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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 969/94
of 26 April 1994
fixing the basic price and the buying-in price for cauliflowers for the period 1 to
31 May 1994

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS REGULATION:

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, and in particular Article 16 (1) thereof,

Having regard to the proposal from the Commission⁽²⁾,

Having regard to the opinion of the European Parliament⁽³⁾,

Whereas, under the terms of Article 16 (1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price must be fixed for each marketing year for each of the products listed in Annex II thereto; whereas cauliflowers harvested during a particular marketing year are marketed from May of that year to April of the following year;

Whereas, to ensure continuity in the application of cauliflower prices, the basic price and the buying-in price for cauliflowers must be fixed for the period from 1 to 31 May 1994,

Article 1

1. The basic price and the buying-in price for cauliflowers for the period 1 to 31 May 1994 shall be as follows:

- basic price: ECU 30,57 per 100 kilograms net,
- buying-in price: ECU 13,30 per 100 kilograms net.

2. The prices referred to in paragraph 1 shall be for packed 'trimmed' cauliflowers of Quality Class I.

3. The prices referred to in paragraph 1 shall not include the cost of the packaging in which the product is presented.

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 Luxembourg, 26 April 1994.

For the Council

The President

G. MORAITIS

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1. Regulation as last amended by Regulation (EC) No 3669/93 (OJ No L 338, 31. 12. 1993, p. 26).

⁽²⁾ OJ No C 83, 19. 3. 1994, p. 43.

⁽³⁾ Opinion delivered on 21 April 1994 (not yet published in the Official Journal).

COMMISSION REGULATION (EC) No 970/94
of 29 April 1994
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2666/93 ⁽⁵⁾, as last amended by Regulation (EC) No 890/94 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 4.

⁽⁶⁾ OJ No L 104, 23. 4. 1994, p. 1.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ⁽⁶⁾		
	Arrangement in Regulation (EEC) No 3877/86 ⁽¹⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Third countries (except ACP) ⁽⁵⁾
1006 10 21	—	147,65	302,50
1006 10 23	—	139,49	286,18
1006 10 25	—	139,49	286,18
1006 10 27	214,64	139,49	286,18
1006 10 92	—	147,65	302,50
1006 10 94	—	139,49	286,18
1006 10 96	—	139,49	286,18
1006 10 98	214,64	139,49	286,18
1006 20 11	—	185,46	378,13
1006 20 13	—	175,26	357,72
1006 20 15	—	175,26	357,72
1006 20 17	268,29	175,26	357,72
1006 20 92	—	185,46	378,13
1006 20 94	—	175,26	357,72
1006 20 96	—	175,26	357,72
1006 20 98	268,29	175,26	357,72
1006 30 21	—	229,71	483,27
1006 30 23	—	276,90	577,58
1006 30 25	—	276,90	577,58
1006 30 27	433,19	276,90	577,58
1006 30 42	—	229,71	483,27
1006 30 44	—	276,90	577,58
1006 30 46	—	276,90	577,58
1006 30 48	433,19	276,90	577,58
1006 30 61	—	244,99	514,69
1006 30 63	—	297,23	619,17
1006 30 65	—	297,23	619,17
1006 30 67	464,38	297,23	619,17
1006 30 92	—	244,99	514,69
1006 30 94	—	297,23	619,17
1006 30 96	—	297,23	619,17
1006 30 98	464,38	297,23	619,17
1006 40 00	—	59,44	124,89

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 971/94**of 29 April 1994****fixing the premiums to be added to the import levies on rice and broken rice**

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2667/93 ⁽³⁾, as last amended by Regulation (EC) No 891/94 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 245, 1. 10. 1993, p. 7.

⁽⁴⁾ OJ No L 104, 23. 4. 1994, p. 3.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 5	1st period 6	2nd period 7	3rd period 8
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EC) No 972/94

of 29 April 1994

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas export possibilities exist for a quantity of 20 000 tonnes of white rice 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 Commission Regulation (EEC) No 1361/76 ⁽⁷⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁸⁾, as amended by Regulation (EC) No 3528/93 ⁽⁹⁾, 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 ⁽¹⁰⁾, as amended by Regulation (EC) No 574/94 ⁽¹¹⁾;

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

Whereas Council Regulation (EEC) No 990/93 ⁽¹²⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 326, 28. 12. 1993, p. 15.

⁽⁶⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽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.

ADOPTED THIS REGULATION :

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

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 29 April 1994 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	202,00	1006 30 65 100	01	253,00
1006 20 13 000	01	202,00		02	259,00
1006 20 15 000	01	202,00		03	264,00
1006 20 17 000	—	—		04	253,00
1006 20 92 000	01	202,00	1006 30 65 900	01	253,00
1006 20 94 000	01	202,00		04	253,00
1006 20 96 000	01	202,00	1006 30 67 100	—	—
1006 20 98 000	—	—	1006 30 67 900	—	—
1006 30 21 000	01	202,00	1006 30 92 100	01	253,00
1006 30 23 000	01	202,00		02	259,00
1006 30 25 000	01	202,00		03	264,00
1006 30 27 000	—	—		04	253,00
1006 30 42 000	01	202,00	1006 30 92 900	01	253,00
1006 30 44 000	01	202,00		04	253,00
1006 30 46 000	01	202,00		05	264,00
1006 30 48 000	—	—	1006 30 94 100	01	253,00
1006 30 61 100	01	253,00		02	259,00
	02	259,00		03	264,00
	03	264,00		04	253,00
	04	253,00	1006 30 94 900	01	253,00
1006 30 61 900	01	253,00		04	253,00
	04	253,00		05	264,00
1006 30 63 100	01	253,00	1006 30 96 100	01	253,00
	02	259,00		02	259,00
	03	264,00		03	264,00
	04	253,00		04	253,00
1006 30 63 900	01	253,00	1006 30 96 900	01	253,00
	04	253,00		04	253,00
				05	264,00
			1006 30 98 100	—	—
			1006 30 98 900	—	—
			1006 40 00 000	—	—

(1) The destinations are identified as follows:

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

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

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

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

05 Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of 20 000 tonnes of white rice destined for Zones I to VIII, excluding Guyana, Surinam, Madagascar, Austria, Liechtenstein and Switzerland.

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

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

COMMISSION REGULATION (EC) No 973/94

of 29 April 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the corrective amount applicable to
the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (1)	Current 5	1st period 6	2nd period 7	3rd period 8
1006 20 11 000	01	0	0	0	0
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	01	0	0	0	0
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	01	0	0	0	0
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	01	0	0	0	0
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 61 900	01	0	0	0	0
	04	0	0	0	0
1006 30 63 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 63 900	01	0	0	0	0
	04	0	0	0	0
1006 30 65 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 65 900	01	0	0	0	0
	04	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 92 900	01	0	0	0	0
	04	0	0	0	0
	05	0	0	0	0
1006 30 94 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 94 900	01	0	0	0	0
	04	0	0	0	0
	05	0	0	0	0
1006 30 96 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0

(ECU/tonne)

Product code	Destination ⁽¹⁾	Current 5	1st period 6	2nd period 7	3rd period 8
1006 30 96 900	01	0	0	0	0
	04	0	0	0	0
	05	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(¹) The destinations are identified as follows:

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

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

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

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

05 Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of 20 000 tonnes of white rice destined for Zones I to VIII, excluding Guyana, Surinam, Madagascar, Austria, Liechtenstein and Switzerland.

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

COMMISSION REGULATION (EC) No 974/94**of 29 April 1994****amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments**

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

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

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EC) No 672/94 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 83, 26. 3. 1994, p. 20.

ANNEX

to the Commission Regulation of 29 April 1994 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	72,00	72,00	72,00	75,00
Barley (1003 00 90)	86,00	86,00	86,00	89,00
Maize (1005 90 00)	66,00	66,00	66,00	72,00
Durum wheat (1001 10 00)	0,00	0,00	0,00	0,00

COMMISSION REGULATION (EC) No 975/94

of 29 April 1994

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

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

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

Whereas the amounts of aid for the supply of cereals
products to the Canary Islands has been settled by
Commission Regulation (EEC) No 1832/92 ⁽³⁾, as last
amended by Regulation (EC) No 673/94 ⁽⁴⁾; whereas, as a
consequence of the changes of the rates and prices for
cereals products in the European part of the Community
and on the world market, the aid for supply to the Canary
Islands should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ No L 83, 26. 3. 1994, p. 22.

ANNEX

to the Commission Regulation of 29 April 1994 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

(Ecu/tonne)

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	69,00
Barley	(1003 00 90)	83,00
Maize	(1005 90 00)	66,00
Durum wheat	(1001 10 00)	0,00
Oats	(1004 00 00)	83,00

COMMISSION REGULATION (EC) No 976/94**of 29 April 1994****amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply
of cereals products from the Community to the Azores and Madeira**

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

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

Whereas the amounts of aid for the supply of cereals
products to the Azores and Madeira has been settled by
Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last
amended by Regulation (EC) No 674/94 ⁽⁴⁾, whereas, as a
consequence of the changes of the rates and prices for
cereals products in the European part of the Community
and on the world market, the aid for supply to the Azores
and Madeira should be set at the amounts given in the
Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 28.

⁽⁴⁾ OJ No L 83, 26. 3. 1994, p. 24.

ANNEX

to the Commission Regulation of 29 April 1994 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

<i>(Ecu/tonne)</i>			
Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	69,00	69,00
Barley	(1003 00 90)	83,00	83,00
Maize	(1005 90 00)	66,00	66,00
Durum wheat	(1001 10 00)	0,00	0,00

COMMISSION REGULATION (EC) No 977/94

of 29 April 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

Done at Brussels, 29 April 1994.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁵⁾ OJ No L 199, 18. 7. 1992, p. 20.

⁽⁶⁾ OJ No L 176, 20. 7. 1993, p. 14.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 29 April 1994 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

Product (CN code)	(ECU/tonne)	
	Amount of aid	
	Canary Islands	
Milled rice (1006 30)	267,00	
Broken rice (1006 40)	59,00	

COMMISSION REGULATION (EC) No 978/94

of 29 April 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

Done at Brussels, 29 April 1994.

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

For the Commission

René STEICHEN

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

ANNEX

to the Commission Regulation of 29 April 1994 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(ECU/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	267,00	267,00

COMMISSION REGULATION (EC) No 979/94

of 29 April 1994

fixing the corrective amount applicable to the refund on malt

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by 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 measures to be taken in the event of disturbance on the market for cereals ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾, allows for the fixing of a corrective amount for the malt referred to in Article 1 (1) (c) of Regulation (EEC) No 1766/92; whereas that corrective amount must be calculated taking account of the factors referred to in Article 2 of Regulation (EEC) No 1533/93;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 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. 11. 1993, p. 32.
⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.
⁽⁸⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current	1st period	2nd period	3rd period	4th period	5th period
	5	6	7	8	9	10
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period	7th period	8th period	9th period	10th period	11th period
	11	12	1	2	3	4
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EC) No 980/94

of 29 April 1994

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 127.

⁽⁶⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽⁷⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽⁸⁾ OJ No L 263, 19. 9. 1991, p. 1.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾, as amended by Regulation (EC) No 3528/93 ⁽²⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽³⁾, as amended by Regulation (EC) No 547/94 ⁽⁴⁾;

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 29 April 1994 fixing the basic amount of the import levy on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,3896	—
1702 20 90	0,3896	—
1702 30 10	—	48,63
1702 40 10	—	48,63
1702 60 10	—	48,63
1702 60 90	0,3896	—
1702 90 30	—	48,63
1702 90 60	0,3896	—
1702 90 71	0,3896	—
1702 90 90	0,3896	—
2106 90 30	—	48,63
2106 90 59	0,3896	—

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

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.
⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.
⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.
⁽⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.

COMMISSION REGULATION (EC) No 981/94

of 29 April 1994

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 874/94 ⁽³⁾, as amended by Regulation (EC) No 929/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 874/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁵⁾, as amended by Regulation (EC) No 3528/93 ⁽⁶⁾, are used to

convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁷⁾, as amended by Regulation (EC) No 547/94 ⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 874/94 are hereby altered to the amounts shown 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, 29 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 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 102, 21. 4. 1994, p. 5.

⁽⁴⁾ OJ No L 107, 28. 4. 1994, p. 2.

⁽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 29 April 1994 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	31,00 ⁽¹⁾
1701 11 90 910	29,87 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	31,00 ⁽¹⁾
1701 12 90 910	29,87 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3370
	— ECU/100 kg —
1701 99 10 100	33,70
1701 99 10 910	33,70
1701 99 10 950	33,70
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3370

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

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

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

COMMISSION REGULATION (EC) No 982/94**of 29 April 1994****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽¹⁾, to the products listed in the Annex to the last mentioned Regulation ;

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽²⁾, as last amended by Regulation (EC) No 133/94⁽³⁾, and in particular Article 19 (4) thereof,

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

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

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽⁴⁾, as last amended by Regulation (EEC) No 1489/76⁽⁵⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose ; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1684/92⁽⁷⁾ ;

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾, as amended by Regulation (EC) No 3528/93⁽²⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽³⁾, as amended by Regulation (EC) No 547/94⁽⁴⁾;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

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

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situa-

tions as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	33,70 ⁽²⁾ ⁽³⁾
1702 60 10 000	33,70 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 000	0,3370 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	33,70 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3370 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3370 ⁽¹⁾ ⁽³⁾
1702 90 90 900	0,3370 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	33,70 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3370 ⁽¹⁾ ⁽³⁾

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

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

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

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

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 607/94 (OJ No L 77, 19. 3. 1994, p. 5).

COMMISSION REGULATION (EC) No 983/94

of 29 April 1994

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

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾, and in particular Article 16 (5) thereof,

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽³⁾, 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 application of the abovementioned provisions gives a reduced rate import levy for the raw sugar concerned of the amount indicated in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 23,65 per 100 kg.

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, 29 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 22, 27. 1. 1994, p. 7.
⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.
⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.
⁽⁶⁾ OJ No L 69, 12. 3. 1994, p. 1.

COMMISSION REGULATION (EC) No 984/94

of 29 April 1994

fixing the production refund for olive oil used in the manufacture of certain preserved foods

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

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

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods ⁽³⁾, as last amended by Regulation (EEC) No 2903/89 ⁽⁴⁾, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the preserving industry;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for

oils falling within subheading 1509 90 00 of the combined nomenclature and the export refunds valid for those same oils; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

Article 1

For the months of May and June 1994, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 81,08 per 100 kilograms for olive oil produced in the Community,
- ECU 41,50 per 100 kilograms for olive oil other than that referred to in the preceding indent.

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, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 78, 30. 3. 1979, p. 2.

⁽⁴⁾ OJ No L 280, 29. 9. 1989, p. 3.

COMMISSION REGULATION (EC) No 985/94
of 29 April 1994
fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas the guide price in the dried fodder sector was fixed by Council Regulation (EEC) No 1288/93⁽³⁾ and Commission Regulation (EC) No 538/94⁽⁴⁾;

Whereas Council Regulation (EEC) No 2065/92⁽⁵⁾, as amended by Regulation (EEC) No 1288/93, sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1994/95 marketing year at 70 %;

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

Whereas, pursuant to Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1110/89⁽⁷⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the

month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁸⁾, as last amended by Regulation (EEC) No 1069/93⁽⁹⁾;

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

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

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed pursuant to Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 17.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 1.

⁽⁴⁾ OJ No L 68, 11. 3. 1994, p. 20.

⁽⁵⁾ OJ No L 215, 30. 7. 1992, p. 48.

⁽⁶⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁷⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁸⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 114.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾, as amended by Regulation (EC) No 3528/93⁽²⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽³⁾, as amended by Regulation (EC) No 547/94⁽⁴⁾;

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

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid

for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the rate of the aid for dried fodder

Aid applicable from 1 May 1994 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates	Fodder otherwise dried
May 1994	57,363	32,683

Aid in case of advance fixing for the month of:

(ECU/tonne)

June 1994	58,327	33,647
July 1994 ⁽¹⁾	0,000	0,000
August 1994 ⁽¹⁾	0,000	0,000
September 1994 ⁽¹⁾	0,000	0,000
October 1994 ⁽¹⁾	0,000	0,000
November 1994 ⁽¹⁾	0,000	0,000
December 1994 ⁽¹⁾	0,000	0,000
January 1995 ⁽¹⁾	0,000	0,000
February 1995 ⁽¹⁾	0,000	0,000
March 1995 ⁽¹⁾	0,000	0,000

⁽¹⁾ Pursuant to Article 6 (b) of amended Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EC) No 986/94
of 29 April 1994
fixing the aid for cotton

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2419/93 ⁽⁴⁾, as last amended by Regulation (EC) No 856/94 ⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 47,739 per 100 kilograms.

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, 29 April 1994.

For the Commission
René STEICHEN
Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 222, 1. 9. 1993, p. 35.

⁽⁵⁾ OJ No L 98, 16. 4. 1994, p. 31.

COMMISSION REGULATION (EC) No 987/94

of 29 April 1994

altering 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 the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 965/94⁽³⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 1 (1), points (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts 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, 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 108, 29. 4. 1994, p. 48.

ANNEX

to the Commission Regulation of 29 April 1994 altering the corrective amount applicable
to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9	5th period 10	6th period 11
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	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
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	- 30,00	- 30,00	- 30,00	—	—
1101 00 00 130	01	0	0	- 30,00	- 30,00	- 30,00	—	—
1101 00 00 150	01	0	0	- 30,00	- 30,00	- 30,00	—	—
1101 00 00 170	01	0	0	- 30,00	- 30,00	- 30,00	—	—
1101 00 00 180	01	0	0	- 30,00	- 30,00	- 30,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	- 30,00	- 30,00	- 30,00	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 400	01	0	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00	- 50,00
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	- 50,00	- 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 988/94**of 29 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 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 29 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)	61,75	1104 23 10 300	50,73
1102 20 10 300 (2)	52,93	1104 29 11 000	43,89
1102 20 90 100 (2)	52,93	1104 29 91 000	43,03
1102 90 10 100	118,07	1104 29 95 000	43,03
1102 90 10 900	80,28	1104 30 10 000	10,76
1102 90 30 100	79,45	1104 30 90 000	11,03
1103 12 00 100	79,45	1107 10 11 000	76,59
1103 13 10 100 (2)	79,40	1107 10 91 000	140,10
1103 13 10 300 (2)	61,75	1108 11 00 200	86,06
1103 13 10 500 (2)	52,93	1108 11 00 300	86,06
1103 13 90 100 (2)	52,93	1108 12 00 200	70,58
1103 19 10 000	43,03	1108 12 00 300	70,58
1103 19 30 100	122,00	1108 13 00 200	70,58
1103 21 00 000	43,89	1108 13 00 300	70,58
1103 29 20 000	80,28	1108 19 10 200	88,16
1104 11 90 100	118,07	1108 19 10 300	88,16
1104 12 90 100	88,28	1109 00 00 100	0,00
1104 12 90 300	70,62	1702 30 51 000 (3)	92,19
1104 19 10 000	43,89	1702 30 59 000 (3)	70,58
1104 19 50 110	70,58	1702 30 91 000	92,19
1104 19 50 130	57,34	1702 30 99 000	70,58
1104 21 10 100	118,07	1702 40 90 000	70,58
1104 21 30 100	118,07	1702 90 50 100	92,19
1104 21 50 100	157,42	1702 90 50 900	70,58
1104 21 50 300	125,94	1702 90 75 000	96,60
1104 22 10 100	70,62	1702 90 79 000	67,05
1104 22 30 100	75,04	2106 90 55 000	70,58
1104 23 10 100	66,17		

(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 989/94
of 29 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 53,75 per tonne.

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, 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 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.

COMMISSION REGULATION (EC) No 990/94
of 29 April 1994

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 776/94 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry ⁽⁵⁾, as last amended by Regulation (EEC) 464/91 ⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁷⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁸⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products ⁽⁹⁾, as last amended by Regulation (EEC) No 2805/93 ⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁵⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽⁶⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹⁰⁾ OJ No L 256, 14. 10. 1993, p. 7.

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the

request for obtaining the export refund, of proof that the basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

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

(a) applicable on the date of export of the goods, when the rate is not fixed in advance; or

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

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg ⁽¹⁾ —
White sugar :	33,70
Raw sugar :	31,00
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$33,70^{(1)} \times \frac{S^{(1)}}{100}$ or
	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	
Molasses :	—
Isoglucose ⁽²⁾ :	33,70 ⁽²⁾

(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.

(¹) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(²) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(³) Amount of refund per 100 kilograms of dry matter.

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

COMMISSION REGULATION (EC) No 991/94

of 29 April 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 230/94 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 776/94 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

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

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

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

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

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EC) No 3049/93 ⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 273, 5. 11. 1993, p. 7.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

Article 2

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

Article 3

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 29 April 1994 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

(ECU/100 kg)		
CN code	Description	Rate of refund (*)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501	—
	b) On exportation of other goods	60,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	54,23
	b) On exportation of other goods	104,50
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	31,00
	b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat	166,00
	c) On exportation of other goods	160,00

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

COMMISSION REGULATION (EC) No 992/94
of 29 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 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 obtain-

ing the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

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

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

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

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

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

Article 2

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

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

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

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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 dryextract content of starches shall be determined using the method applied to flour in Annex II to Commission Regulation (EEC) No 1908/84⁽¹⁾, as last amended by Regulation (EEC) No 2507/87⁽²⁾.

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

Article 3

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

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

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

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

Article 4

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽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 29 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)	2,582 4,303 2,582 3,873 1,506 — 4,303
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)	4,303 2,582 3,873 1,544 4,411 — 4,303
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	7,871 5,510 4,723 1,544 4,411 — 7,871

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	4,414 2,648 3,973 1,544 4,411 — 4,414
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⁾	4,411 3,088 3,529 2,647 3,970 1,544 4,411 1,764 4,411
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	20,073 17,871 17,871
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	25,900 25,900 25,900
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	5,800 5,800 3,480 5,800 —
1007 00 90	Sorghum	7,871
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	3,176 5,293
1102 10 00	Rye flour	5,895
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	3,176 5,293

⁽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 993/94

of 29 April 1994

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

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

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

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

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

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

Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁶⁾;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

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

Article 3

This Regulation shall enter into force on 1 May 1994.

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

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

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 00 400	0
1001 90 99 000	66,00
1002 00 00 000	66,00
1003 00 90 000	80,00
1004 00 00 400	—
1005 90 00 000	60,00
1006 20 92 000	215,20
1006 20 94 000	215,20
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	269,00
1006 30 92 900	269,00
1006 30 94 100	269,00
1006 30 94 900	269,00
1006 30 96 100	269,00
1006 30 96 900	269,00
1006 40 00 000	—
1007 00 90 000	60,00
1101 00 00 100	88,00
1101 00 00 130	88,00
1102 20 10 100	61,75
1102 20 10 300	52,93
1102 30 00 000	—
1102 90 10 100	118,06
1103 11 10 200	—
1103 11 90 200	—
1103 13 10 100	79,40
1103 14 00 000	—
1104 12 90 100	88,28
1104 21 50 100	88,28

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

COMMISSION REGULATION (EC) No 994/94

of 29 April 1994

on the opening of a standing invitation to tender for the resale on the internal market of 146 804 tonnes of sorghum held by the French intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas, in the present market situation, a standing invitation to tender should be opened for the resale on the internal market of 146 804 tonnes of sorghum held by the French intervention agency;

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 French intervention agency shall, pursuant to the terms specified in Regulation (EEC) No 2131/93, initiate a standing invitation to tender for the resale on the internal market of 146 804 tonnes of sorghum held by it.

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

Done at Brussels, 29 April 1994.

Article 2

1. The deadline for the submission of tenders for the first partial invitation to tender shall be 10 May 1994.
2. The deadline for the submission of tenders for the final partial invitation to tender shall be 28 June 1994.
3. The tenders shall be deposited with the French intervention agency:

Office national interprofessionnel des céréales (ONIC),
21, avenue Bosquet,
F-75326 Paris Cedex 07,
(telex OFIBLE A 27807 F).

Article 3

The French intervention agency shall notify the Commission, by no later than the Tuesday of the week following the expiry of the deadline for the submission of tenders, of the quantity and the average prices of the different lots sold.

Article 4

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

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

COMMISSION REGULATION (EC) No 995/94

of 29 April 1994

opening a standing invitation to tender for the export of 157 000 tonnes of barley
from harvests of 1984 to 1990 held by the United Kingdom 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 last amended by Regulation (EEC)
No 2193/93 ⁽²⁾, and in particular Article 13 thereof,

Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾,
as amended by Regulation (EEC) 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 1994/95 cereals marketing year of
157 000 tonnes of barley from harvests of 1984 to 1990
held by the United Kingdom 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 Regu-
lation (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 Regula-
tion (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 United Kingdom intervention agency may, on the
conditions laid down in Regulation (EEC) No 2131/93,
open a standing invitation to tender for the export of
157 000 tonnes of barley from harvests of 1984 to 1990
held by it.

Article 2

1. The invitation to tender shall cover a maximum of
157 000 tonnes of barley from harvests of 1984 to 1990 to
be exported to all third countries. Customs export forma-
lities must be completed during the period 1 July to 30
September 1994.

2. The 157 000 tonnes of barley from harvests of 1984
to 1990 are stored in England.

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 accompa-
nied 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 United Kingdom 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 United Kingdom 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 I to this Regulation, to the telex or telefax numbers in Annex II.

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, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Standing invitation to tender for the export of 157 000 tonnes of barley from harvests of 1984 to 1990 held by the United Kingdom intervention agency (stocked in England)

(Regulation (EC) No 995/94)

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 II

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 996/94
of 29 April 1994

**opening a standing invitation to tender for the export of 300 000 tonnes of barley
held by the Spanish 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 amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedures 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 1994/95 cereals marketing year of 300 000 tonnes of barley held by the Spanish 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 Spanish intervention agency may, on the conditions laid down in Regulation (EEC) No 2131/93, open a standing invitation to tender for the export of 300 000 tonnes of barley held by it.

Article 2

1. The invitation to tender shall cover a maximum of 300 000 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 300 000 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 Spanish 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 Spanish 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, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

<i>(tonnes)</i>	
Place of storage	Quantity
Aragón	80 000
Castilla-La Mancha	40 000
Castilla y León	150 000
Cataluña	10 000
Navarra	20 000

ANNEX II

Standing invitation to tender for the export of 300 000 tonnes of barley held by the Spanish intervention agency

(Regulation (EC) No 996/94)

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 997/94

of 29 April 1994

opening a standing invitation to tender for the export of 225 000 tonnes of barley
from harvests of 1984 to 1990 held by the United Kingdom intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;

Whereas, given the current market situation, a standing invitation to tender should be opened for the export at the beginning of the 1994/95 cereals marketing year of 225 000 tonnes of barley from harvests of 1984 to 1990 held by the United Kingdom 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 United Kingdom intervention agency may, on the conditions laid down in Regulation (EEC) No 2131/93, open a standing invitation to tender for the export of 225 000 tonnes of barley from harvests of 1984 to 1990 held by it.

Article 2

1. The invitation to tender shall cover a maximum of 225 000 tonnes of barley from harvests of 1984 to 1990 to be exported to all third countries. Customs export formalities must be completed during the period 1 July to 30 September 1994.

2. The 225 000 tonnes of barley from harvests of 1984 to 1990 are stored in Scotland.

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 United Kingdom 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 United Kingdom 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 I to this Regulation, to the telex or telefax numbers in Annex II.

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, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Standing invitation to tender for the export of 225 000 tonnes of barley from harvests of 1984 to 1990 held by the United Kingdom intervention agency (stocked in Scotland)

(Regulation (EC) No 997/94)

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 II

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 998/94

of 29 April 1994

on the opening of a standing invitation to tender for the resale on the internal market of 40 000 tonnes of bread-making wheat held by the Belgian intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas, in the present market situation, a standing invitation to tender should be opened for the resale on the internal market of 40 000 tonnes of bread-making wheat held by the Belgian intervention agency;

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 Belgian intervention agency shall, pursuant to the terms specified in Regulation (EEC) No 2131/93, initiate

a standing invitation to tender for the resale on the internal market of 40 000 tonnes of bread-making wheat held by it.

Article 2

1. The deadline for the submission of tenders for the first partial invitation to tender shall be 10 May 1994.
2. The deadline for the submission of tenders for the final partial invitation to tender shall be 28 June 1994.
3. The tenders shall be deposited with the Belgian intervention agency:

Office belge de l'économie et de l'agriculture (OBEA)/ Belgische Dienst voor Bedrijfsleven en Landbouw (BDDL), rue de Trèves 82/Trierstaat 82, B-1040 Bruxelles/Brussel (télex: OBEA 24076, 65567; telefax: 230 25 33).

Article 3

The Belgian intervention agency shall notify the Commission, by no later than the Tuesday of the week following the expiry of the deadline for the submission of tenders, of the quantity and the average prices of the different lots sold.

Article 4

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

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

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

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

COMMISSION REGULATION (EC) No 999/94

of 29 April 1994

adjusting the basic prices and buying-in prices for cauliflowers for the month of May 1994 as a result of the monetary realignments of May 1993

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

Having regard to Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 3669/93 ⁽²⁾, and in particular Article 16 (b) (4) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as last amended by Regulation (EC) No 3258/93 of 21 December 1993 ⁽⁴⁾, and in particular Article 9 (1) thereof,

Having regard to Commission Regulation (EEC) No 3824/92 of 28 December 1992 laying down the prices and amounts fixed in ecus as a result of the monetary realignments ⁽⁵⁾, as last amended by Regulation (EEC) No 1663/93 ⁽⁶⁾, and in particular Article 2 thereof,

Whereas Regulation (EEC) No 3824/92 lays down the list of prices and amounts in the fruit and vegetables sector which are to be divided by the reducing coefficient of 1,000426 fixed by Commission Regulation (EEC) No 537/93 ⁽⁷⁾, as amended by Regulation (EEC) No 1331/93 ⁽⁸⁾, with effect from the beginning of the 1994/95 marketing year, under the arrangements for the automatic dismantlement of negative monetary gaps; whereas Article 2 of Regulation (EEC) No 3824/92 provides that the resulting reductions in the prices and amounts are to be specified for each sector concerned and that the reduced prices and amounts are to be fixed; whereas the basic and the buying-in prices for cauliflowers for the

month of May 1994 have been fixed by Council Regulation (EC) No 969/94 ⁽⁹⁾;

Whereas in consequence of the above the basic and the buying-in prices for cauliflowers for the month of May 1994 fixed by Regulation (EC) No 969/94 must be reduced by 0,04 %; whereas this reduction results from the monetary realignments of May 1993;

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic and the buying-in prices for cauliflowers for the month of May 1994 fixed by Regulation (EC) No 969/94 are hereby reduced by 0,04 % as follows:

- basic price: ECU 30,56 per 100 kg net,
- buying-in price: ECU 13,30 per 100 kg net.

These prices refer to trimmed cauliflowers in quality class I, put up in packaging.

They do not include the effect of the cost of the packaging in which the product is put up.

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, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁶⁾ OJ No L 158, 30. 6. 1993, p. 18.

⁽⁷⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁸⁾ OJ No L 132, 29. 5. 1993, p. 114.

⁽⁹⁾ See page 1 of this Official Journal.

COMMISSION REGULATION (EC) No 1000/94

of 29 April 1994

laying down transitional measures for the management of base areas in the new German *Länder* and repealing Regulation (EEC) No 2834/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support scheme for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 232/94 ⁽²⁾, and in particular Article 16 thereof,

Whereas Article 2 (6) of Regulation (EEC) No 1765/92 provides for the reduction of the area eligible for compensatory payments and for a special set-aside without compensation where the sum of the areas for which aid is claimed by producers is in excess of the regional base area;

Whereas the change from the planned economy existing in the new *Länder* before unification to a market economy has been carried out practically without a transitional period; whereas, therefore, implementation of the reform comes at a time when agricultural production structures in the new *Länder* are in the process of change; whereas this situation and the loss of traditional markets in the countries of eastern Europe led to a significant and unforeseen fall in livestock production and in the areas previously used for fodder production when Regulation (EEC) No 1765/92 was adopted;

Whereas, given this situation, a solution must be found which, without giving rise to a permanent increase in the base area, which is a key element in the reform of arable farming, ensures that the strict application of the present legislation does not jeopardize the restructuring of the agricultural sector in the new *Länder*; whereas a transitional measure introducing a temporary and degressive extension of the base area would appear to be the most appropriate measure in this situation; whereas, however, in order to maintain the exceptional character of this extension, reduced-rate penalties should be applied, on a progressive basis, in respect of areas exceeding the permanent base area; whereas the transitional measures provided for in this Regulation must be without prejudice to the application of Article 2 (6) of Regulation (EEC) No 1765/92;

Whereas the measures provided for in this Regulation must apply from the first marketing year of the reform;

whereas they are to replace the measures introduced by Commission Regulation (EEC) No 2834/93 of 15 October 1993 laying down transitional measures for the management of base areas in the new German *Länder* ⁽³⁾; whereas that Regulation should therefore be repealed;

Whereas the Joint Management Committee for cereals, oils and fats and dried fodder has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the application of Article 2 (6) of Regulation (EEC) No 1765/92, the base area laid down by Commission Regulation (EEC) No 845/93 ⁽⁴⁾ shall be temporarily increased for the new German *Länder* as shown in the Annex.

Article 2

1. For the marketing years 1996/97, 1997/98, 1998/99 and 1999/2000, where the base area laid down by Regulation (EEC) No 845/93 is exceeded within the limits specified in the Annex to this Regulation, the area eligible for compensatory payments shall be reduced per producer, for the duration of the marketing year and in proportion to the over-run, by 10, 20, 30 and 40 % respectively.

2. The reduction referred to in paragraph 1 shall be additional to any reduction made as a result of the base area provided for in Article 1 being exceeded.

Article 3

Regulation (EEC) No 2834/93 is hereby repealed.

Article 4

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

It shall apply from the 1993/94 marketing year.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 7.

⁽³⁾ OJ No L 258, 16. 10. 1993, p. 27.

⁽⁴⁾ OJ No L 88, 8. 4. 1993, p. 27.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

<i>(in 1 000 ha)</i>				
<i>Länder</i>	1993/94 to 1996/97	1997/98	1998/99	1999/2000
Brandenburg	+ 6,8	+ 5,1	+ 3,4	+ 1,7
Mecklenburg-Vorpommern	+ 66,5	+ 49,9	+ 33,3	+ 16,6
Sachsen	+ 13,1	+ 9,8	+ 6,5	+ 3,3
Sachsen-Anhalt	+ 34,6	+ 25,9	+ 17,3	+ 8,6
Thüringen	+ 29,0	+ 21,8	+ 14,5	+ 7,3
	150,0	112,5	75,0	37,5

COMMISSION REGULATION (EC) No 1001/94

of 29 April 1994

laying down detailed rules for the application of the import arrangements
provided for by Council Regulation (EC) No 774/94 for high-quality beef

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues⁽¹⁾, and in particular Article 7 thereof,

Whereas Regulation (EC) No 774/94 opened a tariff quota for 18 000 tonnes of 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; whereas the rules for the application of those 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 774/94 shall be allocated as follows:

- (a) 11 000 tonnes of chilled boned meat, falling within CN codes 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) 2 000 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)';

- (c) 5 000 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:

'Beef cuts obtained from steers (novilhos) or heifers (novilhas) aged between 20 and 24 months, which have been exclusively pasture grazed, have lost their

⁽¹⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽²⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽³⁾ OJ No L 262, 21. 10. 1993, p. 26.

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 carcases 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";

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

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

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

Article 4

1. The issuing authorities listed in Annex II shall:
 - (a) be recognized as competent by the exporting country;
 - (b) undertake to verify the entries made on the certificates of authenticity;
 - (c) undertake to communicate to the Commission each Wednesday any information enabling the entries made on the certificates of authenticity to be verified.

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

Article 5

1. With regard to meat under Article 1:
 - (a) the original of the certificate of authenticity plus a copy hereof shall be presented to the competent authority together with the application for the first import licence related to the certificate of authenticity.

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

- (b) within the limit of the quantity appearing in it, a certificate of authenticity may be used for the issue of several import licences. If so, the competent authority shall endorse the certificate of authenticity in respect of the degree of attribution;
 - (c) the competent authority may only issue the import licence after it is satisfied that all information on the certificate of authenticity correspond to the information received by the Commission through weekly communications on the matter. The licence shall be issued immediately thereafter.

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

Article 6

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

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

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

Article 7

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

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

broken down by country of origin and combined nomenclature code.

Article 8

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

It shall apply from 1 January 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

1. Exporter (name and address)	2. Certificate No	ORIGINAL	
	3. Issuing authority		
4. Consignee (name and address)	5. CERTIFICATE OF AUTHENTICITY BEEF AND VEAL SPECIAL AUTONOMOUS/QUOTA TARIFF 1994 Commission Regulation (EC) No 1001/94		
6. Means of transport			
7. Marks, numbers, number and kind of packages ; description of goods		8. Gross weight (kg)	9. Net weight (kg)
10. Net weight (in words)			
11. CERTIFICATION BY THE ISSUING AUTHORITY I hereby certify that the beef described in this certificate complies with the specification shown overleaf.			
Place :		Date :	
Signature and stamp (or printed seal)			

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).
 - INSTITUTO NACIONAL DE CARNES (INAC)
for meat originating in Uruguay, answering the definition in Article 1 (b).
 - DEPARTAMENTO NACIONAL DE INSPECÇÃO DE PRODUTOS DE ORIGEM ANIMAL (DIPOA)
for meat originating in Brazil, answering the definition in Article 1 (c).
-

COMMISSION REGULATION (EC) No 1002/94
of 29 April 1994
amending Regulation (EEC) No 2496/78 on detailed rules for the granting of
private storage aid for Provolone cheese

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 8 (5) thereof,

Whereas Article 4 (2) of Commission Regulation (EEC) No 2496/78 ⁽³⁾, as last amended by Regulation (EEC) No 1756/93 ⁽⁴⁾, sets the amount of the aid; whereas this amount should be adjusted in the case of new storage contracts, in line with changes in the storage costs for this cheese;

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

In Article 4 (2) of Regulation (EEC) No 2496/78, 'ECU 1,92' is replaced by 'ECU 1,50'.

Article 2

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

It shall apply to storage contracts concluded as from the date of entry into force.

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

Done at Brussels, 29 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 300, 27. 10. 1978, p. 24.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 48.

COMMISSION REGULATION (EC) No 1003/94

of 29 April 1994

amending Regulation (EEC) No 1107/68 on detailed rules of application for intervention on the market in Grana padano and Parmigiano-Reggiano cheeses

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 8 (5) thereof,Whereas Article 17 (1) of Commission Regulation (EEC) No 1107/68 ⁽³⁾, as last amended by Regulation (EEC) No 2441/93 ⁽⁴⁾, sets the private storage aid rates for Grana padano and Parmigiano-Reggiano cheeses; whereas these rates should be adjusted in the case of new storage contracts, in line with changes in the storage costs for these cheeses;

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

Done at Brussels, 29 April 1994.

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 17 (1) of Commission Regulation (EEC) No 1107/68 is replaced by the following:

'1. The aid rate for private storage shall be:

- (a) for Grana padano, ECU 2,00 per tonne per day;
- (b) for Parmigiano-Reggiano, ECU 1,80 per tonne per day.'

*Article 2*This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Communities*.

It shall apply to storage contracts concluded as from the date of entry into force.

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 184, 29. 7. 1968, p. 29.⁽⁴⁾ OJ No L 224, 3. 9. 1993, p. 5.

COMMISSION REGULATION (EC) No 1004/94

of 29 April 1994

laying down detailed rules governing the grant of private storage aid for Pecorino Romano cheese

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 Articles 9 (3) and 28 thereof,

Whereas Council Regulation (EEC) No 508/71 of 8 March 1971 laying down general rules on private storage aid for long-keeping cheeses ⁽³⁾ permits the granting of private storage aid for sheep's milk cheeses requiring at least six months for maturing where a serious market imbalance could be eliminated or reduced by seasonal storage;

Whereas the market in Pecorino Romano cheese is at present disturbed by the existence of stocks which are difficult to sell and which are causing a lowering of prices; whereas seasonal storage should therefore be introduced for the quantities to improve the situation and allow producers time to find outlets for their cheese;

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 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 experience shows that provisions on checks should be laid down, particularly as regards the docu-

ments to be submitted and checks to be made on the spot; whereas therefore, it should be provided that Member States require the costs of checks be fully or partly borne by the contractor;

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 9 000 tonnes of Pecorino Romano cheese manufactured in the Community and satisfying the requirements of Articles 2 and 3.

Article 2

1. The intervention agency shall conclude storage contracts only when the following conditions are met:

- (a) the quantity of cheese to which the contract relates is not less than two tonnes;
- (b) the cheese was manufactured at least 90 days before the date specified in the contract as being the date of commencement of storage, and after 1 November 1993;
- (c) the cheese has undergone tests which show that it meets the condition laid down in (b) and that it is of first quality;
- (d) the storer undertakes:

— to keep the cheese during the entire period of storage in premises where the maximum temperature is +16 °C,

— not, during the term of the contract, to alter the composition of the batch which is the subject of the contract without authorization from the intervention agency. If the condition concerning the

⁽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.

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 supervisory costs arising from an alteration shall be met by the storer,

— to keep stock accounts and to inform the intervention agency each week of the quantity of cheese put into from storage during the previous week and of any planned withdrawals.

2. The storage contract shall be concluded :

- (a) in writing, stating the date when storage covered by the contract begins ; this 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 were 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 on which the storage covered by the contract begins.

Article 3

1. Aid shall be granted only for cheese put into storage during the period 15 May to 31 December 1994.

2. No aid shall be granted in respect of storage under contract for less than 60 days.

3. The aid payable may not exceed an amount corresponding to 150 days storage under contract terminating before 31 March 1995. By way of derogation from the second indent of Article 2 (1) (d), when the period of 60 days specified in paragraph 2 has elapsed, 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 cheese covered by the contract shall not be included in the period of storage under contract.

Article 4

1. The amount of aid shall be ECU 1,71 per tonne per day.

2. Aid shall be paid not later than 90 days from the last day 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 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 shown for each lot ;
- (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 cheese covered by contract.

5. Without prejudice to Article 2 (1) (d), on entry into storage, the competent bodies 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.

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 product 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 body.

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

9. The Member States may provide that the costs of checks will be borne partly or fully by the contractor.

Article 6

Member States shall communicate to the Commission on or before the Tuesday of each week :

- (a) the quantity of cheese for which storage contracts have been concluded during the previous week ;
- (b) any quantities in respect of which the authorization referred to in the second indent of Article 2 (d) 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 with effect from 15 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1005/94**of 29 April 1994****amending for the sixth time Regulation (EC) No 3337/93 adopting exception support measures for the market in pigmeat in Belgium**

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

Having regard to Council Regulation (EEC) No 2759/75 of 29 October 1975 on the common organization of the market in pigmeat⁽¹⁾, as last amended by Regulation (EEC) No 1249/89⁽²⁾, and in particular Article 20 thereof,

Whereas, because of the outbreak of classical swine fever in one production region in Belgium, exceptional support measures for the market in pigmeat were adopted for that Member State in Commission Regulation (EC) No 3337/93⁽³⁾, as last amended by Regulation (EC) No 636/94⁽⁴⁾;

Whereas, in view of new outbreaks of classical swine fever, the veterinary and commercial restrictions were extended by the Belgian authorities to a new area at the beginning of April; whereas it is appropriate to include, as from 20 April, animals from this area in the buying-in scheme provided for in Regulation (EC) No 3337/93;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 3337/93 is hereby amended as follows:

Annex I is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 20 April 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 129, 11. 5. 1989, p. 12.

⁽³⁾ OJ No L 299, 4. 12. 1993, p. 23.

⁽⁴⁾ OJ No L 79, 23. 3. 1994, p. 12.

*ANNEX**ANNEX I*

- (a) The part of the municipality of Maldegem located south of the following roads : Waterpolder, Kloosterstraat, Bladelijnpolein, Dinantstraat ;
 - (b) The part of the municipality of Sint-Laureins located :
 - 1. south of the following roads : Nieuwstraat, Watervlietsteenweg, Oudemansdijk ;
 - 2. west of the following roads : Molenstraat, Ketterijstraat as far as the intersection with Kloosterstraat, Kloosterstraat, Wilhemstraat, Christoffelpolder ;
 - (c) The part of the municipality of Assenede located west of the following roads : Christoffelpolder as far as the intersection with Gravestraat and Landsdijk, Landsdijk, Bloksheule, Oude Boekhoutestraat, Dorp, Assenedestraat as far as the intersection with Eendrachtstraat, Beekstraat and Kraaigemstraat, Kraaigemstraat, Stroomstraat, Ertveldesteenweg ;
 - (d) The part of the municipality of Evergem located :
 - 1. south of Eeklostraat as far as its intersection with Marktpllein ;
 - 2. west of the following roads : Marktpllein, Lindelaan, Aardeken, Noordlaan, Wippelgem-Eindeken, Wippelgemdorp, Drogenbroodstraat, Burg. J. Parijslaan as far as Ringvaart ;
 - (e) The part of the town of Ghent :
 - 1. west of the following roads : Eversteinlaan, Industrierweg, Ring 4, Deinzesteentweg as far as the E40 ;
 - 2. north of the E40 ;
 - (f) The part of the municipality of Lovendegem located west of Industrierweg ;
 - (g) The part of the municipality of Nevele located north of the following roads : E40, Vosselarestreet, Landegemstraat, Biebuyckstraat, C. Van der Cruyssestraat, C. Buyssestraat, Graaf van Hoornestraat and Bredeweg ;
 - (h) The part of the municipality of Aalter located north of the following roads : Nevelestraat, Lodorp, Achterstraat, Poekestraat, Kasteelstraat, Middendreef, Knokstraat and Ruiseleedsestraat ;
 - (i) The part of the municipality of Ruiselede located north of the following roads : Poekestraat, Ommegangstraat, Aalterstraat, Wantestraat, Kruiskerkestraat, Gallatasstraat, Brugsesteenweg ;
 - (j) The part of the municipality of Beernem located :
 - 1. north of Torenweg ;
 - 2. east of the following roads : Relgerloostraat, Wingenesteentweg, Stationstraat, Parkstraat, Scherppestraat, Beernemstraat, Knesselarestreet as far as the intersection with Hoogstraat, Hoogstraat as far as the provincial border ;
 - (k) The municipalities of Knesselare, Eeklo, Kaprijke, Waarschoot and Zomergem.
-

COMMISSION REGULATION (EC) No 1006/94
of 29 April 1994
on the supply of milk products as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 1 125 tonnes of milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No

790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A, B and C

1. **Operation Nos** ⁽¹⁾: see Annex II
2. **Programme**: 1994
3. **Recipient** ⁽²⁾ ⁽³⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel. (31-70) 33 05 757; fax 36 41 701; telex 30960 EURON NL)
4. **Representative of the recipient** ⁽³⁾: see OJ No C 103, 16. 4. 1987
5. **Place or countries of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁶⁾:
(see OJ No C 114, 29. 4. 1991, p. 1 (under I.B.1))
8. **Total quantity**: 1 125 tonnes
9. **Number of lots**: three (see Annex II)
10. **Packaging and marking** ⁽⁷⁾ ⁽⁸⁾: 25 kg
see OJ No C 114, 29. 4. 1991, p. 1 (under I.B.2, I.A.2.3 and I.B.3)
markings in English (B3 to B6), Spanish (C3 to C5), French (A, B1, B2 and C1) and Portuguese (C2)
11. **Method of mobilization**: the Community market
manufacture of skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 13. 6 — 3. 7. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 16. 5. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 30. 5. 1994
 - (b) period for making the goods available at the port of shipment: 27. 6 — 17. 7. 1994
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾:
Bureau de l'aide alimentaire,
à l'attention de Monsieur T. Vestergaard,
Bâtiment Loi 120, bureau 7/46,
200 rue de la Loi,
B-1049 Bruxelles,
(telex: 22037 / 25670 AGREC B; telefax: (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on application by the successful tenderer** ⁽⁴⁾: refund applicable on 15. 4. 1994, fixed by Commission Regulation (EC) No 840/94 (OJ No L 97, 15. 4. 1994, p. 25)

Notes :

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

Radiation certificate must be issued by official authorities and be legalized for following countries : Sudan (B3 to B5).

- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106) shall not apply to this amount.

- (⁵) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, P.O. Box 1315, NL-1000 BH Amsterdam.
- (⁶) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- health certificate,
 - veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing.
- (⁷) Notwithstanding OJ No C 114, point I.A (3)(c) is replaced by the following : 'the words "European Community"'.
- (⁸) Shipment to take place in 20-foot containers, condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

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

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

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

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	País de destino
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Ação n°	País de destino
A	630	A1 : 240	201/94	Algérie
		A2 : 240	202/94	Algérie
		A3 : 150	203/94	Algérie
B	330	B1 : 60	204/94	Madagascar
		B2 : 60	205/94	Rwanda
		B3 : 120	206/94	Sudan
		B4 : 15	207/94	Sudan
		B5 : 60	208/94	Sudan
		B6 : 15	209/94	Zambia
C	165	C1 : 15	210/94	Mali
		C2 : 30	211/94	Brasil
		C3 : 75	212/94	El Salvador
		C4 : 30	213/94	Perú
		C5 : 15	214/94	Perú

COMMISSION REGULATION (EC) No 1007/94

of 29 April 1994

on the supply of white sugar as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 148 tonnes of sugar;

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

Whereas, in order to ensure that the supplies are carried out, provision should be made for tenderers to be able to mobilize either A or B quota sugar or C sugar in accordance with the regulations governing the market; whereas

the contract for the supply of each lot is to be awarded to the tenderer submitting the lowest tender having regard to the conditions applicable to the categories of sugar in question,

HAS ADOPTED THIS REGULATION:

Article 1

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

Tenders relating to the lots specified in the Annexes shall cover either sugar produced under the A or B quotas or C sugar within the meaning of points (a), (b) and (c) of the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81⁽⁶⁾. Tenders shall be rejected unless they specify the category of sugar to which they relate.

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

Article 2

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

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

⁽⁶⁾ OJ No L 177, 1. 7. 1981, p. 4.

ANNEX I

LOT A

1. **Operation Nos⁽¹⁾**: see Annex II
2. **Programme**: 1994
3. **Recipient⁽²⁾**: Euronaid, PO Box 12, NL-2501 CA Den Haag, (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 NL EURON)
4. **Representative of the recipient⁽³⁾**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods⁽³⁾ (7) (8) (10)**: see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.1)
8. **Total quantity**: 148 tonnes
9. **Number of lots**: one
10. **Packaging and marking⁽⁹⁾ (7) (11)**: see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.2 and V.A.3)
Markings in French (A 1 to A 3) and English (A 4 to A 6)
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
 - A or B sugar (points (a) and (b)) or
 - C sugar (point (c))
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 13. 6 — 3. 7. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 16. 5. 1994 at 12 noon (Brussels time)
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: at 12 noon (Brussels time) on 3. 5. 1994
 - (b) period for making the goods available at the port of shipment: 27. 6 — 17. 7. 1994
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾**:
Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200, rue de la Loi, B-1049 Bruxelles; (telex 22037 / 25670 AGREC B; telefax (32/2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer⁽⁴⁾**: In the case of A and B sugar: periodic refund applicable to white sugar on 15. 4. 1994, fixed by Commission Regulation (EC) No 828/94 (OJ No L 95, 14. 4. 1994, p. 11).

Notes :

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

- (⁴) For A and B sugar :

Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106) shall not apply to this amount.

For C sugar :

Commission Regulation (EEC) No 2330/87 is not applicable. The rules given in Commission Regulation (EEC) No 2630/81 (OJ No L 258, 11. 9. 1981, p. 16) apply to exportation of sugar supplied under this Regulation.

- (⁵) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (⁶) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (⁷) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
- (⁸) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document :
 - phytosanitary certificate.
- (⁹) Notwithstanding OJ No C 114, point V.A.3.(c) is replaced by the following : 'the words "European Community"'.
- (¹⁰) Radiation certificate must be issued by official authorities and be legalized for following countries : Sudan (A4)
- (¹¹) Shipment to take place in 20-foot containers, condition FCL/FCL. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

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

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

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

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción nº	País de destino
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action nº	Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Acção nº	País de destino
A	148	A1 : 54	216/94	Algérie
		A2 : 4	217/94	Mali
		A3 : 36	218/94	Rwanda
		A4 : 18	219/94	Sudan
		A5 : 18	220/94	India
		A6 : 18	221/94	India

COMMISSION REGULATION (EC) No 1008/94

of 29 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 in the interest of simplification, the refund should be paid in respect of two categories of 'cereal products', namely for maize, the most commonly used cereal in exported compound feeds and maize products, and for 'other cereals', these being eligible cereal products excluding maize and maize products; whereas a refund should be granted in respect of the quantity of cereal products present in the compound feedingstuff;

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 the Community and world markers, allowing more accurate accounts 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 areas defined in Article I of Council Regulation (EEC) No 3813/92⁽⁶⁾, as amended by Regulation (EC) No 3528/93⁽⁷⁾, are used on 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 930/93⁽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 shall be paid only on the quantity of cereal products incorporated within them. The export refund rates on such compound feedingstuffs are hereby fixed as shown in the Annex to this Regulation.

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 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, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 29 April 1994 fixing the export refunds on cereal-based compound feedingstuffs

Product code benefitting from export refund⁽¹⁾:

2309 10 11 000, 2309 10 13 000, 2309 10 31 000,
2309 10 33 000, 2309 10 51 000, 2309 10 53 000,
2309 90 31 000, 2309 90 33 000, 2309 90 41 000,
2309 90 43 000, 2309 90 51 000, 2309 90 53 000.

(ECU/tonne)

Cereal products ⁽²⁾	Amount of refund ⁽³⁾
Maize and maize products: CN codes 0709 90 60, 0712 90 19, 1005, 1102 20, 1103 13, 1103 29 40, 1104 19 50, 1104 23, 1904 10 10.	
Cereal products ⁽²⁾ excluding maize and maize products	

⁽¹⁾ The product codes are defined in Sector 5 of the Annex to Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p 1), as last amended by Regulation (EC) No 607/94.

⁽²⁾ For the purposes of the refund only the starch coming from cereal products is taken into account.

Cereal products means the products falling within subheadings 0709 90 60 and 0712 90 19, Chapter 10, and headings Nos 1101, 1102, 1103 and 1104 (excluding subheading 1104 30) and the cereals content of the products falling within subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature. The cereals content in products under subheadings 1904 10 10 and 1904 10 90 of the combined nomenclature is considered to be equal to the weight of this final product.

No refund is paid for cereals where the origin of the starch cannot be clearly established by analysis.

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

COMMISSION REGULATION (EC) No 1009/94

of 29 April 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾,Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 819/94⁽⁵⁾ and subsequent amending Regulations ;

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

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

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 819/94 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 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 387, 31. 12. 1992, p. 1.⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.⁽⁵⁾ OJ No L 94, 13. 4. 1994, p. 16.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Third countries ^(*)
0709 90 60	97,61 ⁽²⁾ ⁽³⁾
0712 90 19	97,61 ⁽²⁾ ⁽³⁾
1001 10 00	7,49 ⁽¹⁾ ⁽³⁾
1001 90 91	92,32
1001 90 99	92,32 ⁽⁹⁾
1002 00 00	122,37 ⁽⁹⁾
1003 00 10	125,96
1003 00 90	125,96 ⁽⁹⁾
1004 00 00	100,83
1005 10 90	97,61 ⁽²⁾ ⁽³⁾
1005 90 00	97,61 ⁽²⁾ ⁽³⁾
1007 00 90	105,85 ⁽⁴⁾
1008 10 00	36,10 ⁽⁹⁾
1008 20 00	50,57 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	0
1101 00 00	166,80 ⁽⁹⁾
1102 10 00	208,87
1103 11 10	45,06
1103 11 90	190,75
1107 10 11	175,21
1107 10 19	133,67
1107 10 91	235,09 ⁽¹⁰⁾
1107 10 99	178,41 ⁽⁹⁾
1107 20 00	206,12 ⁽¹⁰⁾

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

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

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

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

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

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

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

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

⁽⁹⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

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

COMMISSION REGULATION (EC) No 1010/94
of 29 April 1994
fixing the import levies on white sugar and raw sugar

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

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

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93⁽⁵⁾, as last amended by Regulation (EC) No 949/94⁽⁶⁾;

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

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 28 April 1994, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 30 April 1994.

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

Done at Brussels, 29 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 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 40.

⁽⁶⁾ OJ No L 107, 28. 4. 1994, p. 51.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	33,59 ⁽¹⁾
1701 11 90	33,59 ⁽¹⁾
1701 12 10	33,59 ⁽¹⁾
1701 12 90	33,59 ⁽¹⁾
1701 91 00	39,15
1701 99 10	39,15
1701 99 90	39,15 ⁽²⁾

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

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

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

COMMISSION REGULATION (EC) No 1011/94

of 29 April 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

Whereas Commission Regulation (EC) No 681/94 ⁽⁷⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 1 May 1994 for the above products; whereas in view of last expected exports from Spain to the rest of the Community with the exception of Portugal, and of the Community market situation, a period I should be fixed for melons and for artichokes;

Whereas, on the basis of the abovementioned criteria a period I and II should be determined for tomatoes, a period II and III should be determined for strawberries, a period I and II should be determined for apricots and a period I and II should be determined for peaches respectively until 19 June 1994; whereas indicative ceilings should be determined pursuant to Article 3 of Regulation

(EEC) No 3210/89 for very short periods, given the sensitivity of these products;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

2. For strawberries covered by CN codes 0810 10 90 and CN code 0810 10 10, tomatoes covered by CN code 0702 00 10, apricots covered by CN code 0809 10 00 and peaches covered by CN code ex 0809 30 00:

— the indicative ceilings provided for in Article 83 (1) of the Act of Accession, and

— the periods provided for in Article 2 of Regulation (EEC) No 3210/89

shall be as set out in the Annex hereto.

Article 2

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

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 15.

⁽³⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 47.

⁽⁵⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁶⁾ OJ No L 313, 14. 11. 1991, p. 13.

⁽⁷⁾ OJ No L 83, 26. 3. 1994, p. 45.

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

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

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

Article 3

This Regulation shall enter into force on 2 May 1994.

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

Done at Brussels, 29 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

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

Period from 2 May to 19 June 1994

Description of product	CN code	Period
Artichokes	0709 10 00	I
Melons	0807 10 90	I

Description of product	CN code	Indicative ceiling (tonnes)	Period
Tomatoes	0702 10 10	2. 5. — 8. 5. 1994: 5 800	II
		9. 5. — 15. 5. 1994: 5 800	II
		16. 5. — 19. 6. 1994: —	I
Strawberries	0810 10 90 and	2. 5. — 8. 5. 1994: 21 200	II
		9. 5. — 15. 5. 1994: 12 700	II
	0810 10 10	16. 5. — 22. 5. 1994: 9 200	II
		23. 5. — 19. 6. 1994: —	I
Apricots	0809 10 00	2. 5. — 8. 5. 1994: —	I
		30. 5. — 5. 6. 1994: 5 300	II
		6. 6. — 12. 6. 1994: 5 300	II
		13. 6. — 19. 6. 1994: 5 300	II
Peaches (excluding nectarines)	ex 0809 30 00	2. 5. — 22. 5. 1994: —	I
		23. 5. — 29. 5. 1994: 11 400	II
		30. 5. — 5. 6. 1994: 10 600	II
		6. 6. — 12. 6. 1994: 9 200	II
		13. 6. — 19. 6. 1994: 8 700	II

COMMISSION REGULATION (EC) No 1012/94

of 29 April 1994

establishing the allocations to traditional importers from the Community
quantitative quotas on certain products originating in the People's Republic of
China

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Regulation (EC) No 520/94 of 7
March 1994 establishing a Community procedure for
administering quantitative quotas⁽¹⁾, and in particular
Article 9 thereof,

Having regard to Commission Regulation (EC) No 747/94
of 30 March 1994 establishing administration procedures
for quantitative quotas on certain products originating in
the People's Republic of China⁽²⁾, and in particular
Article 6 thereof,

Whereas Regulation (EC) No 747/94 has established the
portion of each of the quotas in question which is to be
set aside for traditional importers and has determined the
conditions and rules governing applications for alloca-
tions from the quantities available;

Whereas in accordance with Article 5 of Regulation (EC)
No 747/94 the Member States have informed the
Commission of the number and aggregate amount of the
import licence applications received for each of the
quotas, and of the applicants' total imports for 1991 and
for 1992 (the reference period);

Whereas an examination of the figures received has
revealed that in the case of the products listed in Annex I
hereto the aggregate amount of the import licence appli-
cations lodged by the traditional importers exceeds the
portion of the quota set aside for them; whereas applica-
tions should consequently be met by applying the
uniform rate of increase or reduction given in Annex I to

the figure for each applicant's average imports over the
reference period, expressed in terms of quantity or value;

Whereas in the case of the product listed in Annex II
hereto the Community aggregate of applications lodged
by traditional importers is less than the amount set aside
for them and whereas those applications should conse-
quently be met in full,

HAS ADOPTED THIS REGULATION:

Article 1

In the case of the products listed in Annex I hereto,
import licence applications lodged by traditional impor-
ters in accordance with Article 4 of Regulation (EC) No
747/94 shall be met up to the quantity or value resulting
from the application to each importer's average level of
imports for 1991 and 1992 of the rate of reduction or
increase specified in Annex I for each quota.

Where the use of this quantitative criterion would entail
allocating amounts greater than those applied for, the
quantity or value allocated shall be limited to that
contained in the application.

Article 2

In the case of the product listed in Annex II hereto,
import licence applications lodged by traditional impor-
ters in accordance with Article 4 of Regulation (EC) No
747/94 shall be met in full.

Article 3

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

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

Done at Brussels, 29 April 1994.

For the Commission

Leon BRITTAN

Member of the Commission

⁽¹⁾ OJ No L 66, 10. 3. 1994, p. 1.

⁽²⁾ OJ No L 87, 31. 3. 1994, p. 83.

ANNEX I

RATE OF REDUCTION/INCREASE

Description of products subject to quotas	HS/CN Code	Rate of reduction/ increase
Gloves	4203 29	- 31,35 %
Footwear falling within HS/CN codes	— ex 6402 19 ⁽¹⁾ ex 6402 99 ⁽¹⁾	- 19,49 %
	— ex 6403 19 ⁽¹⁾	- 13,09 %
	— 6403 51 6403 59	- 19,34 %
	— ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	- 64,72 %
	— ex 6404 11 ⁽¹⁾	- 30,96 %
	— 6404 19 10	- 32,97 %
Tableware, kitchenware of porcelain or china	6911 10	- 17,72 %
Ceramic tableware, kitchenware, other than of porcelain or china	6912 00	- 24,02 %
Glassware of a kind used for table, kitchen, toilet, etc.	7013	+ 15,66 %
Radio-broadcast receivers falling within HSCN code	8527 21	+ 42,39 %
Toys falling within HS/CN codes	— 9503 41	- 43,811 %
	— 9503 49	- 44,453 %
	— 9503 90	- 40,921 %

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 12 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

ANNEX II

Radio-broadcast receivers falling within HS/CN code 8527 29.

COMMISSION REGULATION (EC) No 1013/94

of 29 April 1994

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽⁵⁾, as amended by Regulation (EC) No 3528/93 ⁽⁶⁾,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 962/94 ⁽⁷⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽⁸⁾, as last amended by Regulation (EEC) No 1740/78 ⁽⁹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93 ⁽¹⁰⁾ as fixed in the Annex to Regulation (EC) No 962/94 are hereby altered to the amounts set out in the Annex.

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, 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 29. 4. 1994, p. 39.

⁽⁸⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁹⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁰⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

to the Commission Regulation of 29 April 1994 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (7)	
	ACP	Third countries (other than ACP)
1102 30 00	131,73	134,75
1103 14 00	131,73	134,75
1103 29 50	131,73	134,75
1104 19 91	223,69	229,73
1108 19 10	188,89	219,72

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

COMMISSION REGULATION (EC) No 1014/94

of 29 April 1994

fixing the premiums to be added to the import levies on cereals, flour and malt

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1994.

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

Done at Brussels, 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 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 29 April 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	5	6	7	8
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	5	6	7	8	9
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COUNCIL REGULATION (EC) No 1015/94

of 29 April 1994

imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, hereinafter referred to as 'the Basic Regulation', and in particular Article 12 thereof,

Having regard to the proposal from the Commission submitted after consultation within the Advisory Committee as provided for under the abovementioned Regulation,

Whereas :

intended to recommend the imposition of definitive anti-dumping duties and the definitive collection of amounts secured by way of provisional duty. They were also granted a period within which to make representations subsequent to the disclosure.

(4) The oral and written comments submitted by the parties were considered and, where appropriate, the Commission's findings were modified to take account of them.

(5) The investigation overran the normal duration of one year provided for in Article 7 (9) (a) of the Basic Regulation due to the complexity of the product and the investigation.

A. Provisional measures

(1) The Commission, by Regulation (EEC) No 3029/93⁽²⁾ (hereinafter referred to as 'the provisional duty Regulation') imposed a provisional anti-dumping duty on imports into the Community of television camera systems (hereinafter referred to as 'television cameras'), originating in Japan.

The Council, by Regulation (EC) No 301/94⁽³⁾, extended this duty for a period not exceeding two months.

B. Subsequent procedure

(2) Following the imposition of the provisional anti-dumping duty, a number of interested parties made submissions to the Commission making known their views on the findings. Those who so requested were also granted an opportunity to be heard by the Commission. A number of users of television cameras also contacted the Commission and made their points of view known in writing as well as orally.

(3) Parties were informed of the essential facts and considerations on the basis of which it was

C. Product under consideration and like product

(6) The main characteristics of the product under consideration were described in detail in recitals 7 to 10 of the provisional duty Regulation. The division of the market of electronic cameras using three CCDs (Charge-Coupled Device) into three segments, i.e. consumer cameras, professional cameras and television cameras has not been disputed by the parties concerned.

(7) Several exporters, however, argued that the scope of the proceeding had been broadened by including so-called professional cameras. The Community industry, from its side, argued that the duty should also apply to professional cameras because these professional cameras would be competing with television cameras and would be used by broadcast companies.

(8) As outlined in the provisional duty Regulation, it was necessary to determine whether the so-called professional cameras which reached the technical specifications of the notice of initiation could be used for broadcast purposes by comparing in more detail the technical specifications and use of these cameras. Account has been taken of the following criteria : technical description of the camera ; type of transmission system for the signals ; their interface for recording facilities ; the type and size of CCD ; the type of lens ; the lifetime of the components ; the control possibilities ; the ease of operation and the possibilities for the users to carry out their own maintenance and the use and marketing

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1. Regulation as last amended by Regulation (EC) No 522/94 (OJ No L 66, 10. 3. 1994, p. 10).

⁽²⁾ OJ No L 271, 30. 10. 1993, p. 1.

⁽³⁾ OJ No L 40, 11. 2. 1994, p. 23.

of these cameras. No one or several of these criteria necessarily gave decisive guidance. This investigation revealed that only those so-called professional cameras which could be used as forming part of a television camera system including most, but not necessarily all, of the components indicated in recital 7 of the provisional duty Regulation can effectively be qualified as broadcast cameras and should, therefore, fall within the scope of any measures. As a result of this, a list of professional cameras was drawn up, which are not qualified as broadcast cameras and can therefore be exempted from the measures. This list is attached to this Regulation as the Annex.

D. Dumping

- (9) No exporter contested the method of calculation of dumping as set out in recitals 11 to 17 of the provisional duty Regulation, apart from a number of mathematical discrepancies in the after-sales discounts, ordinary discounts, selling costs and advertising expenses, which have been corrected.
- (10) The dumping margins, as finally established and after making the adjustments mentioned in recital 9, are as follows:

— Ikegami Tsushinki Co., Ltd :	82,9 %,
— Sony Corporation :	62,6 %,
— Hitachi Denshi :	52,7 %.

- (11) For the producers which refused to reply to the Commission's questionnaires or filed incomplete replies to the questionnaires, the margin of dumping was established on the basis of the facts available, in accordance with Article 7 (7) (b) of the Basic Regulation. Since there was no reason to believe that the producers would have sold to the Community at levels higher than the company with the highest dumping margin, the calculation of dumping was consequently based on the weighted average margin of a camera head with its portable companion camera and a camera control unit (CCU), an operational control panel (OCP), a master set-up unit (MSU) or master control panel (MCP) sold by this company and considered comparable to products sold by non-co-operating exporters. The result of this calculation is a margin of dumping of 96,8 % which should apply to all non-co-operating exporters.

E. Injury

- (12) In the provisional duty Regulation the Commission had concluded that the Community television camera industry suffered material injury in particular through losses of sales, price erosion and resulting financial losses with all relevant economic indicators of the Community industry being clearly negative.
- (13) One exporter disputed the findings on price undercutting. The exporter claimed that the calculation should not have been based on the sales of camera heads only, but should also have included other parts of the television camera system, such as the OCP, the CCU, the MSU or the MCP.
- (14) This argument was accepted and new calculations of undercutting were made which now include, apart from the camera head, all of the parts mentioned in the previous recital.
- (15) Another exporter argued that, for the purpose of calculating price undercutting, too many of the models sold by one of the complainants (Thomsom Broadcast) were used and that more models of the other Community producer (BTS) which, according to this exporter has the largest market share in the Community, should be included.
- (16) This argument was accepted and sufficient models of both Community producers have now been included in the calculation which is considered to be more representative.
- (17) The exporter also claimed that FT (Frame Transfer) cameras should not be compared with IT (Interline Transfer) and FIT (Frame Interline Transfer) cameras on the grounds that the technology and consumer perception would be different.
- (18) This claim was not accepted. FT technology is indeed technically different from both IT or FIT technology because the organization of the transfer of the signal is different. This difference however, taken in isolation, is not a reason for concluding that the products are not comparable. Amongst the transfer of the signal the consumer considers a wide range of characteristics and features given the specific application he has in mind for his television camera. Different users will rate the features of a television camera in a different way in relation to their specific use and requirements. It is consequently not possible to limit comparisons to the type of transfer of the signal as requested by the exporter.

- (19) All of the abovementioned changes in methodology have affected the Commission's provisional findings on price undercutting. The margin of undercutting as finally established varied between 21 % and 60 % depending on the exporter concerned.
- (20) All other findings on injury set out in recitals 18 to 32 of the provisional duty Regulation are confirmed, except for the results of the calculation of price undercutting (recital 21 of the provisional duty Regulation) which are replaced by the findings set out in recital 19 of this Regulation.

F. Causation of injury by dumping

I. *Effect of dumped imports*

- (21) In recital 33 of the provisional duty Regulation the Commission concluded that the dumped imports were responsible for the injury as shown by the fact that the Community producers lost 18 % of the Community market between 1989 and the investigation period while the Japanese suppliers gained 18 % of the market in the same period. There is consequently a clear-cut coincidence between the dumping and the injury as already explained in recital 33 of the provisional duty Regulation.

II. *Effect of other factors*

- (22) A number of users of television cameras wrote to the Commission after the provisional duty was imposed and claimed that the television cameras sold by the Community industry were of a lower quality. The users, however, provided no evidence in support of their allegations.
- (23) Although it was found that certain camera systems from certain producers suited the needs of a particular user better than the camera systems from other producers, it did not find a significant overall technical superiority of television cameras of any of the producers. Further contacts with the users of television camera systems confirmed the Commission's provisional findings that the products of the Community industry were of a comparable quality, were similar in performance and were competing directly with the products sold by Japanese producers.
- (24) Consequently no other factors were found, other than the dumped imports, which would have been responsible for the injury caused to the Commu-

nity industry. It is therefore concluded that the dumped exports taken in isolation have caused material injury to the Commission industry.

G. Community interest

- (25) In its provisional findings, the Commission considered the interests of the Community industry as well as those of end users (see recitals 38 to 40 of the provisional duty Regulation) and concluded that it was in the interest of the Community to impose a provisional anti-dumping duty to counteract the effect of the unfair behaviour on the Community industry during the investigation.
- (26) After the imposition of the provisional anti-dumping duty, representations from a number of users of television camera systems were received which alleged that the measures would not be in their interest because the high level of the duty would increase drastically the prices of the imported cameras. Some users, which had already previously decided to buy Japanese cameras, also pointed out that it would be almost impossible for them to switch immediately from a Japanese supplier to a Community supplier because of the incompatibility of the television camera systems from the various suppliers.
- (27) It is entirely a matter for the users to decide whether or not to switch from imported to Community products. If this happens it will merely be a consequence of users fully choosing the Community product once the imported product loses its unfair competitive advantage. In any case, there are already a large number of users which use television cameras from various suppliers, despite compatibility limitations. Moreover, the purpose of anti-dumping measures is not necessarily to cause users to switch from a Japanese supplier to a Community supplier but merely to eliminate unfair trade practices.
- (28) It should be borne in mind that the purpose of anti-dumping measures is to remedy the injurious effect of unfair trading practices and to re-establish a fair competitive situation which, as such, is in the general interest of the Community. It should also be pointed out that the users have no right to continue to take advantage of the effect of unfair trade practices in the form of very low prices.

- (29) As outlined in recital 40 of the provisional duty Regulation, the investigation revealed that prices of television cameras in the Community had declined over the last four years to such an extent that all Japanese as well as Community suppliers were selling at a loss. If this situation is not halted and if profitable price levels are not restored, the situation of the Community television camera industry will further deteriorate with a strong possibility of shut-down with the consequent loss of a high-tech industry and the disadvantageous effects for users of a reduced number of competitors.
- (30) It is consequently concluded that it is in the Community interest to adopt definitive anti-dumping measures to eliminate the injurious effects of the dumped imports.

H. Undertakings

- (31) The following three exporters have offered price undertakings in accordance with Article 10 (3) of the Basic Regulation :
- Ikegami Tsushinki Co., Ltd,
 - Sony Corporation,
 - Hitachi Denshi Ltd.
- (32) The Commission, after consultation, considered that the undertakings were not acceptable in particular because of the possibilities of circumventing the minimum prices of the undertaking by means which would be particularly difficult to detect in this case given the peculiarities of the product and the market.

I. Duty

- (33) The measures should consequently take the form of a definitive anti-dumping duty.
- (34) As regards the level of duty provisionally imposed, the Commission determined that the increase to the export prices of each individual exporter, which would be required to permit the Community industry a reasonable return on sales of its television cameras, exceeded the dumping margins as established. Consequently, the provisional anti-dumping duty corresponded to the individual dumping margins of each exporter as established in recitals 16 and 17 of the provisional duty Regulation in accordance with Article 13 (3) of the Basic Regulation.
- (35) Some exporters argued that the Commission should not have restricted its calculation of the level of injury to the camera heads only but should also

have included other components of the television camera system.

- (36) This argument has already been accepted in recitals 13 to 19 of this Regulation for the purpose of the calculation of price undercutting and is therefore also accepted for the calculation of the price increase required to allow the Community industry to make a reasonable profit. Thus included in the calculation were not only the camera heads but also the CCUs, the OCPs, the MSUs or the MCPs. This new calculation revealed the following price increases necessary to remove the injury caused by dumping, expressed as a percentage of the CIF import prices of the Japanese television cameras :

— Ikegami Tsushinki Co., Ltd :	98,9 %,
— Sony Corporation :	81,3 %,
— Hitachi Denshi Ltd :	89,2 %.

- (37) For the producers which refused to reply to the Commission's questionnaires or filed incomplete replies to the questionnaires the level of price increase necessary to eliminate the injury was established on the basis of the facts available, in accordance with Article 7 (7) (b) of the Basic Regulation. Since there was no reason to believe that the producers would have sold to the Community at levels higher than the company with the highest dumping margin the Commission consequently based its calculation of the level of injury on the weighted average margin of a comparable camera head with its portable companion camera and a CCU, an OCP, an MSU or MCP sold by this company. This margin amounted to 108,3 %.
- (38) Since the level of injury thus established exceeds the margins of dumping as finally established the duties are based on the margins of dumping.
- (39) Representations from Member States and from the Community industry indicated that, given the particular conditions of the television camera market, the risk that the anti-dumping duty on television camera systems might be evaded and thus rendered ineffective could be high.
- (40) The Council is of the opinion that such a possibility in this particular case requires special attention. It is noted that the Commission will keep the situation of the market under close examination with a view to prevent any undermining of the remedial effect of this anti-dumping duty.

J. Retroactive duties

- (41) The Community producers requested the imposition of retroactive anti-dumping duties on the grounds that importers were aware that the exporters were practising dumping and that there would

be material injury caused by sporadic dumping in the form of massive imports of television cameras in a relatively short period prior to the imposition of the provisional anti-dumping duty.

- (42) In the absence of sporadic dumping, as defined in Article 13 (4) of the Basic Regulation, there were no grounds to impose retroactive anti-dumping duties in this case. The Council consequently decided not to impose retroactive anti-dumping duties on television camera systems originating in Japan.

K. Collection of provisional duties

- (43) In view of the size of the dumping margins found and the seriousness of the injury caused to the Community producers, the Council considers it necessary that the amounts secured by way of provisional anti-dumping duties should be collected, either in full or to a maximum of the duty definitively imposed in those cases where the definitive duty is less than the provisional duty. The duty should be definitively collected for all models of television camera systems originating in Japan not included in the list attached to this Regulation as the Annex,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of television camera systems falling within CN codes 8525 30 99 (Taric code: 8525 30 99*10), 8537 10 91 (Taric code: 8537 10 91*91), 8537 10 99 (Taric code: 8537 10 99*91), 8529 90 98 (Taric code: 8529 90 98*98), 8543 80 80 (Taric code: 8543 80 80*97), 8528 10 31 (Taric code: 8528 10 31*10), 8528 10 41 (Taric code: 8528 10 41*10) and 8528 10 49 (Taric code: 8528 10 49*10) originating in Japan.

2. Television camera systems may consist of a combination of the following parts, imported either together or separately:

- (a) a camera head with three sensors (12 mm or more charge-coupled device pick-up devices) with more than 400 000 pixels each, which can be connected to a rear adaptor, and having a specification of the signal-to-noise ratio of 55 dB or more at normal gain; either in one piece, with the camera head and the adaptor in one housing, or separate;
- (b) a view finder (diagonal, of 38 mm or more);
- (c) a base station or camera control unit (CCU) connected to the camera by a cable;

- (d) an operational control panel (OCP) for camera control (i.e. for colour adjustment, lens opening or iris) of single cameras;

- (e) a master control panel (MCP) or master set-up unit (MSU) with selected camera indication, for the over-view and for adjustment of several remote cameras.

3. The duty does not apply to:

- (a) lenses;
- (b) video tape recorders;
- (c) camera-heads with the recording unit in the same, inseparable, housing;
- (d) professional cameras which cannot be used for broadcast purposes;
- (e) professional cameras listed in the Annex. (Taric additional code: 8786).

4. When the television camera system is imported with the lens the free-at-Community-frontier value used in applying the anti-dumping duty shall be that of the television camera systems without the lens. If this value is not specified on the invoice the importer shall declare the value of the lens at the time of release for free circulation and shall submit appropriate evidence and information on that occasion.

5. The rate of the definitive anti-dumping duty shall be 96,8 % of the net, free-at-Community-frontier price, before duty (Taric additional code: 8744) except for the following companies for which the rate shall be as follows:

- Ikegami Tsushinki Co., Ltd:
82,9 % (Taric additional code: 8741),
- Sony Corporation:
62,6 % (Taric additional code: 8742),
- Hitachi Denshi Ltd:
52,7 % (Taric additional code: 8743).

6. The provisions in force concerning customs duties shall apply.

Article 2

The amounts secured by way of provisional anti-dumping duty imposed by Commission Regulation (EEC) No 3029/93 on the products not listed in the Annex attached to this Regulation shall be definitively collected at the rates of the duty definitively imposed, except for Hitachi Denshi Ltd for which the provisional anti-dumping duty of 49,9 % shall be collected.

Article 3

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, 29 April 1994.

For the Council

The President

Th. PANGALOS

ANNEX

List of professional camera systems not qualified as broadcast camera systems which are exempted from the measures

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit (*)	Camera adaptors
SONY	DXC-M7PK DXC-M7P DXC-M7PH DXC-M7PK/1 DXC-M7P/1 DXC-M7PH/1 DXC-327PK DXC-327PL DXC-327PH DXC-327APK DXC-327APL DXC-327AH DXC-537PK DXC-537PL DXC-537PH DXC-537APK DXC-537APL DXC-537APH EVW-537PK EVW-327PK	DXF-3000CE DXF-325CE DXF-501CE DXF-M3CE DXF-M7CE DXF-40CE DXF-40ACE DXF-50CE	CCU-M3P CCU-M5P CCU-M7P	RM-M7G	—	CA-325P CA-325AP CA-325B CA-327P CA-537P CA-511 CA-512P CA-513
IKEGAMI	HC-340 HC-300 HC-230 HC-240 HC-210	VF15-21/22 VF-4523	MA-200/230	RCU-240	—	CA-340 CA-300 CA-230
HITACHI	SK-H5 SK-H501 DK-7700 DK-7700SX HV-C10 HV-C11 HV-C10F Z-ONE (L) Z-ONE (H) Z-ONE Z-ONE A (L) Z-ONE A (H) Z-ONE A (F) Z-ONE A Z-ONE B (L) Z-ONE B (H) Z-ONE B (F) Z-ONE B Z-ONE B (M) Z-ONE B (R) FP-C10 (B) FP-C10 (C) FP-C10 (D) FP-C10 (G) FP-C10 (L) FP-C10 (R) FP-C10 (S) FP-C10 (V) FP-C10 (F) FP-C10	GM-5 (A) GM-5-R2 (A) GM-5-R2 GM-50	RU-C1 (B) RU-C1 (D) RU-C1 RU-C1-S5 RU-C10 (B) RU-C10 (C) RC-C1 RC-C10 RU-C10 RU-Z1 (B) RU-Z1 (C) RU-Z1 RC-C11			

Company name	Camera heads	Viewfinder	Camera control unit	Operational control unit	Master control unit (*)	Camera adaptors
HITACHI (cont'd)	FP-C10 A FP-C10 A (A) FP-C10 A (B) FP-C10 A (C) FP-C10 A (D) FP-C10 A (F) FP-C10 A (G) FP-C10 A (H) FP-C10 A (L) FP-C10 A (R) FP-C10 A (S) FP-C10 A (T) FP-C10 A (V) FP-C10 A (W) Z-ONE C (M) Z-ONE C (R) Z-ONE C (F) Z-ONE C					
MATSUSHITA	WV-F700 WV-F700A WV-F700SHE WV-F700ASHE WV-F700BHE WV-F700ABHE WV-F700MHE WV-F350 WV-F350HE WV-F350E WV-F350AE WV-F350DE WV-F350ADE WV-F500HE	WV-VF65BE WV-VF40E WV-VF65BE WV-VF39E WV-VF65BE WV-VF40E WV-VF65BE WV-VF40E	WV-RC700/B WV-RC700/G WV-RC700A/B WV-RC700A/G WV-RC36/B WV-RC36/G WV-RC37/B WV-RC37/G WV-CB700E WV-CB700AE WV-CB700E WV-CB700AE WV-RC700/B WV-RC700/G WV-RC700A/B WV-RC700A/G	—	—	WV-AD700SE WV-AD700ASE WV-AD700ME WV-AD250E WV-AD500E
JVC	KY-35E KY-27ECH KY-19ECH KY-17FITECH KY-17BECH KY-F30FITE KY-F30BE	VF-P315E VF-P550E VF-P10E VP-P115E VF-P400E VP-P550BE	RM-P350EG RM-P200EG RM-P300EG RM-LP80E RM-LP821E RM-LP35U RM-LP37U	—	—	KA-35E KA-B35U KA-M35U KA-P35U KA-27E KA-20E KA-P27U KA-P20U KA-B27E KA-B20E KA-M20E KA-M27E

(*) Also called Master setup unit (MSU) or Master control panel (MCP).

II

(Acts whose publication is not obligatory)

COUNCIL

Statement concerning Article 7 (4) of Council Directive 93/37/EEC of 14 June 1993 concerning the coordination of procedures for the award of public works contracts ⁽¹⁾

STATEMENT CONCERNING ARTICLE 7 (4)

The Council and the Commission state that in open and restricted procedures all negotiations with candidates or tenderers on fundamental aspects of contracts, variations in which are likely to distort competition, and in particular on prices, shall be ruled out ; however, discussions with candidates or tenderers may be held but only for the purpose of clarifying or supplementing the content of their tenders of the requirements of the contracting authorities and provided this does not involve discrimination.

Statement re Article 20 of Council Directive 93/38/EEC of 14 June 1993 coordinating the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors ⁽²⁾

STATEMENT RE ARTICLE 20

The Council and the Commission state that in open and restricted procedures all negotiations with candidates or tenderers on fundamental aspects of contracts, variations in which are likely to distort competition, and in particular on prices, shall be ruled out ; however, discussions with candidates or tenderers may be held but only for the purpose of clarifying or supplementing the content of their tenders or the requirements of the contracting entities and provided this does not involve discrimination.

⁽¹⁾ OJ No L 199, 9. 8. 1993, p. 54.

⁽²⁾ OJ No L 199, 9. 8. 1993, p. 84.

CORRIGENDA

Corrigendum to Council Regulation (EC) No 163/94 of 24 January 1994 amending Regulation (EEC) No 386/90 on the monitoring carried out at the time of export of agricultural products receiving refunds or other amounts

(Official Journal of the European Communities No L 24 of 29 January 1994)

On page 2, Article 1 (1) shall read as follows :

‘1. In Article 2:

— the following shall be inserted :

“(b) physical checks on substitution in accordance with Article 3a, and”

— (b) shall become (c).’

Corrigendum to Council Directive 93/37/EEC of 14 June 1993 concerning the coordination of procedures for the award of public works contracts

(Official Journal of the European Communities No L 199 of 9 August 1993)

On page 54 in footnote (*), second line :

for: ‘... Directive 90/531/EEC (OJ No L 297, 29. 10. 1990, p. 1),’

read: ‘... Directive 93/4/EEC (OJ No L 38, 16. 2. 1993, p. 31).’
