September 1994; whereas there should therefore be a derogation from the first paragraph of Article 16 of Regulation (EEC) No 2131/93, which provides for a maximum delay of one month between acceptance of the tender and payment and also a derogation from the second paragraph of Article 16 of the said Regulation, application of which would have led to the price accepted already being increased by monthly increments for the removal of the cereals from the intervention store in July, whereas export was not scheduled previously;

Whereas the operative event for the conversion of tenders submitted for intervention stocks is the date of payment for cereals as fixed by Commission Regulation (EEC) No 1068/93⁽⁵⁾, as amended by Regulation (EC) No 547/94⁽⁶⁾; whereas this rule should be applied to the sales provided for in this Regulation without prejudice to the possibility of fixing the agricultural conversion rate in

advance in accordance with Articles 13 to 17 of Regulation (EEC) No 1068/93;

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

HAS ADOPTED THIS REGULATION:

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 1 000 000 tonnes of barley held by it.

Article 2

1. The invitation to tender shall cover a maximum of 1 000 000 tonnes of barley to be exported to all third countries. Customs export formalities must be completed during the period 1 July to 30 September 1994.

2. The regions in which the 1 000 000 tonnes of barley are stored are stated in Annex I to this Regulation.

Article 3

1. The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 2131/93, until 30 September 1994.

2. Tenders submitted in response to this invitation to tender shall be admissible only if they are accompanied by a written undertaking to export during the period 1 July to 30 September 1994. They may not be accompanied by applications for export licences pursuant to Article 44 of Commission Regulation (EEC) No 3719/88⁽⁷⁾.

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 5 May 1994 at 9 a.m. (Brussels time).

⁽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 108, 1. 5. 1993, p. 106.

⁽⁶⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

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 25 August 1994 at 9 a.m. (Brussels time).

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

Article 5

The following provisions shall apply to tenders submitted before 1 July 1994:

- notwithstanding the first subparagraph of Article 16 of Regulation (EEC) No 2131/93, the products must be removed not later than 31 July 1994,
- notwithstanding the second subparagraph of Article 16 of Regulation (EEC) No 2131/93, the price to be paid for products for export shall be that indicated in the tender,
- without prejudice to the possibility of fixing the agricultural conversion rate in advance, tenders shall be

converted using the agricultural conversion rate applicable on the date on which the cereals are paid for.

Article 6

Notwithstanding Article 17 (3) of Regulation (EEC) No 2131/93, the security referred to in the second indent of Article 17 (2) of the said Regulation shall not be released until proof is furnished that the customs export formalities have taken place during the period 1 July to 30 September 1994.

Article 7

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 given as specified in the table in Annex II to this Regulation, to the telex or telefax numbers in Annex III.

Article 8

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

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg Niedersachsen/Bremen/ Nordrhein-Westfalen	470 674
Hessen/Rheinland-Pfalz/ Baden-Württemberg/Saarland/Bayern	58 129
Berlin/Brandenburg/ Mecklenburg-Vorpommern	168 129
Sachsen/Sachsen-Anhalt/Thüringen	195 302
Belgium	44 862
Netherlands	62 938

ANNEX II

Standing invitation to tender for the export of 1 000 000 tonnes of barley held by the German intervention agency

(Regulation (EC) No 953/94)

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 954/94**of 27 April 1994****revoking Regulation (EC) No 791/94 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 Commission Regulation (EC) No 791/94⁽²⁾ stopped fishing for anchovy in the waters of ICES division VIII by vessels flying the flag of France or registered in France;

Whereas Spain has transferred on 20 April 1994 to France 400 tonnes of anchovy in the waters of ICES division VIII; that fishing for anchovy in the waters of ICES division VIII by vessels flying the flag of France or registered

in France should therefore be permitted; that consequently it is necessary to revoke Commission Regulation (EC) No 791/94,

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EC) No 791/94 is hereby revoked.

Article 2

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

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

Done at Brussels, 27 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 92, 9. 4. 1994, p. 12.

COMMISSION REGULATION (EC) No 955/94

of 28 April 1994

amending Annexes I and II of Council Regulation (EEC) No 2377/90 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2377/90 of 26 June 1990 laying down a Community procedure for the establishment of maximum residue limits of veterinary medicinal products in foodstuffs of animal origin ⁽¹⁾, as last amended by Commission Regulation (EC) No 3426/93 ⁽²⁾, and in particular Articles 6, 7 and 8 thereof,

Whereas, in accordance with Regulation (EEC) No 2377/90, maximum residue limits must be established progressively for all pharmacologically active substances which are used within the Community in veterinary medicinal products intended for administration to food-producing animals;

Whereas maximum residue limits should be established only after the examination within the Committee for Veterinary Medicinal Products of all the relevant information concerning the safety of residues of the substance concerned for the consumer of foodstuffs of animal origin and the impact of residues on the industrial processing of foodstuffs;

Whereas, in establishing maximum residue limits for residues of veterinary medicinal products in foodstuffs of animal origin, it is necessary to specify the animal species in which residues may be present, the levels which may be present in each of the relevant meat tissues obtained from the treated animal (target tissue) and the nature of the residue which is relevant for the monitoring of residues (marker residue);

Whereas, for the control of residues, as provided for in appropriate Community legislation, maximum residue limits should usually be established for the target tissues of liver or kidney; whereas, however, the liver and kidney are frequently removed from carcasses moving in international trade, and maximum residue limits should therefore also always be established for muscle or fat tissues;

Whereas, in the case of veterinary medicinal products intended for use in laying birds, lactating animals or honey bees, maximum residue limits must also be established for eggs, milk or honey;

Whereas tilmicosin should be inserted into Annex I to Regulation (EEC) No 2377/90;

Whereas iodine and iodine compounds, sodium chlorite, lactic acid and melatonin should be inserted into Annex II to Regulation (EEC) No 2377/90;

Whereas a period of 60 days should be allowed before the entry into force of this Regulation in order to allow Member States to make any adjustment which may be necessary to the authorizations to place the veterinary medicinal products concerned on the market which have been granted in accordance with Council Directive 81/851/EEC ⁽³⁾, as last amended by Directive 93/40/EEC ⁽⁴⁾, to take account of the provisions of this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee for the Adaptation to Technical Progress of the directives on the removal of technical barriers to trade in the veterinary medicinal products sector,

HAS ADOPTED THIS REGULATION:

Article 1

Annexes I and II of Regulation (EEC) No 2377/90 are hereby amended as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on the 60th day following its publication in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 1.

⁽²⁾ OJ No L 312, 15. 12. 1993, p. 15.

⁽³⁾ OJ No L 317, 6. 11. 1981, p. 1.

⁽⁴⁾ OJ No L 214, 24. 8. 1993, p. 31.

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

Done at Brussels, 28 April 1994.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

A. Annex I is modified as follows :

under point 1.2 'Antibiotics', the following heading is added :

'1.2.4. Macrolides

Pharmacologically active substance(s)	Marker residue	Animal species	MRLs	Target tissues	Other provisions
1.2.4.1. Tilmicosin	Tilmicosin	Bovine	1 000 µg/kg 50 µg/kg	Liver, kidney Muscle fat'	

B. Annex II is modified as follows :

under point 1. 'Inorganic chemicals', the following headings are added :

Pharmacologically active substances(s)	Animal species	Other provisions
'1.3 Iodine and iodine inorganic compounds including : — Sodium and potassium — iodine — Sodium and potassium — iodate — Iodophors	All food producing species	
1.4 Sodium chlorite	Bovine	For topical use only'

Under point 2. 'Organic compounds', the following headings are added :

Pharmacologically active substance(s)	Animal species	Other provisions
'2.5 Lactic acid	All food producing species	
2.6 Melatonin	Ovine Caprine	
2.7 Iodine organic compounds — Iodoform — Polyvinylpyrrolidone — iodine	All food producing species'	

COMMISSION REGULATION (EC) No 956/94

of 28 April 1994

laying down detailed rules for the granting of private storage aid for long-keeping cheeses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 Articles 9 (3) and 28 thereof,

Whereas Council Regulation (EEC) No 508/71⁽³⁾ provides that private storage aid may be granted for certain long-keeping cheeses where there is a serious imbalance of the market which may be eliminated or reduced by seasonal storage;

Whereas the seasonal nature of Emmental and Gruyère cheese production is aggravated by the fact that the seasonal trend in consumption of such cheeses is the opposite of their production; whereas, therefore, provision should be made for recourse to such storage in respect of a quantity corresponding to the difference between summer and winter production;

Whereas the detailed rules of this measure should determine the maximum quantity to benefit from it as well as the duration of the contracts in relation to the real requirements of the market and the keeping qualities of the cheeses in question; whereas it is necessary to specify the terms of the storage contract so as to enable the identification of the cheese and to maintain checks on the stock in respect of which aid is granted; whereas the aid should be fixed taking into account storage costs and the foreseeable trend of market prices;

Whereas, in view of experience in controls, the provisions relating thereto should be specified, in particular as regards the documents to be presented and the on-the-spot checks to be conducted; whereas these new requirements on the subject make it necessary to stipulate that the Member States may provide that the costs of controls be fully or in part charged to the contractor;

Whereas Article 1 (1) of Commission Regulation (EEC) No 1756/93 of 30 June 1993 fixing the operative events for the agricultural conversion rate applicable to milk and

milk products⁽⁴⁾, as last amended by Regulation (EC) No 180/94⁽⁵⁾, fixes the conversion rate to be applied in the framework of private storage aid schemes in the milk products sector;

Whereas it is appropriate to guarantee the continuation of the storage operations in question;

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

Aid shall be granted in respect of the private storage of 16 500 tonnes of Emmental and Gruyère cheeses manufactured in the Community which satisfy the requirements of Articles 2 and 3 hereof.

Article 2

1. The intervention agency may conclude storage contracts only if the following conditions are satisfied:

- (a) the batch of cheeses to which a contract relates must comprise at least five tonnes;
- (b) the cheeses shall be indelibly marked with an indication (which may take the form of a number) of the undertaking in which they were manufactured and of the day and month of manufacture;
- (c) the cheeses must have been manufactured at least 10 days before the date specified in the contract as being the date of commencement of storage;
- (d) the cheeses must have undergone quality tests which establish that their classification after maturing could be expected to be:
 - 'Premier choix' in France,
 - 'Markenkäse' or 'Klasse fein' in Germany,
 - 'first quality' in Denmark,
 - 'special grade' in Ireland;
- (e) the storer shall undertake:
 - to keep the cheese during the entire period of storage in premises where the maximum temperature is as indicated under paragraph 2,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 58, 11. 3. 1971, p. 1.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 48.

⁽⁵⁾ OJ No L 24, 29. 1. 1994, p. 38.

- not, during the term of the contract, to alter the composition of the batch covered by the contract without authorization from the intervention agency. If the condition concerning the minimum quantity fixed for each batch continues to be met, the intervention agency may authorize an alteration which is limited to the removal or replacement of cheeses which are found to have deteriorated to such an extent that they can no longer be stored.

In the event of release from store of certain quantities :

- (i) if the aforesaid quantities are replaced with the authorization of the intervention agency, the contract is deemed not to have undergone any alteration ;
- (ii) if the aforesaid quantities are not replaced, the contract is deemed to have been concluded *ab initio* for the quantity permanently retained.

Any costs of controls arising from an alteration shall be met by the storer,

- to keep stock records and to inform the intervention agency each week of the cheeses put into storage during the previous week and of scheduled withdrawals.

2. The maximum temperature in the storage premises shall be +6 °C for Emmental and +10 °C for Gruyère. In the case of Emmental which has already been matured, Member States may permit a maximum temperature of +10 °C.

3. Storage contracts shall be concluded :

- (a) in writing, stating the date when storage covered by the contract begins ; this date may not be earlier than the day following that on which the operations connected with putting the batch of cheese covered by the contract into storage are completed ;
- (b) after completion of the operations connected with putting the batch of cheese covered by the contract into storage and at the latest 40 days after the date when storage by the contract begins.

Article 3

1. Aid shall be granted only for such cheeses as are put into storage during the storage period. This period shall begin on 1 May 1994 and end on or before 30 September of the same year.

2. Stored cheese may be withdrawn from storage only during the period for withdrawal. This period shall begin on 1 October 1994 and end on 31 March of the following year.

Article 4

1. The amount of the aid shall be ECU 1,63 per tonne per day.

2. No aid shall be granted in respect of storage under contract for less than 90 days. The maximum aid payable shall not exceed an amount corresponding to 180 days' storage under contract.

By way of derogation from the second indent of Article 2 (1) (e), when the period of 90 days specified in the first subparagraph has elapsed and the period for withdrawal referred to in Article 3 (2) has begun, the storer may remove all or part of the batch under contract. The minimum quantity that may be removed shall be 500 kilograms. The Member States may, however, increase this quantity to two tonnes.

The date of the start of operations to remove the batch of cheese covered by the contract shall not be included in the period of storage under contract.

Article 5

1. The Member States shall ensure that the conditions granting entitlement to payment of the aid are fulfilled.

2. The contractor shall make available to the national authorities responsible for verifying execution of the measure any documentation permitting in particular the following particulars of products placed in private storage to be verified :

- (a) ownership at the time of entry into storage ;
- (b) the origin and the date of manufacture of the cheeses ;
- (c) the date of entry into storage ;
- (d) presence in the store ;
- (e) the date of removal from storage.

3. The contractor or, where applicable, the operator of the store shall keep stock accounts available at the store, covering :

- (a) identification, by contract number, of the products placed in private storage ;
- (b) the dates of entry into and removal from storage ;
- (c) the number of cheeses and their weight by batch ;
- (d) the location of the products in the store.

4. Products stored must be easily identifiable and must be identified individually by contract. A special mark shall be affixed to cheeses covered by the contract.

5. On entry into storage, the competent agencies shall conduct checks in particular to ensure that products stored are eligible for the aid and to prevent any possibility of substitution of products during storage under contract, without prejudice to the application of Article 2 (1) (e).

6. The national authorities responsible for controls shall undertake :

- (a) an unannounced check to see that the products are present in the store. The sample concerned must be representative and must correspond to at least 10 % of the overall quantity under contract for a private storage aid measure. Such checks must include, in addition to an examination of the accounts referred to in paragraph 3, a physical check of the weight and type of products and their identification. Such physical checks must relate to at least 5 % of the quantity subject to the unannounced check ;
- (b) a check to see that the products are present at the end of the storage period under contract.

7. Checks conducted pursuant to paragraphs 5 and 6 must be the subject of a report stating :

- the date of the check,
- its duration,
- the operations conducted.

The report on checks must be signed by the official responsible and countersigned by the contractor or, where applicable, by the store operator.

8. In the case of irregularities affecting at least 5 % of the quantities of products subject to the checks the latter shall be extended to a larger sample to be determined by the competent agency.

The Member States shall notify such cases to the Commission within four weeks.

9. The Member States may provide that the costs of controls are to be fully or in part charged to the contractor.

Article 6

The Member States shall forward to the Commission on or before the Tuesday of each week particulars as to the following :

- (a) the quantities of cheese for which storage contracts have been concluded during the preceding week ;
- (b) any quantities in respect of which the authorization referred to in the second indent of Article 2 (1) (e) has been given.

Article 7

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 May 1994.

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 957/94

of 28 April 1994

laying down detailed rules for the application of the import arrangements provided for by Council Regulation (EC) No 775/94 in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 775/94 of 29 March 1994 opening for 1993, as an autonomous measure, a special import tariff quota for high-quality fresh, chilled or frozen beef and veal 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 Regulation (EC) No 775/94 opened a tariff quota for 11 430 tonnes of high-quality beef and veal; whereas the rules for the application of these arrangements must be established;

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

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

Whereas in order to ensure that the importing of these meats is managed efficiently it is appropriate, as the case may be, to provide that the issuing of import licences shall be subject to verification in particular of the entries on the certificates of authenticity;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The special tariff quota for fresh, chilled or frozen beef and veal provided for in Article 1 (1) of Regulation (EC) No 775/94 shall be allocated as follows:

- (a) 4 625 tonnes of chilled boned meat, falling within CN codes 0201 30 and 0201 30 and 0206 19 05 and answering the following definition:

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

- (b) 1 032 tonnes product weight of meat, falling within CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and answering the following definition:

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

- (c) 1 900 tonnes of boned meat, falling within CN codes 0201 30, 0202 30 90, 0206 19 95 and 0206 29 91 and answering the following definition:

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

- (d) 3 622 tonnes product weight of boned meat falling within CN codes 0201 30, 0202 30 90, 0206 10 95 and 0206 29 91 and answering the following definition:

⁽¹⁾ OJ No L 91, 8. 4. 1994, p. 4.

⁽²⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽³⁾ OJ No L 262, 21. 10. 1993, p. 26.

'Beef cuts obtained from steers (novilhos) or heifers (novilhas) aged between 20 and 24 months, which have been exclusively pasture grazed, have lost their central temporary incisors but do not have more than four permanent incisor teeth, which are of good maturity and which meet the following beef-carcase classification requirements :

meat from B or R class carcasses with rounded to straight conformation and a fat-cover class of 2 or 3 ; the cuts, bearing the letters "sc" (special cuts) or an "sc" (special cuts) label as a sign of their high quality, will be boxed in cartons bearing the words "high-quality beef" ;

- (e) 251 tonnes product weight of meat, falling within CN codes 0201 20 90, 0201 30, 0202 20 90, 0202 30, 0206 10 95 and 0206 29 91 and answering the following definition :

'Selected chilled or frozen premium beef cuts derived from exclusively pasture-grazed bovine animals which do not have more than four permanent incisor teeth in wear, the carcasses of which have a dressed weight of not more than 325 kilograms, a compact appearance with a good eye of meat of light and uniform colour and adequate but not excessive fat cover. All cuts will be vacuum packaged and referred to as high-quality beef.'

Article 2

1. The total suspension of the import levy for the meat referred to in Article 1 shall be subject to the presentation, at the time it is put into free circulation of an import licence issued in accordance with this Regulation and, by way of analogy, with Article 12 (1) (b) and (c) and Article 12 (2) of Regulation (EEC) No 2377/80.

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

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

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

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

4. Certificates of authenticity shall bear an individual serial number assigned by the issuing authority referred to

in Article 4. The copies shall bear the same serial number as the original.

Article 3

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

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

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

Article 4

1. The issuing authorities listed in Annex II shall :

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

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

Article 5

1. With regard to meat under Article 1 :

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

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

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

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

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

Article 6

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

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

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

Article 7

By the 15th of each month and in respect of the preceding month the Member States shall notify the Commission of the quantities of products referred to in Article 1 that have been :

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

broken down by country of origin and combined nomenclature code.

Article 8

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

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

ANNEX I

1. Exporter (name and address)	2. Certificate No	ORIGINAL	
4. Consignee (name and address)	3. Issuing authority		
6. Means of transport	5. CERTIFICATE OF AUTHENTICITY BEEF AND VEAL SPECIAL AUTONOMOUS/QUOTA TARIFF 1994 Commission Regulation (EC) No 957/94		
7. Marks, numbers, number and kind of packages ; description of goods		8. Gross weight (kg)	9. Net weight (kg)
10. Net weight (in words)			
11. CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf. Place : Date : Signature and stamp (or printed seal)			

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

DEFINITION

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

*ANNEX II***LIST OF AUTHORITIES IN EXPORTING COUNTRIES EMPOWERED TO ISSUE
CERTIFICATES OF AUTHENTICITY**

- SECRETARÍA DE AGRICULTURA, GANADERÍA Y PESCA
for meat originating in Argentina, answering the definition in Article 1 (a).
 - AUSTRALIAN MEAT AND LIVESTOCK CORPORATION
for meat originating in Australia, answering the definition in Article 1 (b).
 - INSTITUTO NACIONAL DE CARNES (INAC)
for meat originating in Uruguay, answering the definition in Article 1 (c).
 - DEPARTAMENTO NACIONAL DE INSPECÇÃO DE PRODUTOS DE ORIGEM ANIMAL (DIPOA)
for meat originating in Brazil, answering the definition in Article 1 (d).
 - NEW ZEALAND MEAT PRODUCERS BOARD
for meat originating in New Zealand, answering the definition in Article 1 (e).
-

COMMISSION REGULATION (EC) No 958/94

of 28 April 1994

fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular the third subparagraph of Article 13 thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1544/93⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 17 (1) of Regulation (EEC) No 1418/76 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EC) No 776/94⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

(a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;

(b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

(c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted pursuant to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors⁽⁷⁾, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁸⁾, as amended by Regulation (EEC) No 2026/83⁽⁹⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽¹⁰⁾, as last amended by Regulation (EEC) No 2805/93⁽¹¹⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽¹²⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁷⁾ OJ No L 159, 1. 7. 1993, p. 112.

⁽⁸⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁹⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹⁰⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹¹⁾ OJ No L 256, 14. 10. 1993, p. 7.

⁽¹²⁾ OJ No L 275, 29. 9. 1987, p. 36.

1902 19 according to their destination ;

Whereas, for the application of Article 4 (2) (b) of Regulation (EEC) No 3035/80, it is necessary to differentiate the refunds ;

Whereas Council Regulation (EEC) No 990/93 ⁽¹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro) ; whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof ; whereas account should be taken of this fact when fixing the refunds ;

Whereas in particular the export refund for unprocessed starches falling within CN code 1108 is granted only if the dry matter content is at least 77 % in the case of potato starch and at least 84 % in the case of cereal starches ;

Whereas with regard to potatoes, only potato starches are subject to common organization of the market, consequently steps should be taken to specify the terms that these potato starches should meet in order to qualify for refunds ;

Whereas, in respect of glucose syrup and maltodextrine syrup, the dry extract content for which the rate of refund is set should be specified ;

Whereas the refunds fixed for March 1994 have been continued in April without change ; whereas according to Article 13 (4) of Regulation (EEC) No 1766/92 and Article 17 (4) of Regulation (EEC) No 1418/76 operators who have fixed in advance the rate of refund have a right to the adaptation of that rate according to the threshold price in force in the month of export ; that such adaptation is not provided for traders who export without having fixed the rate in advance ; whereas to ensure equal conditions for all operators who export in April 1994 it is necessary to apply the monthly increase to the rates applied in April 1994 ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in

Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex 1 to Regulation (EEC) No 1722/93 the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1722/93, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

(a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1722/93 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

1. The refund for starches and potato starch falling within CN code 1108 or products falling within Annex A to Regulation (EEC) No 1766/92 resulting from the processing of these starches and potato starch is granted only on production of a declaration from the suppliers of those products attesting that they have been directly produced from cereals, potatoes or rice excluding all use of subproducts obtained in the production of other agricultural products or goods.

The above declaration can be considered valid, until revocation, for all supplies from the same producer ; it shall be verified in accordance with the provisions of Article 8 (1) and the first indent of paragraph 2 of Regulation (EEC) No 3035/80.

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

2. Where the dry-extract content of potato starch assimilated to maize starch pursuant to Article 1 (2) (a) of Regulation (EEC) No 3035/80 is 80 % or higher, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 80 % the rate of the refund shall be the amount laid down in the Annex multiplied by 1/80th of the actual dry-extract percentage.

For all other starches with a dry-extract content of 87 % or more, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 87 % the amount of the refund shall be the rate laid down in the Annex multiplied by 1/87th of the actual dry-extract percentage.

3. For the purposes of paragraph 1 above, the dry-extract content of starches shall be determined using the method applied to flour in Annex II to Commission Regulation (EEC) No 1908/84⁽¹⁾, as last amended by Regulation (EEC) No 2507/87⁽²⁾.

4. At the time of application for the export refund for the goods the applicant must declare the dry-extract content of the starches concerned, unless this information has been recorded by the competent authorities referred to in Article 3 (2) of Regulation (EEC) No 3035/80, in accordance with the provisions of that paragraph.

Article 3

1. If the dry extract content of glucose syrup or maltodextrine syrup falling within CN code 1702 30 59,

1702 30 99, 1702 40 90, 1702 90 50 or 2106 90 55 is greater than or equal to 78 %, the rate of refund shall be that set in accordance with the Annex ; if the dry extract content of the said syrups is less than 78 %, the rate applied shall be equal to the rate of refund set in accordance with the Annex multiplied by the actual percentage of dry extract and divided by 78.

2. For the purposes of the preceding paragraph, the dry matter content of glucose syrup or maltodextrine syrup shall be determined in accordance with Method 2 described in Annex II to Council Directive 79/796/EEC⁽³⁾, or in accordance with any other appropriate method of analysis which offer at least the same guarantees.

3. When applying for the export refund, the applicant must state the dry extract content of the glucose syrup and maltodextrine syrup used, unless this information has been recorded by the competent body referred to in Article 3 (2) of Regulation (EEC) No 3035/80, as provided for in that paragraph.

Article 4

This Regulation shall enter into force on 29 April 1994.

At the request of the interested party, it shall apply with effect from 1 April 1994.

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

Done at Brussels, 28 April 1994.

For the Commission

Martin BANGEMANN

Vice-President

⁽¹⁾ OJ No L 178, 5. 7. 1984, p. 22.

⁽²⁾ OJ No L 235, 20. 8. 1987, p. 10.

⁽³⁾ OJ No L 239, 22. 9. 1979, p. 24.

ANNEX

to the Commission Regulation of 28 April 1994 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat : — used unprocessed : — — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101 and groats and meal of CN code 1103)	— — — — — — — —
1001 90 99	Common wheat and meslin : — used unprocessed : — — on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101, and groats and meal of CN code 1103)	2,166 3,610 2,166 3,249 1,263 — 3,610
1002 00 00	Rye : — used unprocessed — used in the form of : — — pellets of CN code 1103, or pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germ of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other (except flours of CN code 1102)	3,610 2,166 3,249 1,295 3,700 — 3,610
1003 00 90	Barley : — used unprocessed — used in the form of : — — flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 — — pellets of CN code 1103 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	6,966 4,876 4,179 1,295 3,700 — 6,966

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1004 00 00	Oats : – used unprocessed – used in the form of : – – pellets of CN code 1103, and pearled grains of CN code 1104 – – rolled or flaked grains and hulled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other	6,583 3,950 5,924 1,295 3,700 — 6,583
1005 90 00	Maize (Corn): – used unprocessed – used in the form of : – – flours of CN codes 1102 20 10 and 1102 20 90 – – groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 – – pellets of CN code 1103 – – hulled or perled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 12 00 – – gluten of CN code 2303 10 11 – – other ⁽³⁾	3,700 2,590 2,960 2,220 3,330 1,295 3,700 1,480 3,700
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	19,962 17,772 17,772
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	25,757 25,757 25,757
1006 40 00	Broken rice : – used unprocessed – used in the form of : – – flour of CN code 1102 30, groats and meal or pellets of CN code 1103 – – flaked grains of CN 1104 19 91 – – starch of CN code 1108 19 10 – – other	5,657 5,657 3,394 5,657 —
1007 00 90	Sorghum	6,583
1101 00 00	Wheat or meslin flour : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	2,664 4,440
1102 10 00	Rye flour	4,945
1103 11 10	Groats and durum wheat meal : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	— —
1103 11 90	Common wheat groats and spelt : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	2,664 4,440

⁽¹⁾ The quantities of semi-processed products used must be multiplied, as the case may be, by the coefficients shown in Annex I to Commission Regulation (EEC) No 1620/93 (OJ No L 155, 26. 6. 1993, p. 29).

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

⁽³⁾ For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 959/94

of 28 April 1994

opening invitations to tender for the fixing of aid for the private storage of carcasses and half-carcasses of lamb

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EC) No 233/94⁽²⁾, and in particular Article 7 (3) thereof,Whereas Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat⁽³⁾, as last amended by Regulation (EC) No 3533/93⁽⁴⁾, provides in particular for detailed rules on the invitation to tender;Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat⁽⁵⁾, as last amended by Regulation (EEC) No 1258/91⁽⁶⁾, provides in particular the minimum quantities in respect of which a tender may be submitted;

Whereas the application of Article 7 (3) of Regulation (EEC) No 3013/89 results in the opening of invitations to tender for private storage aid;

Whereas that Article provides for the application of these measures on the basis of the situation of each quotation

zone; whereas it is appropriate consequently to open tenders separately for each of the zones where the conditions are fulfilled,

HAS ADOPTED THIS REGULATION:

Article 1

Invitations to tender are opened in Denmark, Spain, Greece and Portugal for aid to private storage for carcasses and half-carcasses of lamb.

Subject to the provisions of Regulation (EEC) No 3447/90 tenders may be submitted to the intervention agencies of the Member States concerned.

Article 2

Tenders must be submitted not later than 2 p.m. on 16 May 1994 to the relevant intervention agency.

Article 3

This Regulation shall enter into force on 29 April 1994.

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.⁽²⁾ OJ No L 30, 3. 2. 1994, p. 9.⁽³⁾ OJ No L 333, 30. 11. 1990, p. 39.⁽⁴⁾ OJ No L 321, 23. 12. 1993, p. 9.⁽⁵⁾ OJ No L 333, 30. 11. 1990, p. 46.⁽⁶⁾ OJ No L 120, 15. 5. 1991, p. 15.

COMMISSION REGULATION (EC) No 960/94
of 28 April 1994
fixing the import levies on milk and milk products

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 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EC) No 725/94 ⁽³⁾, as amended by Regulation (EC) No 805/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 725/94 to the prices

known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 28 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 87, 31. 3. 1994, p. 17.

⁽⁴⁾ OJ No L 93, 12. 4. 1994, p. 16.

ANNEX

to the Commission Regulation of 28 April 1994 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0401 10 10		16,78	0403 10 16	(¹)	2,0644/kg + 26,73
0401 10 90		15,57	0403 10 22		25,31
0401 20 11		22,90	0403 10 24		30,18
0401 20 19		21,69	0403 10 26		72,79
0401 20 91		27,77	0403 10 32	(¹)	0,1927/kg + 25,52
0401 20 99		26,56	0403 10 34	(¹)	0,2414/kg + 25,52
0401 30 11		70,38	0403 10 36	(¹)	0,6675/kg + 25,52
0401 30 19		69,17	0403 90 11		117,99
0401 30 31		134,71	0403 90 13		174,19
0401 30 39		133,50	0403 90 19		213,69
0401 30 91		225,38	0403 90 31	(¹)	1,1074/kg + 26,73
0401 30 99		224,17	0403 90 33	(¹)	1,6694/kg + 26,73
0402 10 11	(°)	117,99	0403 90 39	(¹)	2,0644/kg + 26,73
0402 10 19	(°)(°)	110,74	0403 90 51		25,31
0402 10 91	(°)(°)	1,1074/kg + 26,73	0403 90 53		30,18
0402 10 99	(°)(°)	1,1074/kg + 19,48	0403 90 59		72,79
0402 21 11	(°)	174,19	0403 90 61	(¹)	0,1927/kg + 25,52
0402 21 17	(°)	166,94	0403 90 63	(¹)	0,2414/kg + 25,52
0402 21 19	(°)(°)	166,94	0403 90 69	(¹)	0,6675/kg + 25,52
0402 21 91	(°)(°)	213,69	0404 10 02		24,63
0402 21 99	(°)(°)	206,44	0404 10 04		174,19
0402 29 11	(°)(°)(°)	1,6694/kg + 26,73	0404 10 06		213,69
0402 29 15	(°)(°)	1,6694/kg + 26,73	0404 10 12		117,99
0402 29 19	(°)(°)	1,6694/kg + 19,48	0404 10 14		174,19
0402 29 91	(°)(°)	2,0644/kg + 26,73	0404 10 16		213,69
0402 29 99	(°)(°)	2,0644/kg + 19,48	0404 10 26	(¹)	0,2463/kg + 19,48
0402 91 11	(°)	36,13	0404 10 28	(¹)	1,6694/kg + 26,73
0402 91 19	(°)	36,13	0404 10 32	(¹)	2,0644/kg + 26,73
0402 91 31	(°)	45,16	0404 10 34	(¹)	1,1074/kg + 26,73
0402 91 39	(°)	45,16	0404 10 36	(¹)	1,6694/kg + 26,73
0402 91 51	(°)	134,71	0404 10 38	(¹)	2,0644/kg + 26,73
0402 91 59	(°)	133,50	0404 10 48	(²)	0,2463/kg
0402 91 91	(°)	225,38	0404 10 52	(²)	1,6694/kg + 6,04
0402 91 99	(°)	224,17	0404 10 54	(²)	2,0644/kg + 6,04
0402 99 11	(°)	49,41	0404 10 56	(²)	1,1074/kg + 6,04
0402 99 19	(°)	49,41	0404 10 58	(²)	1,6694/kg + 6,04
0402 99 31	(°)(°)	1,3108/kg + 23,11	0404 10 62	(²)	2,0644/kg + 6,04
0402 99 39	(°)(°)	1,3108/kg + 21,90	0404 10 72	(²)	0,2463/kg + 19,48
0402 99 91	(°)(°)	2,2175/kg + 23,11	0404 10 74	(²)	1,6694/kg + 25,52
0402 99 99	(°)(°)	2,2175/kg + 21,90	0404 10 76	(²)	2,0644/kg + 25,52
0403 10 02		117,99	0404 10 78	(²)	1,1074/kg + 25,52
0403 10 04		174,19	0404 10 82	(²)	1,6694/kg + 25,52
0403 10 06		213,69	0404 10 84	(²)	2,0644/kg + 25,52
0403 10 12	(¹)	1,1074/kg + 26,73	0404 90 11		117,99
0403 10 14	(¹)	1,6694/kg + 26,73	0404 90 13		174,19

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0404 90 19		213,69	0406 90 31	(°) (°)	162,68
0404 90 31		117,99	0406 90 33	(°) (°)	162,68
0404 90 33		174,19	0406 90 35	(°) (°)	162,68
0404 90 39		213,69	0406 90 37	(°) (°)	162,68
0404 90 51	(°)	1,1074/kg + 26,73	0406 90 39	(°) (°)	162,68
0404 90 53	(°) (°)	1,6694/kg + 26,73	0406 90 50	(°) (°)	162,68
0404 90 59	(°)	2,0644/kg + 26,73	0406 90 61	(°) (°)	359,61
0404 90 91	(°)	1,1074/kg + 26,73	0406 90 63	(°) (°)	359,61
0404 90 93	(°) (°)	1,6694/kg + 26,73	0406 90 69	(°) (°)	359,61
0404 90 99	(°)	2,0644/kg + 26,73	0406 90 73	(°) (°)	162,68
0405 00 11	(°)	232,10	0406 90 75	(°) (°)	162,68
0405 00 19	(°)	232,10	0406 90 76	(°) (°)	162,68
0405 00 90		283,16	0406 90 78	(°) (°)	162,68
0406 10 20	(°) (°)	204,46	0406 90 79	(°) (°)	162,68
0406 10 80	(°) (°)	259,40	0406 90 81	(°) (°)	162,68
0406 20 10	(°) (°)	359,61	0406 90 82	(°) (°)	162,68
0406 20 90	(°) (°)	359,61	0406 90 84	(°) (°)	162,68
0406 30 10	(°) (°)	165,40	0406 90 85	(°) (°)	162,68
0406 30 31	(°) (°)	153,84	0406 90 86	(°) (°)	162,68
0406 30 39	(°) (°)	165,40	0406 90 87	(°) (°)	162,68
0406 30 90	(°) (°)	262,12	0406 90 88	(°) (°)	162,68
0406 40 10	(°) (°)	135,93	0406 90 93	(°) (°)	204,46
0406 40 50	(°) (°)	135,93	0406 90 99	(°) (°)	259,40
0406 40 90	(°) (°)	135,93	1702 10 10		66,10
0406 90 11	(°) (°)	210,89	1702 10 90		66,10
0406 90 13	(°) (°)	147,65	2106 90 51		66,10
0406 90 15	(°) (°)	147,65	2309 10 15		85,48
0406 90 17	(°) (°)	147,65	2309 10 19		110,95
0406 90 19	(°) (°)	359,61	2309 10 39		103,64
0406 90 21	(°) (°)	210,89	2309 10 59		84,81
0406 90 23	(°) (°)	162,68	2309 10 70		110,95
0406 90 25	(°) (°)	162,68	2309 90 35		85,48
0406 90 27	(°) (°)	162,68	2309 90 39		110,95
0406 90 29	(°) (°)	162,68	2309 90 49		103,64
			2309 90 59		84,81
			2309 90 70		110,95

(°) The levy on 100 kg of product falling within this code is equal to the sum of the following:

- (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product; and
- (b) the other amount indicated.

(°) The levy on 100 kg of product falling within this code is equal to:

- (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
- (b) the other amount indicated.

(°) Products falling within this code and imported from a third country

- for which an IMA 1 certificate, issued in accordance with Regulation (EEC) No 1767/82, is presented,
- for which an EUR 1 certificate, issued in accordance with amended Regulation (EEC) No 1316/93 for Sweden, amended Regulation (EEC) No 584/92 for Poland, the Czech and Slovak Republics and Hungary and Commission Regulation (EC) No 385/94 (OJ No L 50, 22. 2. 1994, p. 7) for Bulgaria and Romania, is presented,

shall be subject to the levies defined in the said Regulations, respectively.

(°) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.

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

COMMISSION REGULATION (EC) No 961/94

of 28 April 1994

fixing the export refunds on milk and milk products

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 17 (4) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade 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 Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 776/94 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3 (1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5 (1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 2767/90 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 1,5 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁵⁾, as amended by Regulation (EC) No 547/94⁽⁶⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 150 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽⁷⁾, as last amended by Regulation (EEC) No 222/88⁽⁸⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

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 Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

This Regulation shall enter into force on 29 April 1994.

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 44.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁶⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽⁷⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁸⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 28 April 1994 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000		5,18	0402 21 91 500		118,10
0401 10 90 000		5,18	0402 21 91 600		128,54
0401 20 11 100		5,18	0402 21 91 700		134,75
0401 20 11 500		8,00	0402 21 91 900		141,68
0401 20 19 100		5,18	0402 21 99 100		105,31
0401 20 19 500		8,00	0402 21 99 200		106,08
0401 20 91 100		10,65	0402 21 99 300		107,46
0401 20 91 500		12,41	0402 21 99 400		115,39
0401 20 99 100		10,65	0402 21 99 500		118,10
0401 20 99 500		12,41	0402 21 99 600		128,54
0401 30 11 100		15,94	0402 21 99 700		134,75
0401 30 11 400		24,58	0402 21 99 900		141,68
0401 30 11 700		36,93	0402 29 15 200		0,6000
0401 30 19 100		15,94	0402 29 15 300		0,9158
0401 30 19 400		24,58	0402 29 15 500		0,9682
0401 30 19 700		36,93	0402 29 15 900		1,0450
0401 30 31 100		43,98	0402 29 19 200		0,6000
0401 30 31 400		68,67	0402 29 19 300		0,9158
0401 30 31 700		75,72	0402 29 19 500		0,9682
0401 30 39 100		43,98	0402 29 19 900		1,0450
0401 30 39 400		68,67	0402 29 91 100		1,0531
0401 30 39 700		75,72	0402 29 91 500		1,1539
0401 30 91 100		86,30	0402 29 99 100		1,0531
0401 30 91 400		126,85	0402 29 99 500		1,1539
0401 30 91 700		148,02	0402 91 11 110		5,18
0401 30 99 100		86,30	0402 91 11 120		10,65
0401 30 99 400		126,85	0402 91 11 310		18,15
0401 30 99 700		148,02	0402 91 11 350		22,42
0402 10 11 000		60,00	0402 91 11 370		27,47
0402 10 19 000		60,00	0402 91 19 110		5,18
0402 10 91 000		0,6000	0402 91 19 120		10,65
0402 10 99 000		0,6000	0402 91 19 310		18,15
0402 21 11 200		60,00	0402 91 19 350		22,42
0402 21 11 300		91,58	0402 91 19 370		27,47
0402 21 11 500		96,82	0402 91 31 100		21,05
0402 21 11 900		104,50	0402 91 31 300		32,47
0402 21 17 000		60,00	0402 91 39 100		21,05
0402 21 19 300		91,58	0402 91 39 300		32,47
0402 21 19 500		96,82	0402 91 51 000		24,58
0402 21 19 900		104,50	0402 91 59 000		24,58
0402 21 91 100		105,31	0402 91 91 000		86,30
0402 21 91 200		106,08	0402 91 99 000		86,30
0402 21 91 300		107,46	0402 99 11 110		0,0518
0402 21 91 400		115,39	0402 99 11 130		0,1065

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0402 99 11 150		0,1769	0403 90 61 100		0,0518
0402 99 11 310		20,94	0403 90 61 300		0,0800
0402 99 11 330		25,30	0403 90 63 000		0,1065
0402 99 11 350		33,90	0403 90 69 000		0,1594
0402 99 19 110		0,0518	0404 90 11 100		60,00
0402 99 19 130		0,1065	0404 90 11 910		5,18
0402 99 19 150		0,1769	0404 90 11 950		18,15
0402 99 19 310		20,94	0404 90 13 120		60,00
0402 99 19 330		25,30	0404 90 13 130		91,58
0402 99 19 350		33,90	0404 90 13 140		96,82
0402 99 31 110		0,2282	0404 90 13 150		104,50
0402 99 31 150		35,31	0404 90 13 911		5,18
0402 99 31 300		0,4398	0404 90 13 913		10,65
0402 99 31 500		0,7572	0404 90 13 915		15,94
0402 99 39 110		0,2282	0404 90 13 917		24,58
0402 99 39 150		35,31	0404 90 13 919		36,93
0402 99 39 300		0,4398	0404 90 13 931		18,15
0402 99 39 500		0,7572	0404 90 13 933		22,42
0402 99 91 000		0,8630	0404 90 13 935		27,47
0402 99 99 000		0,8630	0404 90 13 937		32,47
0403 10 22 100		5,18	0404 90 13 939		33,95
0403 10 22 300		8,00	0404 90 19 110		105,31
0403 10 24 000		10,65	0404 90 19 115		106,08
0403 10 26 000		15,94	0404 90 19 120		107,46
0403 10 32 100		0,0518	0404 90 19 130		115,39
0403 10 32 300		0,0800	0404 90 19 135		118,10
0403 10 34 000		0,1065	0404 90 19 150		128,54
0403 10 36 000		0,1594	0404 90 19 160		134,75
0403 90 11 000		60,00	0404 90 19 180		141,68
0403 90 13 200		60,00	0404 90 31 100		60,00
0403 90 13 300		91,58	0404 90 31 910		5,18
0403 90 13 500		96,82	0404 90 31 950		18,15
0403 90 13 900		104,50	0404 90 33 120		60,00
0403 90 19 000		105,31	0404 90 33 130		91,58
0403 90 31 000		0,6000	0404 90 33 140		96,82
0403 90 33 200		0,6000	0404 90 33 150		104,50
0403 90 33 300		0,9158	0404 90 33 911		5,18
0403 90 33 500		0,9682	0404 90 33 913		10,65
0403 90 33 900		1,0450	0404 90 33 915		15,94
0403 90 39 000		1,0531	0404 90 33 917		24,58
0403 90 51 100		5,18	0404 90 33 919		36,93
0403 90 51 300		8,00	0404 90 33 931		18,15
0403 90 53 000		10,65	0404 90 33 933		22,42
0403 90 59 110		15,94	0404 90 33 935		27,47
0403 90 59 140		24,58	0404 90 33 937		32,47
0403 90 59 170		36,93	0404 90 33 939		33,95
0403 90 59 310		43,98	0404 90 39 110		105,31
0403 90 59 340		68,67	0404 90 39 115		106,08
0403 90 59 370		75,72	0404 90 39 120		107,46
0403 90 59 510		86,30	0404 90 39 130		115,39
0403 90 59 540		126,85			
0403 90 59 570		148,02			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0404 90 39 150		118,10	0405 00 19 500		156,10
0404 90 51 100		0,6000	0405 00 19 700		160,00
0404 90 51 910		0,0518	0405 00 90 100		160,00
0404 90 51 950		20,94	0405 00 90 900		206,00
0404 90 53 110		0,6000	0406 10 20 100		—
0404 90 53 130		0,9158	0406 10 20 230	028	—
0404 90 53 150		0,9682		032	—
0404 90 53 170		1,0450		400	33,47
0404 90 53 911		0,0518		404	—
0404 90 53 913		0,1065		...	41,13
0404 90 53 915		0,1594	0406 10 20 290	028	—
0404 90 53 917		0,2458		032	—
0404 90 53 919		0,3693		400	33,47
0404 90 53 931		20,94		404	—
0404 90 53 933		25,30		...	41,13
0404 90 53 935		33,90	0406 10 20 610	028	11,58
0404 90 53 937		35,31		032	11,58
0404 90 59 130		1,0531		036	—
0404 90 59 150		1,1539		038	—
0404 90 59 930		0,5279		400	74,79
0404 90 59 950		0,7572		404	—
0404 90 59 990		0,8630		...	76,73
0404 90 91 100		0,6000	0406 10 20 620	028	17,15
0404 90 91 910		0,0518		032	17,15
0404 90 91 950		20,94		036	—
0404 90 93 110		0,6000		038	—
0404 90 93 130		0,9158		400	82,46
0404 90 93 150		0,9682		404	—
0404 90 93 170		1,0450		...	84,13
0404 90 93 911		0,0518	0406 10 20 630	028	20,58
0404 90 93 913		0,1065		032	20,58
0404 90 93 915		0,1594		036	—
0404 90 93 917		0,2458		038	—
0404 90 93 919		0,3693		400	93,72
0404 90 93 931		20,94		404	—
0404 90 93 933		25,30		...	94,99
0404 90 93 935		33,90	0406 10 20 640	028	—
0404 90 93 937		35,31		032	—
0404 90 99 130		1,0531		036	—
0404 90 99 150		1,1539		038	—
0404 90 99 930		0,5279		400	111,46
0404 90 99 950		0,7572		404	—
0404 90 99 990		0,8630		...	111,46
0405 00 11 200		120,98	0406 10 20 650	028	23,58
0405 00 11 300		152,20		032	23,58
0405 00 11 500		156,10		036	—
0405 00 11 700		160,00		038	—
0405 00 19 200		120,98		400	55,73
0405 00 19 300		152,20		404	—
				...	116,04

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 10 20 660		—	0406 30 10 200	028	—
0406 10 20 810	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	37,31
	400	18,06		404	—
	404	—		...	41,74
	...	18,06	0406 30 10 250	028	—
0406 10 20 830	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	37,31
	400	30,84		404	—
	404	—		...	41,74
	...	30,84	0406 30 10 300	028	—
0406 10 20 850	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	54,78
	400	37,40		404	—
	404	—		...	61,24
	...	37,40	0406 30 10 350	028	—
0406 10 20 870		—		032	—
0406 10 20 900		—		036	—
0406 20 90 100		—		038	—
0406 20 90 913	028	—		400	37,31
	032	—		404	—
	400	72,83		...	41,74
	404	—	0406 30 10 400	028	—
	...	72,83		032	—
0406 20 90 915	028	—		036	—
	032	—		038	—
	400	97,10		400	54,78
	404	—		404	—
	...	97,10		...	61,24
0406 20 90 917	028	—	0406 30 10 450	028	—
	032	—		032	—
	400	103,16		036	—
	404	—		038	—
	...	103,16		400	79,76
0406 20 90 919	028	—		404	—
	032	—		...	89,12
	400	115,31	0406 30 10 500	028	—
	404	—	0406 30 10 550	032	—
	...	115,31		036	—
0406 20 90 990		—		038	—
0406 30 10 100		—		400	37,31
0406 30 10 150	028	—		404	17,15
	032	—		...	41,74
	036	—	0406 30 10 600	028	—
	038	—		032	—
	400	17,18		036	—
	404	—		038	—
	...	19,58		400	54,78
				404	24,01
				...	61,24

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 30 10 650	028	—	0406 30 31 730	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	79,76		400	54,78
	404	—		404	—
	...	89,12		...	61,24
0406 30 10 700	028	—	0406 30 31 910	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	79,76		400	37,31
	404	—		404	—
	...	89,12		...	41,74
0406 30 10 750	028	—	0406 30 31 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	97,35		400	54,78
	404	—		404	—
	...	108,78		...	61,24
0406 30 10 800	028	—	0406 30 31 950	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	97,35		400	79,76
	404	—		404	—
	...	108,78		...	89,12
0406 30 31 100	028	—	0406 30 39 100	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	97,35		400	37,31
	404	—		404	17,15
	...	108,78		...	41,74
0406 30 31 300	028	—	0406 30 39 300	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	17,18		400	54,78
	404	—		404	24,01
	...	19,58		...	61,24
0406 30 31 500	028	—	0406 30 39 500	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	37,31		400	54,78
	404	—		404	24,01
	...	41,74		...	61,24
0406 30 31 710	028	—	0406 30 39 700	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	37,31		400	79,76
	404	—		404	—
	...	41,74		...	89,12
	028	—	0406 30 39 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	37,31		400	79,76
	404	—		404	—
	...	41,74		...	89,12

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 39 950	028	—	0406 90 21 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	97,35		400	111,46
	404	—		404	—
	...	108,78		...	130,06
0406 30 90 000	028	—	0406 90 23 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	97,35		400	55,73
	404	—		404	—
	...	108,78		...	116,04
0406 40 50 000	028	—	0406 90 25 900	028	—
	032	—		032	—
	038	—		036	—
	400	102,89		038	—
	404	—		400	55,73
	...	108,46		404	—
				...	116,04
0406 40 90 000	028	—	0406 90 27 900	028	—
	032	—		032	—
	038	—		036	—
	400	102,89		038	—
	404	—		400	48,13
	...	108,46		404	—
				...	98,34
0406 90 13 000	028	—	0406 90 31 119	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	12,86
	400	111,46		400	53,57
	404	—		404	13,72
	...	136,61		...	77,13
0406 90 15 100	028	—	0406 90 31 151	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	111,46		400	50,07
	404	—		404	12,83
	...	136,61		...	71,88
0406 90 15 900		—	0406 90 31 159		—
0406 90 17 100	028	—		028	—
	032	—	0406 90 33 119	032	—
	036	—		036	—
	038	—		038	12,86
	400	111,46		400	53,57
	404	—		404	13,72
	...	136,61		...	77,13
0406 90 17 900		—			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 33 151	028	—	0406 90 69 910	028	—
	032	—		032	—
	036	—		036	60,02
	038	—		400	128,61
	400	50,07		404	68,59
	404	12,83		...	141,46
	...	71,88	0406 90 73 900	028	—
0406 90 33 919	028	—		032	—
	032	—		036	36,58
	036	—		400	129,47
	038	12,86		404	102,89
	400	53,57		...	129,47
	404	13,72	0406 90 75 900	028	—
	...	77,13		032	—
0406 90 33 951	028	—		036	—
	032	—		400	55,73
	036	—		404	—
	038	—		...	108,00
	400	50,07	0406 90 76 100	028	20,58
	404	12,83		032	20,58
	...	71,88		036	—
0406 90 35 190	028	—		038	—
	032	—		400	50,39
	036	36,58		404	—
	400	135,93		...	94,99
	404	77,17	0406 90 76 300	028	—
	...	135,93		032	—
0406 90 35 990	028	—		036	—
	032	—		038	—
	036	—		400	55,73
	038	—		404	—
	400	111,46		...	116,04
	404	—	0406 90 76 500	028	—
	...	111,46		032	—
0406 90 61 000	028	—		036	—
	032	—		038	—
	036	77,17		400	64,31
	400	158,61		404	—
	404	120,03		...	116,04
	...	158,61	0406 90 78 100	028	20,58
0406 90 63 100	028	—		032	20,58
	032	—		036	—
	036	90,05		038	—
	400	181,86		400	50,39
	404	137,18		404	—
	...	181,86		...	94,99
0406 90 63 900	028	—	0406 90 78 300	028	—
	032	—		032	—
	036	60,02		036	—
	400	128,61		038	—
	404	68,59		400	55,73
	...	141,46		404	—
0406 90 69 100	—	—		...	116,04

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 78 500	028	—	0406 90 86 300	028	17,15
	032	—		032	17,15
	036	—		036	—
	038	—		038	—
	400	64,31		400	82,46
	404	—		404	—
	...	116,04		...	84,13
0406 90 79 900	028	—	0406 90 86 400	028	20,58
	032	—		032	20,58
	036	—		036	—
	038	—		038	—
	400	48,13		400	93,72
	404	—		404	—
	...	98,34		...	94,99
0406 90 81 900	028	—	0406 90 86 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	111,46		400	111,46
	404	—		404	—
	...	111,46		...	111,46
0406 90 85 910	028	—	0406 90 87 100		—
	032	—			—
	036	36,58	0406 90 87 200	028	11,58
	400	135,93		032	11,58
	404	77,17		036	—
	...	135,93		038	—
				400	76,73
0406 90 85 991	028	—	0406 90 87 300	404	—
	032	—		...	76,73
	036	—		028	17,15
	038	—		032	17,15
	400	111,46		036	—
	404	—		038	—
	...	111,46		400	82,46
0406 90 85 995	028	23,58	0406 90 87 400	404	—
	032	23,58		...	84,13
	036	—		028	20,58
	038	—		032	20,58
	400	55,73		036	—
	404	—		038	—
	...	116,04		400	93,72
0406 90 85 999		—	0406 90 87 951	404	—
0406 90 86 100		—		...	94,99
0406 90 86 200	028	11,58		028	—
	032	11,58		032	—
	036	—		036	36,58
	038	—		400	129,47
	400	76,73		404	77,17
	404	—		...	129,47
	...	76,73			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 87 971	028	23,58	2309 10 19 010		—
	032	23,58	2309 10 19 100		—
	036	—	2309 10 19 200		0,22
	038	—	2309 10 19 300		0,29
	400	63,45	2309 10 19 400		0,37
	404	—	2309 10 19 500		0,45
	...	116,04	2309 10 19 600		0,52
0406 90 87 972	028	—	2309 10 19 700		0,55
	032	—	2309 10 19 800		0,59
	400	33,47	2309 10 70 010		—
	404	—	2309 10 70 100		17,10
0406 90 87 979	...	41,13	2309 10 70 200		22,80
	028	23,58	2309 10 70 300		28,50
	032	23,58	2309 10 70 500		34,20
	036	—	2309 10 70 600		39,90
	038	—	2309 10 70 700		45,60
	400	63,45	2309 10 70 800		50,16
	404	—	2309 90 35 010		—
0406 90 88 100	...	116,04	2309 90 35 100		—
		—	2309 90 35 200		0,22
	028	11,58	2309 90 35 300		0,29
0406 90 88 200	032	11,58	2309 90 35 400		0,37
	036	—	2309 90 35 500		0,45
	038	—	2309 90 35 700		0,52
	400	76,73	2309 90 39 010		—
	404	—	2309 90 39 100		—
	...	76,73	2309 90 39 200		0,22
	028	17,15	2309 90 39 300		0,29
0406 90 88 300	032	17,15	2309 90 39 400		0,37
	036	—	2309 90 39 500		0,45
	038	—	2309 90 39 600		0,52
	400	82,46	2309 90 39 700		0,55
	404	—	2309 90 39 800		0,59
	...	84,13	2309 90 70 010		—
		—	2309 90 70 100		17,10
2309 10 15 010		—	2309 90 70 200		22,80
2309 10 15 100		—	2309 90 70 300		28,50
2309 10 15 200		0,22	2309 90 70 500		34,20
2309 10 15 300		0,29	2309 90 70 600		39,90
2309 10 15 400		0,37	2309 90 70 700		45,60
2309 10 15 500		0,45	2309 90 70 800		50,16
2309 10 15 700		0,52			

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 3478/93 (OJ No L 317, 18. 12. 1993, p. 32). For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 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 product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 962/94

of 28 April 1994

fixing the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1544/93 ⁽⁴⁾, and in particular Article 12 (4) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on products processed from cereals and rice are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92 and Article 12 (1) (a) of Regulation (EEC) No 1418/76; whereas Article 2 of Commission Regulation (EEC) No 1620/93 of 25 June 1993 on the import and export system for products processed from cereals and rice ⁽⁵⁾, provides that the incidence on the prime costs of these products of the levies applicable to their basic products should be calculated on the basis of the average of the levies applicable to these basic products for the first 25 days of the month preceding that of importation; whereas this average, adjusted on the basis of the threshold price valid for the basic products in question during the month of importation is calculated on the basis of the quantities of basic products considered to have been used in the manufacture of the processed product or the competing product which serves as a reference for processed products not containing cereals;

Whereas Commission Regulation (EEC) No 1579/74 of 24 June 1974 on the procedure for calculating the import levy on products processed from cereals and from rice and for the advance fixing of this levy for these products and for compound feedingstuffs manufactured from cereals ⁽⁶⁾, as last amended by Regulation (EEC) No

1740/78 ⁽⁷⁾, provides that the levy thus determined, increased by the fixed component, is altered where the levy applicable to the basic product concerned differs by not less than ECU 3,02 per tonne from the average of the levies calculated as described above;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States ⁽⁸⁾, as last amended by Regulation (EC) No 235/94 ⁽⁹⁾;

Whereas Article 3 (4) of Council Regulation (EEC) No 3763/91 ⁽¹⁰⁾, as amended by Regulation (EEC) No 3714/92 ⁽¹¹⁾, allows that within the limit of an annual quantity of 8 000 tonnes, the levy shall not be applied to imports into the French department of Réunion of wheat bran falling within CN code 2302 30 from the African, Caribbean and Pacific (ACP) States;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹²⁾ no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries ⁽¹³⁾, as last amended by Regulation (EC) No 3668/93 ⁽¹⁴⁾, reduces by 50 % the levy on importation into the Community of products of CN code 1108 13 00, within the limit of a fixed amount of 5 000 tonnes a year;

⁽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 155, 26. 6. 1993, p. 29.

⁽⁶⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁷⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽⁸⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁹⁾ OJ No L 30, 3. 2. 1994, p. 12.

⁽¹⁰⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽¹¹⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽¹²⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽¹³⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽¹⁴⁾ OJ No L 338, 31. 12. 1993, p. 22.

Whereas Council Regulation (EEC) No 430/87 of 9 February 1987 concerning the import arrangements applicable to products falling within CN codes 0714 10 and 0714 90 originating in certain third countries⁽¹⁾, as last amended by Regulation (EEC) No 3909/92⁽²⁾, lay down the terms on which the import levy is limited to 6 % *ad valorem*;

Whereas Council Regulation (EEC) No 2730/75 of 29 October 1975 on glucose and lactose⁽³⁾, as amended by Regulation (EEC) No 222/88⁽⁴⁾, stipulates that the treatment provided for glucose and glucose syrup falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 by Regulation (EEC) No 1766/92 it is to be extended to glucose and glucose syrup falling within CN codes 1702 30 51 and 1702 30 59; whereas consequently the levy fixed for products falling within CN codes 1702 30 91, 1702 30 99 and 1702 40 90 also applies to products falling within CN codes 1702 30 51 and 1702 30 59; whereas, to ensure that the provision in question is properly applied, these products and the levy thereon should be explicitly mentioned in the list of levies;

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⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 43, 13. 2. 1987, p. 9.
⁽²⁾ OJ No L 394, 31. 12. 1992, p. 23.
⁽³⁾ OJ No L 281, 1. 11. 1975, p. 20.
⁽⁴⁾ OJ No L 28, 1. 2. 1988, 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 28 April 1994 fixing the import levies on products
processed from cereals and rice

(ECU/tonne)			(ECU/tonne)		
CN code	Import levies (°)		CN code	Import levies (°)	
	ACP	Third countries (other than ACP)		ACP	Third countries (other than ACP)
0714 10 10 (°)	121,39	128,04	1104 22 90	102,12	105,14
0714 10 91	125,02 (°) (°)	125,02	1104 23 10	155,81	158,83
0714 10 99	123,21	128,04	1104 23 30	155,81	158,83
0714 90 11	125,02 (°) (°)	125,02	1104 23 90	99,33	102,35
0714 90 19	123,21 (°)	128,04	1104 29 11	128,54	131,56
1102 20 10	175,28	181,32	1104 29 15	161,44	164,46
1102 20 90	99,33	102,35	1104 29 19	168,22	171,24
1102 30 00	112,52	115,54	1104 29 31	154,64	157,66
1102 90 10	225,04	231,08	1104 29 35	194,21	197,23
1102 90 30	180,22	186,26	1104 29 39	168,22	171,24
1102 90 90	107,24	110,26	1104 29 91	98,58	101,60
1103 12 00	180,22	186,26	1104 29 95	123,81	126,83
1103 13 10	175,28	181,32	1104 29 99	107,24	110,26
1103 13 90	99,33	102,35	1104 30 10	72,49	78,53
1103 14 00	112,52	115,54	1104 30 90	73,04	79,08
1103 19 10	218,48	224,52	1106 20 10	121,39 (°)	128,04
1103 19 30	225,04	231,08	1106 20 90	153,15 (°)	177,33
1103 19 90	107,24	110,26	1108 11 00	212,63	233,18
1103 21 00	173,97	180,01	1108 12 00	156,78	177,33
1103 29 10	218,48	224,52	1108 13 00	156,78	177,33 (°)
1103 29 20	225,04	231,08	1108 14 00	78,39	177,33
1103 29 30	180,22	186,26	1108 19 10	161,35	192,18
1103 29 40	175,28	181,32	1108 19 90	78,39 (°)	177,33
1103 29 50	112,52	115,54	1109 00 00	386,60	567,94
1103 29 90	107,24	110,26	1702 30 51	204,50	301,22
1104 11 10	127,52	130,54	1702 30 59	156,78	223,27
1104 11 90	250,04	256,08	1702 30 91	204,50	301,22
1104 12 10	102,12	105,14	1702 30 99	156,78	223,27
1104 12 90	200,24	206,28	1702 40 90	156,78	223,27
1104 19 10	173,97	180,01	1702 90 50	156,78	223,27
1104 19 30	218,48	224,52	1702 90 75	214,24	310,96
1104 19 50	175,28	181,32	1702 90 79	148,99	215,48
1104 19 91	191,07	197,11	2106 90 55	156,78	223,27
1104 19 99	189,25	195,29	2302 10 10	44,67	50,67
1104 21 10	200,03	203,05	2302 10 90	95,72	101,72
1104 21 30	200,03	203,05	2302 20 10	44,67	50,67
1104 21 50	312,55	318,59	2302 20 90	95,72	101,72
1104 21 90	127,52	130,54	2302 30 10	44,67 (°)	50,67
1104 22 10 10 (°)	102,12	105,14	2302 30 90	95,72 (°)	101,72
1104 22 10 90 (°)	180,22	183,24	2302 40 10	44,67	50,67
1104 22 30	180,22	183,24	2302 40 90	95,72	101,72
1104 22 50	160,19	163,21	2303 10 11	194,76	376,10

-
- (¹) 6 % *ad valorem*, subject to certain conditions.
- (²) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States :
- products falling within CN code ex 0714 10 91,
 - products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
 - flours and meal of arrow-root falling within CN code 1106 20,
 - arrow-root starch falling within CN code 1108 19 90.
- (³) Taric code : clipped oats.
- (⁴) Taric code : CN code 1104 22 10, other than 'clipped oats'.
- (⁵) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.
- (⁶) In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments originating in the African, Caribbean and Pacific States.
- (⁷) No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.
- (⁸) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.
-

COMMISSION REGULATION (EC) No 963/94
of 28 April 1994
fixing the import levies on compound feedingstuffs

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 11 (3) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92; whereas Article 4 of Commission Regulation (EEC) No 1619/93 of 25 June 1993 on the arrangements applicable to cereal-based compound feedingstuffs⁽³⁾ provides that the incidence on the prime costs of those feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the sum of the amounts equal to the average levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products, maize and milk powder, considered to have been used in the manufacture of such compound feedingstuffs, the averages being adjusted on the basis of the threshold price for the basic products in question applicable during the month of importation;

Whereas the fixed component is laid down in Article 6 of Regulation (EEC) No 1619/93;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁴⁾, as last amended by Regulation (EC) No 235/94⁽⁵⁾;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁶⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992⁽⁷⁾; whereas Commission Regulation (EEC) No 1267/93⁽⁸⁾, lays down detailed rules for the application of the import arrangements for these products originating in Sweden;

Whereas equally account must be taken of Council Regulation (EC) No 3641/93 of 20 December 1993, on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Bulgaria, of the other part⁽⁹⁾; whereas Commission Regulation (EC) No 623/94⁽¹⁰⁾, for the importation of products falling within CN codes 2309 90 31 and 2309 90 41 originating in Bulgaria;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹¹⁾, as amended by Regulation (EC) No 3528/93⁽¹²⁾, 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⁽¹³⁾, as amended by Regulation (EC) No 547/94⁽¹⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 1619/93 and subject to Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1994.

⁽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. 24.
⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.
⁽⁵⁾ OJ No L 30, 3. 2. 1994, p. 12.
⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁷⁾ OJ No L 109, 1. 5. 1993, p. 1.
⁽⁸⁾ OJ No L 129, 27. 5. 1993, p. 14.
⁽⁹⁾ OJ No L 333, 31. 12. 1993, p. 16.
⁽¹⁰⁾ OJ No L 78, 22. 3. 1994, p. 7.
⁽¹¹⁾ OJ No L 387, 31. 12. 1992, p. 1.
⁽¹²⁾ OJ No L 320, 22. 12. 1993, p. 32.
⁽¹³⁾ OJ No L 108, 1. 5. 1993, p. 106.
⁽¹⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.

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

Done at Brussels, 28 April 1994.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 28 April 1994 fixing the import levies on compound feedingstuffs

(ECU/tonne)

CN code	Levies ⁽¹⁾	
	ACP	Third countries (other than ACP)
2309 10 11	15,58	26,46 ⁽²⁾
2309 10 13	571,73	582,61 ⁽²⁾
2309 10 31	48,69	59,57 ⁽²⁾ ⁽³⁾
2309 10 33	604,84	615,72 ⁽²⁾
2309 10 51	97,38	108,26 ⁽²⁾
2309 10 53	653,53	664,41 ⁽²⁾
2309 90 31	15,58	26,46
2309 90 33	571,73	582,61
2309 90 41	48,69	59,57 ⁽³⁾
2309 90 43	604,84	615,72
2309 90 51	97,38	108,26
2309 90 53	653,53	664,41

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

⁽²⁾ The levy may be reduced in accordance with the Agreement between the Community and Sweden (OJ No L 109, 1. 5. 1993) and Regulation (EEC) No 1267/93 (OJ No L 129, 27. 5. 1993).

⁽³⁾ The levy may be reduced in accordance with the Agreement between the Community and Bulgaria (OJ No L 333, 31. 12. 1993, p. 16) and Regulation (EC) No 623/94 (OJ No L 78, 22. 3. 1994, p. 7).

COMMISSION REGULATION (EC) No 964/94

of 28 April 1994

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular the third subparagraph of Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 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 in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of 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⁾, amended by Regulation (EC) No 120/94⁽⁴⁾;

Whereas export possibilities exist for a quantity of 50 000 tonnes of soft wheat flour to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89⁽⁵⁾, as last amended by Regulation (EC) No 3579/93⁽⁶⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EEC) No 1533/93;

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 the refund must be fixed 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⁽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 it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93⁽¹¹⁾ 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,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 April 1994.

⁽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 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 326, 28. 12. 1993, p. 15.

⁽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.

⁽¹¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 April 1994 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾	Product code	Destination ⁽¹⁾	Amount of refund ⁽²⁾
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 00 100	02	45,00
1001 10 00 400	01	0		05	88,00 ⁽⁴⁾
1001 90 91 000	—	—	1101 00 00 130	01	42,00
1001 90 99 000	03	57,00	1101 00 00 150	01	37,00
	02	15,00	1101 00 00 170	01	33,00
1002 00 00 000	03	25,00	1101 00 00 180	01	29,00
	02	15,00	1101 00 00 190	—	—
1003 00 10 000	—	—	1101 00 00 900	—	—
1003 00 90 000	03	64,00	1102 10 00 500	01	71,00
	02	15,00	1102 10 00 700	—	—
1004 00 00 200	—	—	1102 10 00 900	—	—
1004 00 00 400	—	—	1103 11 10 200	01	0 ⁽³⁾
1005 10 90 000	—	—	1103 11 10 400	01	0 ⁽³⁾
1005 90 00 000	03	45,00	1103 11 10 900	—	—
	04	15,00	1103 11 90 200	01	0 ⁽³⁾
	02	0	1103 11 90 800	—	—

⁽¹⁾ The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 04 Zones I, II a), b) and c), III a) and b), V, VI and VIII and Cuba,
- 05 Cuba.

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

⁽³⁾ No refund is granted when this product contains compressed meal.

⁽⁴⁾ Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of a quantity of 50 000 tonnes of soft wheat flour for export to Cuba.

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

COMMISSION REGULATION (EC) No 965/94
of 28 April 1994
fixing the corrective amount applicable to the refund on 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 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 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 products listed 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 world market situation or the specific requirements of certain markets may make it necessary to vary the corrective amount according to destination;

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

Done at Brussels, 28 April 1994.

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 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 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 28 April 1994 fixing the corrective amount applicable to the refund on cereals

Product code	Destination (1)	(ECU/tonne)						
		Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		4	5	6	7	8	9	10
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	01	0	- 1,425	- 2,85	- 4,275	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	- 30,00	- 30,00	—	—
1002 00 00 000	01	0	0	0	- 30,00	- 30,00	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	- 30,00	- 30,00	- 30,00	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	- 30,00	- 30,00	—	—
1101 00 00 130	01	0	0	0	- 30,00	- 30,00	—	—
1101 00 00 150	01	0	0	0	- 30,00	- 30,00	—	—
1101 00 00 170	01	0	0	0	- 30,00	- 30,00	—	—
1101 00 00 180	01	0	0	0	- 30,00	- 30,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	- 30,00	- 30,00	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 400	01	0	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	- 50,00	- 50,00	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EC) No 966/94

of 28 April 1994

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Commission 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 the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations 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⁽⁵⁾ laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds, provide 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 cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 4 of Council Regulation (EEC) No 1620/93⁽⁶⁾ on the import and export system for products processed from cereals and from rice defines the specific

criteria to be taken into account when the refund on these products is being calculated;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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

Whereas Council Regulation (EEC) No 990/93⁽¹¹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

⁽¹⁾ OJ No L 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 166, 25. 6. 1976, p. 36.

⁽⁶⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽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.

⁽¹¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

Whereas certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

Whereas, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The refunds on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1766/92 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 1620/93 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 29 April 1994.

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 April 1994 fixing the export refunds on products processed from cereals and rice

(ECU/tonne)		(ECU/tonne)	
Product code	Refund (1)	Product code	Refund (1)
1102 20 10 100 (2)	59,75	1104 23 10 300	49,08
1102 20 10 300 (2)	51,22	1104 29 11 000	42,43
1102 20 90 100 (2)	51,22	1104 29 91 000	41,60
1102 90 10 100	115,92	1104 29 95 000	41,60
1102 90 10 900	78,83	1104 30 10 000	10,40
1102 90 30 100	76,88	1104 30 90 000	10,67
1103 12 00 100	76,88	1107 10 11 000	74,05
1103 13 10 100 (2)	76,82	1107 10 91 000	137,56
1103 13 10 300 (2)	59,75	1108 11 00 200	83,20
1103 13 10 500 (2)	51,22	1108 11 00 300	83,20
1103 13 90 100 (2)	51,22	1108 12 00 200	68,29
1103 19 10 000	41,60	1108 12 00 300	68,29
1103 19 30 100	119,78	1108 13 00 200	68,29
1103 21 00 000	42,43	1108 13 00 300	68,29
1103 29 20 000	78,83	1108 19 10 200	85,99
1104 11 90 100	115,92	1108 19 10 300	85,99
1104 12 90 100	85,42	1109 00 00 100	0,00
1104 12 90 300	68,34	1702 30 51 000 (2)	89,20
1104 19 10 000	42,43	1702 30 59 000 (2)	68,29
1104 19 50 110	68,29	1702 30 91 000	89,20
1104 19 50 130	55,48	1702 30 99 000	68,29
1104 21 10 100	115,92	1702 40 90 000	68,29
1104 21 30 100	115,92	1702 90 50 100	89,20
1104 21 50 100	154,56	1702 90 50 900	68,29
1104 21 50 300	123,65	1702 90 75 000	93,47
1104 22 10 100	68,34	1702 90 79 000	64,87
1104 22 30 100	72,61	2106 90 55 000	68,29
1104 23 10 100	64,02		

(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.

(2) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

(3) Refunds are granted in accordance with Regulation (EEC) No 2730/75.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 607/94 (OJ No L 77, 19. 3. 1994, p. 1).

COMMISSION REGULATION (EC) No 967/94

of 28 April 1994

fixing the export refunds on cereal-based compound feedingstuffs

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 the third subparagraph of Article 13 (4) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 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 Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽³⁾, as last amended by Regulation (EC) No 607/94⁽⁴⁾, provides that calculation of the export refund must take account of, in particular, the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas, under the terms of Article 4 of Commission Regulation (EEC) No 1619/93⁽⁵⁾, the refund may be varied on the basis of the destination;

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

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, pursuant to the abovementioned provisions, the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 1766/92 and subject to Regulation (EEC) No 1619/93 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 29 April 1994.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 246, 30. 9. 1969, p. 11.

⁽⁴⁾ OJ No L 77, 19. 3. 1994, p. 5.

⁽⁵⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽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.

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

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 April 1994 fixing the export refunds on cereal-based compound feedingstuffs

(ECU/tonne)		(ECU/tonne)	
Product code	Amount of refund (')	Product code	Amount of refund (')
2309 10 11 110	2,13	2309 90 53 290	5,39
2309 10 13 110	2,13	2309 10 11 310	8,54
2309 10 31 110	2,13	2309 10 13 310	8,54
2309 10 33 110	2,13	2309 10 31 310	8,54
2309 10 51 110	2,13	2309 10 33 310	8,54
2309 10 53 110	2,13	2309 10 51 310	8,54
2309 90 31 110	2,13	2309 10 53 310	8,54
2309 90 33 110	2,13	2309 90 31 310	8,54
2309 90 41 110	2,13	2309 90 33 310	8,54
2309 90 43 110	2,13	2309 90 41 310	8,54
2309 90 51 110	2,13	2309 90 43 310	8,54
2309 90 53 110	2,13	2309 90 51 310	8,54
2309 10 11 190	2,69	2309 90 53 310	8,54
2309 10 13 190	2,69	2309 10 11 390	10,77
2309 10 31 190	2,69	2309 10 13 390	10,77
2309 10 33 190	2,69	2309 10 31 390	10,77
2309 10 51 190	2,69	2309 10 33 390	10,77
2309 10 53 190	2,69	2309 10 51 390	10,77
2309 90 31 190	2,69	2309 10 53 390	10,77
2309 90 33 190	2,69	2309 90 31 390	10,77
2309 90 41 190	2,69	2309 90 33 390	10,77
2309 90 43 190	2,69	2309 90 41 390	10,77
2309 90 51 190	2,69	2309 90 43 390	10,77
2309 90 53 190	2,69	2309 90 51 390	10,77
2309 10 11 210	4,27	2309 90 53 390	10,77
2309 10 13 210	4,27	2309 10 31 410	12,80
2309 10 31 210	4,27	2309 10 33 410	12,80
2309 10 33 210	4,27	2309 10 51 410	12,80
2309 10 51 210	4,27	2309 10 53 410	12,80
2309 10 53 210	4,27	2309 90 41 410	12,80
2309 90 31 210	4,27	2309 90 43 410	12,80
2309 90 33 210	4,27	2309 90 51 410	12,80
2309 90 41 210	4,27	2309 90 53 410	12,80
2309 90 43 210	4,27	2309 10 31 490	16,16
2309 90 51 210	4,27	2309 10 33 490	16,16
2309 90 53 210	4,27	2309 10 51 490	16,16
2309 10 11 290	5,39	2309 10 53 490	16,16
2309 10 13 290	5,39	2309 90 41 490	16,16
2309 10 31 290	5,39	2309 90 43 490	16,16
2309 10 33 290	5,39	2309 90 51 490	16,16
2309 10 51 290	5,39	2309 90 53 490	16,16
2309 10 53 290	5,39	2309 10 31 510	17,07
2309 90 31 290	5,39	2309 10 33 510	17,07
2309 90 33 290	5,39	2309 10 51 510	17,07
2309 90 41 290	5,39	2309 10 53 510	17,07
2309 90 43 290	5,39	2309 90 41 510	17,07
2309 90 51 290	5,39	2309 90 43 510	17,07

(ECU/tonne)		(ECU/tonne)	
Product code	Amount of refund (°)	Product code	Amount of refund (°)
2309 90 51 510	17,07	2309 10 53 690	26,93
2309 90 53 510	17,07	2309 90 41 690	26,93
2309 10 31 590	21,54	2309 90 43 690	26,93
2309 10 33 590	21,54	2309 90 51 690	26,93
2309 10 51 590	21,54	2309 90 53 690	26,93
2309 10 53 590	21,54	2309 10 51 710	25,61
2309 90 41 590	21,54	2309 10 53 710	25,61
2309 90 43 590	21,54	2309 90 51 710	25,61
2309 90 51 590	21,54	2309 90 53 710	25,61
2309 90 53 590	21,54	2309 10 51 790	32,31
2309 10 31 610	21,34	2309 10 53 790	32,31
2309 10 33 610	21,34	2309 90 51 790	32,31
2309 10 51 610	21,34	2309 90 53 790	32,31
2309 10 53 610	21,34	2309 10 51 810	29,88
2309 90 41 610	21,34	2309 10 53 810	29,88
2309 90 43 610	21,34	2309 90 51 810	29,88
2309 90 51 610	21,34	2309 90 53 810	29,88
2309 90 53 610	21,34	2309 10 51 890	37,70
2309 10 31 690	26,93	2309 10 53 890	37,70
2309 10 33 690	26,93	2309 90 51 890	37,70
2309 10 51 690	26,93	2309 90 53 890	37,70

(°) 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), as last amended by Regulation (EC) No 607/94 (OJ No L 77, 19. 3. 1994, p. 5).

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

COMMISSION REGULATION (EC) No 968/94
of 28 April 1994
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992, on the common organization of the market in cereals⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 7(3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1544/93⁽⁴⁾, and in particular Article 9(3) thereof,

Having regard to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors⁽⁵⁾, and in particular Article 3 thereof,

Whereas Regulation (EEC) No 1722/93 establishes the conditions for granting the production refund; whereas the basis for the calculation is established in Article 3 of the said Regulation; whereas the refund thus calculated must be fixed once a month and may be altered if the price of maize or wheat changes significantly;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the Annex II to Regulation (EEC) No 1722/93 to establish the exact amount payable;

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

HAS ADOPTED THIS REGULATION:

Article 1

The production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1722/93 shall be ECU 51,46 per tonne.

Article 2

This Regulation shall enter into force on 29 April 1994.

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

Done at Brussels, 28 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 112.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 9 December 1993

concerning the exchange of letters between the European Community and the Republic of Austria regarding the exchange of letters on agriculture of 1972 on the granting of a reduction of customs duties for quality wines, put up in bottles, originating in the Community

(Text with EEA relevance)

(94/222/EC)

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

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1566/93 ⁽²⁾, and in particular Article 71 thereof,

Whereas, under the terms of the exchanges of letters of 21 July 1972 and 14 July 1986 between the Community and Austria, Austria grants under certain conditions a reduction in customs duties for quality wines, put up in bottles, originating in the Community; whereas the technical details concerning such a reduction were set out in an exchange of letters of 23 December 1988 between the Community and Austria;

Whereas the Agreement on the European Economic Area, hereinafter called the 'EEA Agreement', was signed between the Community and its Member States, on the one hand, and the States of the European Free Trade Agreement, on the other; whereas, pursuant to Protocol 47 thereof concerning the abolition of technical barriers to trade in wine products, the intra-Community rules on accompanying documents for carriage of wine products, specified in Regulation (EEC) No 986/89 ⁽³⁾, as last amended by Regulation (EEC) No 592/91 ⁽⁴⁾, will be extended to the EEA; whereas it is appropriate in the

light of this new situation to amend and replace the aforementioned 1988 exchange of letters by a new exchange of letters which should enter into force at the same time as the EEA Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The exchange of letters between the European Community and the Republic of Austria regarding the exchange of letters on agriculture of 1972 on the granting of a reduction of customs duties for quality wines, put up in bottles, originating in the Community is hereby approved.

The text of the exchange of letters is annexed to this Decision.

Article 2

The text of the exchange of letters referred to in Article 1 shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 9 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 39.

⁽³⁾ OJ No L 106, 18. 4. 1989, p. 1.

⁽⁴⁾ OJ No L 66, 13. 3. 1991, p. 13.

EXCHANGE OF LETTERS

regarding the exchange of letters on agriculture of 1972 on the granting of customs duty reductions for Community quality wine in bottles

I. Letter from the Austrian Federal Government

Brussels,

Sir,

I refer to the customs duty reduction for quality wines originating in the Community which Austria granted in the exchanges of notes of 21 July 1972 and 14 July 1986 between the European Economic Community and Austria. The reduction was, among other things, made dependent on this wine being imported in bottles with an alcohol content of 18 % vol or less and on the bottles being sealed with corks of 2 cm or more in length. The exchange of letters of 23 December 1988 between the Commission and the Austrian Mission to the European Communities laid down the technical details concerning the granting of such reductions.

Taking into account the negotiations on the EEA Agreement and in accordance with the talks between representatives of the Commission of the European Communities and Austria that took place in connection with these negotiations, I hereby confirm that Austria grants the abovementioned customs duty reduction, without prejudice to the usual conditions applying to the import of wine to Austria and without prejudice to the reciprocal granting of tariff quotas agreed in the context of the EEA Agreement, subject to the following :

1. pursuant to Regulation (EEC) No 823/87, the customs duty reduction applies to wines — with the exception of sparkling wines — originating in the Community, produced in specific regions and imported in containers containing two litres or less, falling within subheading 2204 21 A of the Austrian customs tariff. It is granted irrespective of the alcohol content of quality wines, the material composition of the containers, the form in which they are sealed or the length of the cork used ;
2. wines exported to Austria must be accompanied by an approved commercial document as defined in Commission Regulation (EEC) No 986/89 of 10 April 1989, which must contain, as laid down in Article 9 (2) of this Regulation, a certificate of origin worded as follows :

'This document attests the origin of the quality wine psr set out herein'

The conditions set out in Annex VI (rules of origin) to the Agreement between the EEC and the Republic of Austria on certain agricultural matters, and in particular points 4 (3) and 5 also apply *mutatis mutandis*. The competent Community authorities must validate the statement quoted above by means of a stamp, bearing the date and the signature of the official responsible.

This arrangement comes into effect at the same time as the Agreement on the EEA and replaces the abovementioned exchange of notes of 23 December 1988 between the Commission and the Austrian Mission.

I should be obliged if you would acknowledge receipt of this letter.

Your faithfully,

On behalf of the Austrian Federal Government

II. *Letter from the Commission of the European Communities*

Brussels,

Your Excellency,

I have the honour to acknowledge receipt of your letter of, which reads as follows :

'Sir,

I refer to the customs duty reduction for quality wines originating in the Community which Austria granted in the exchanges of notes of 21 July 1972 and 14 July 1986 between the European Economic Community and Austria. The reduction was, among other things, made dependent on this wine being imported in bottles with an alcohol content of 18 % vol or less and on the bottles being sealed with corks of 2 cm or more in length. The exchange of letters of 23 December 1988 between the Commission and the Austrian Mission to the European Communities laid down the technical details concerning the granting of such reductions.

Taking into account the negotiations on the EEA Agreement and in accordance with the talks between representatives of the Commission of the European Communities and Austria that took place in connection with these negotiations, I hereby confirm that Austria grants the abovementioned customs duty reduction, without prejudice to the usual conditions applying to the import of wine to Austria and without prejudice to the reciprocal granting of tariff quotas agreed in the context of the EEA Agreement, subject to the following :

1. pursuant to Regulation (EEC) No 823/87, the customs duty reduction applies to wines — with the exception of sparkling wines — originating in the Community, produced in specific regions and imported in containers containing two litres or less, falling within subheading 2204 21 A of the Austrian customs tariff. It is granted irrespective of the alcohol content of quality wines, the material composition of the containers, the form in which they are sealed or the length of the cork used ;
2. wines exported to Austria must be accompanied by an approved commercial document as defined in Commission Regulation (EEC) No 986/89 of 10 April 1989, which must contain, as laid down in Article 9 (2) of this Regulation, a certificate of origin worded as follows :

"This document attests the origin of the quality wine set out herein"

The conditions set out in Annex VI (rules of origin) to the Agreement between the EEC and the Republic of Austria on certain agricultural matters, and in particular points 4 (3) and 5 also apply *mutatis mutandis*. The competent Community authorities must validate the statement quoted above by means of a stamp, bearing the date and the signature of the official responsible.

This arrangement comes into effect at the same time as the Agreement on the EEA and replaces the abovementioned exchange of notes of 23 December 1988 between the Commission and the Austrian Mission.

I should be obliged if you would acknowledge receipt of this letter.'

Yours faithfully,

*On behalf of the Commission of the
European Communities*
