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Legislation

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 1111/94
of 16 May 1994**

amending Regulation (EEC) No 2785/93 on the opening of a standing invitation to tender for the resale on the internal market of bread-making rye held by the Danish 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 the last partial invitation to tender under Regulation (EEC) No 2785/93 ⁽⁵⁾ should be postponed;

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

Article 2 (2) of Regulation (EEC) No 2785/93 is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 30 June 1994.'

Article 2

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

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

Done at Brussels, 16 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 252, 9. 10. 1993, p. 21.

COMMISSION REGULATION (EC) No 1112/94

of 16 May 1994

amending Regulation (EC) No 3389/93 on the opening of a standing invitation to tender for the sale on the internal market of barley held by the Danish 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 the last partial invitation to tender under Commission Regulation (EC) No 3389/93 ⁽⁵⁾, as amended by Regulation (EC) No 605/94 ⁽⁶⁾, should be postponed;

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

Article 2 (2) of Regulation (EC) No 3389/93 is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 28 June 1994.'

Article 2

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

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

Done at Brussels, 16 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 306, 11. 12. 1993, p. 24.

⁽⁶⁾ OJ No L 77, 19. 3. 1994, p. 3.

COMMISSION REGULATION (EC) No 1113/94

of 16 May 1994

on the supply of vegetable oil 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 5 990 tonnes of vegetable oil;

Whereas it is necessary to make these supplies 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

Vegetable oil 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, 16 May 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, C, D, E, F

1. **Operation Nos** ⁽¹⁾: see Annex II
2. **Programme**: 1993 and 1994
3. **Recipient** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel. (31 70) 33 05 757; telefax 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**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽⁵⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (1) (a))
8. **Total quantity**: 4 490 tonnes net
9. **Number of lots**: 6 (see Annex II)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (2) (1), IIIA (2) (3) and IIIA (3))
 - Five litre metal canister without cardboard crosspieces,
 - markings in English (Lots A, B, C, D + E 1 — E 8); Spanish (F 5 — F 8); Portuguese (E 9 + E 10 + F 1 — F 4) and French (F 9)
11. **Method of mobilization**: the Community market
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**: lots A, B: 4 — 24. 7. 1994; lots C, D, E, F: 18. 7 — 7. 8. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply** ⁽⁸⁾: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 31. 5. 1994
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 14. 6. 1994
 - (b) period for making the goods available at the port of shipment: lots A, B: 18. 7 — 7. 8. 1994; lots C, D, E, F: 1 — 21. 8. 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** ⁽⁹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles (telex 22037 AGREC B/25670 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer**: —

LOTS G

1. **Operation Nos** (1): 1606/93
2. **Programme**: 1993
3. **Recipient** (2): Angola
4. **Representative of the recipient**:
PAM (Programme Alimentaire Mondial), Rue Major Konhangulo n° 197/R-C, Luanda (Sr Filipe Borel
tel. (244-2) 239 35 43; telefax 239 35 42 telex 3426 UN WFP AN)
5. **Place or country of destination** (3): Angola
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods** (4): OJ No C 114, 29. 4. 1991, p. 1 (under III.A.1 (b))
8. **Total quantity**: 1 500 tonnes
9. **Number of lots**: 1 in three parts (G1: 700 tonnes; G2: 400 tonnes; G3: 400 tonnes)
10. **Packaging and marking** (5) (6):
OJ No C 114, 29. 4. 1991, p. 1 (under III.A.2(2)(b), III.A.2.3 and III.A.3)
— 1 litre PET bottles, without cardboard crosspieces
Markings in Portuguese
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: G1: Luanda; G2: Lobito; G3: Namibe
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 4 — 24. 7. 1994
18. **Deadline for the supply**: 21. 8. 1994
19. **Procedure for determining the costs of supply** (7): tendering procedure
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 31. 5. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 14. 6. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 18. 7 — 7. 8. 1994
 - (c) deadline for the supply: 4. 9. 1994
22. **Amount of tendering security**: ECU 15 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (8): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles; telex 22037 / 25670 AGREC B; telefax (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on application by the successful tenderer**: —

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 the following countries : Sudan (Lot D).

- (⁴) Article 7 (3) (g) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) The cartons shall be stacked on wooden pallets (made of pine, fir or poplar) measuring not more than 1 200 × 1 400 mm, and with the following features :
 - four-way entry, non-reversible, with wings,
 - a top deck consisting of a minimum of seven planks measuring 100 mm in width and of a thickness of 22 mm,
 - a bottom deck consisting of three planks measuring 100 mm in width and of a thickness of 22 mm,
 - three bearers measuring 100 mm in width and of a thickness of 22 mm,
 - nine dowels : 100 × 100 × 78 mm minimum.

The palletized cartons shall be covered by a shrink film of a thickness of at least 150 µm (shrink wrapping or stretch wrapping).

The rows of cartons must be separated by plywood sheets.

The cartons must have reinforced protection consisting of four angles (35 × 35 mm) made of cardboard at least 3 mm thick placed on the four upper edges.

The whole of the above must be bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.

- (⁷) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate.
- (⁸) Shipment to take place in 20-foot containers, FLC/FCL. The supplier will 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 will 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 subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each shipping number as specified in the invitation to tender. The rows of cartons (each third tier) must be separated by a hardboard layer (minimum 2 300 × 610 — 3 mm).

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

- (⁹) Notwithstanding OJ No C 114, point III.A.3(c) is replaced by the following : "the words "European Community".

- (¹⁰) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.

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	1 000		1616/93	Eritrea
B	1 000		233/94	Eritrea
C	810		234/94	Ethiopia
D	600		235/94	Sudan
E	375	E 1 : 15 E 2 : 90 E 3 : 15 E 4 : 15 E 5 : 15 E 6 : 15 E 7 : 15 E 8 : 30 E 9 : 90 E10 : 75	1617/93 236/94 237/94 238/94 239/94 240/94 241/94 242/94 243/94 244/94	Uganda Kenya Kenya India India India India India Angola Angola
F	705	F1 : 15 F2 : 15 F3 : 15 F4 : 15 F5 : 105 F6 : 45 F7 : 165 F8 : 60 F9 : 270	245/94 246/94 247/94 248/94 249/94 250/94 251/94 252/94 253/94	Brasil Brasil Brasil Brasil Perú Perú Perú Perú Haiti

COMMISSION REGULATION (EC) No 1114/94
of 16 May 1994
amending Regulation (EEC) No 2839/93 on the special sale of intervention butter
for export to the republics of the former Soviet Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 1 (1) of Commission Regulation (EEC) No 2839/93 of 18 October 1993 on the special sale of intervention butter for export to the republics of the former Soviet Union ⁽³⁾, as last amended by Regulation (EC) No 797/94 ⁽⁴⁾, lays down the maximum quantity to be sold in accordance with the allocation by Member State set out in the Annex thereto; whereas that maximum quantity was fixed in accordance with the quantities laid down in the derogation granted on 22 June 1993 by the Committee of the Protocol regarding milk fat, acting within the framework of the General Agreement on Tariffs and Trade (GATT); whereas those quantities were increased by a Decision of the said Committee of 29 March 1994; whereas, therefore, the maximum quantity referred to in Regulation (EEC) No 2839/93 and the allocation by Member State should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

- (1) In Article 1 (1), the maximum quantity of '50 000 tonnes' is replaced by '66 500 tonnes'.
- (2) Point I of the Annex is replaced by the following:

'I. Allocation of the quantities of butter referred to in Article 1:

(tonnes)	
	Maximum quantities
Germany	10 600
Spain	16 000
Ireland	29 300
Netherlands	8 000
United Kingdom	2 600
Total	66 500'

Article 2

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

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

Done at Brussels, 16 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 260, 19. 10. 1993, p. 8.

⁽⁴⁾ OJ No L 92, 9. 4. 1994, p. 20.

COMMISSION REGULATION (EC) No 1115/94

of 16 May 1994

providing for the grant of compensation to producers' organizations in respect of tuna delivered to the canning industry during the period 1 April to 30 June 1993

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, as last amended by Council Regulation (EEC) No 1891/93⁽²⁾, and in particular Article 18 (8) thereof,

Whereas the compensating allowance referred to in Article 18 of Regulation (EEC) No 3759/92 is granted, under certain conditions, to Community tuna producers' organizations in respect of quantities of tuna delivered to the canning industry during a calendar quarter for which prices are recorded, where the average quarterly price on the Community market and the free-at-frontier price plus any applicable countervailing charge are both lower than 93 % of the Community producer price for the product in question;

Whereas examination of the situation on the Community market has shown that for all species of the product in question, during the period 1 April to 30 June 1993, both the average quarterly market price and the free-at-frontier price referred to in Article 18 of Regulation (EEC) No 3759/92 were lower than 93 % of the Community producer price applicable as laid down in Commission Regulation (EEC) No 351/93 adjusting for the 1993 fishing year the Community producer prices for tuna delivered to the industrial production falling within CN code 1604⁽³⁾;

Whereas the quantities eligible for the allowance, within the meaning of Article 18 (2) of Regulation (EEC) No 3759/92, may not under any circumstances exceed, for the quarter concerned, the limits laid down in paragraph 4 of that Article;

Whereas the quantities sold and delivered during the quarter concerned to the canning industry established in the customs territory of the Community were higher overall than 62,8 % of the quantities of tuna used by the industry during that quarter and, in the case of albacore, higher than those sold and delivered during the same quarter of the last three fishing years and, in the case of

Yellowfin tuna (the two presentations, i.e. weighing less than and more than 10 kg), higher than 110 % of those sold and delivered during the same quarter of the 1984, 1985 and 1986 fishing years; whereas these quantities exceed the limits laid down in the first indent of Article 18 (4) of Regulation (EEC) No 3759/92 for skipjack and bigeye tuna, in the second indent for albacore tuna and in the third indent for Yellowfin tuna (the two presentations); whereas the total quantities of these products that may be eligible for the allowance should be limited and the quantities allocated to the producers' organization concerned should be determined in proportion to their respective production during the same quarter of the 1984, 1985 and 1986 fishing years;

Whereas a decision to grant the compensating allowance for the period 1 April to 30 June 1993 should be adopted therefore for the products in question;

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

HAS ADOPTED THIS REGULATION:

Article 1

The compensating allowance referred to in Article 18 of Regulation (EEC) No 3759/92 shall be granted for the period 1 April to 30 June 1993 in respect of the products listed below.

Product	Maximum amount of allowance within the meaning of the first and second indents of Regulation (EEC) No 3759/92 (Ecu/tonne)
Yellow tuna, larger than 10 kg	118
Yellow tuna, smaller than 10 kg	92
Skipjack tuna	73
Bigeye tuna	89
Albacore tuna	55

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 172, 15. 7. 1993, p. 1.

⁽³⁾ OJ No L 41, 18. 2. 1993, p. 12.

Article 2

1. For each of the species the total quantities that may be eligible for the allowance are hereby limited as follows :

	(tonnes)
Yellow tuna, larger than 10 kg	27 104
Yellow tuna, smaller than 10 kg	2 256
Skipjack tuna	10 849
Bigeye tuna	2 141
Albacore tuna	96

2. The allocation of the total quantities amongst the producer' organizations concerned is specified in the Annex hereto.

Article 3

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, 16 May 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

ANNEX

Allocation among the producers' organizations of the quantities of tuna that may be eligible for the compensating allowance for the period 1 April to 30 June 1993, pursuant to Article 18 (5) of Regulation (EEC) No 3759/92, with quantities for each percentage tranche of allowance

Yellowfin tuna, > 10 kg

Producers' organization	Quantities eligible for allowance			Total quantities
	of 100 % (1st indent of Article 18 (5))	of 95 % (2nd indent of Article 18 (5))	of 90 % (3rd indent of Article 18 (5))	
Organización de Productores Asociados de Grandes Congeladores (OPAGAC)	5 720	568	0	6 288
Organización de Productores de Tunidos Congelados (OPTUC)	8 902	883	0	9 785
Organisation de producteurs de thon congelé (Orthongel)	10 018	1 002	11	11 031
Total quantities	24 640	2 453	11	27 104

Yellowfin tuna, < 10 kg

Producers' organization	Quantities eligible for allowance			Total quantities
	of 100 % (1st indent of Article 18 (5))	of 95 % (2nd indent of Article 18 (5))	of 90 % (3rd indent of Article 18 (5))	
Organización de Productores Asociados de Grandes Congeladores (OPAGAC)	725	73	710	1 508
Organización de Productores de Tunidos Congelados (OPTUC)	743	0	0	743
Organisation de producteurs de thon congelé (Orthongel)	5	0	0	5
Total quantities	1 473	73	710	2 256

Skipjack tuna

Producers' organization	Quantities eligible for allowance			Total quantities
	of 100 % (1st indent of Article 18 (5))	of 95 % (2nd indent of Article 18 (5))	of 90 % (3rd indent of Article 18 (5))	
Organización de Productores Asociados de Grandes Congeladores (OPAGAC)	4 618	462	356	5 436
Organización de Productores de Tunidos Congelados (OPTUC)	4 740	55	0	4 795
Organisation de producteurs de thon congelé (Orthongel)	589	0	0	589
Associação de Produtores de Atum e Similares dos Açores (APASA)	29	0	0	29
Total quantities	9 976	517	356	10 849

Albacore

Producers' organization	Quantities eligible for allowance			Total quantities
	of 100 % (1st indent of Article 18 (5))	of 95 % (2nd indent of Article 18 (5))	of 90 % (3rd indent of Article 18 (5))	
Organización de Productores Asociados de Grandes Congeladores (OPAGAC)	50	0	0	50
Organización de Productores de Tunidos Congelados (OPTUC)	6	1	14	21
Organisation de producteurs de thon congelé (Orthongel)	2	0	0	2
Associação de Produtores de Atum e Similares dos Açores (APASA)	23	0	0	23
Total quantities	81	1	14	96

Bigeye tuna

Producers' organization	Quantities eligible for allowance			Total quantities
	of 100 % (1st indent of Article 18 (5))	of 95 % (2nd indent of Article 18 (5))	of 90 % (3rd indent of Article 18 (5))	
Organización de Productores Asociados de Grandes Congeladores (OPAGAC)	463	0	0	463
Organización de Productores de Tunidos Congelados (OPTUC)	23	2	146	171
Organisation de producteurs de thon congelé (Orthongel)	40	0	0	40
Associação de Produtores de Atum e Similares dos Açores (APASA)	1 467	0	0	1 467
Total quantities	1 993	2	146	2 141

COMMISSION REGULATION (EC) No 1116/94

of 16 May 1994

amending Regulation (EEC) No 967/91 laying down detailed rules for the application of Council Regulation (EEC) No 307/91 on reinforcing the monitoring of certain expenditure chargeable to the Guarantee Section of the European Agricultural Guidance and Guarantee Fund

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 307/91 of 4 February 1991 on reinforcing the monitoring of certain expenditure chargeable to the Guarantee Section of the European Agricultural Guidance and Guarantee Fund⁽¹⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 967/91⁽²⁾ lays down the detailed rules necessary for the implementation of the Community financing provided for in Regulation (EEC) No 307/91;

Whereas it should be made clear that expenditure relating to inspection instruments is eligible for financing by the Community;

Whereas, in order to facilitate the administration of the funds to be distributed, provision should be made for the notification by the Member States to refer separately to the two heads of Community financing referred to in Articles 1 and 2 of Regulation (EEC) No 307/91;

Whereas the expenditure estimates provided by the Member States do not always correspond to the actual programming of their activities in the year in question; whereas, therefore, they should be made more restrictive so as to provide a reliable basis for deciding on the funds to be allocated;

Whereas, in addition, it should be made clear that Member States will be informed of the amounts of expenditure to be financed by the Community;

Whereas better use of the funds available under Regulation (EEC) No 307/91 should be achieved; whereas, to that end, it should be laid down that appropriations reserved for a Member State under one of the two heads of financing which, on the basis of the expenditure incurred by that Member State, cannot be paid to it, should be used to part-finance measures eligible under the other head of financing which that Member State has carried out in the year in question, up to the limit of the overall funding reserved for that Member State for the year in question;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 967/91 is hereby amended as follows:

1. In Article 1, the following paragraph 4 is added:

'4. The equipment referred to in Article 5 of Regulation (EEC) No 307/91 shall include inspection instruments.'

2. Article 3 is amended as follows:

(a) Paragraph 1 is amended as follows:

(i) the first subparagraph is replaced by the following:

'Before 31 January each year, the Member States shall inform the Commission whether they intend to apply for the Community financing provided for in Articles 1 and/or 2 of Regulation (EEC) No 307/91, and shall provide details of estimated expenditure for the calendar year in question together with a request for an advance payment, pursuant to Article 6 of that Regulation, before 31 March.'

(ii) the third subparagraph is replaced by the following:

'Estimates shall be drawn up in accordance with the table in the Annex, to be filled in separately for the two types of financing provided for in Articles 1 and 2 of Regulation (EEC) No 307/91.'

(b) The following paragraph 1a is inserted:

'1a. The estimates referred to in paragraph 1, which shall constitute a commitment by the Member States to the Commission, shall be the basis for determining the amounts which can be paid for the implementation of the measures provided for in Articles 1 and/or 2 of Regulation (EEC) No 307/91. Expenditure incurred by the Member States shall be borne by the Community within the limits of the amounts thus determined.'

⁽¹⁾ OJ No L 37, 9. 2. 1991, p. 5.

⁽²⁾ OJ No L 100, 20. 4. 1991, p. 18.

- (c) In the second subparagraph of paragraph 3 is replaced by the following:

'This statement shall be drawn up in accordance with the table in the Annex, to be filled in separately for the two types of financing provided for in Articles 1 and 2 of Regulation (EEC) No 307/91.'

- (d) Paragraph 4 is replaced by the following:

'4. In accordance with Article 6 of Regulation (EEC) No 307/91, within four months of the date of receipt of the statement of expenditure, the Commission shall decide on the amount representing the expenditure borne by the Community and shall inform the Member State thereof. That amount shall be paid to the Member State, less the advance payment referred to in paragraph 2.'

- (e) The following subparagraph is added after paragraph 6:

'At the time of the final statement, the Commission may also reallocate, under the same conditions, any remaining funds initially allocated to a Member State for Articles 1 and/or 2 of Regulation (EEC) No 307/91 among Member States requesting them, within the limit of the total amount of

Community financing determined for the above Articles.'

- (f) The following paragraph 7 is added:

'7. If the expenditure incurred by a Member State does not justify the payment to it of the total amount of Community financing reserved for that Member State on the basis of its estimates under either of the heads of financing provided for in Articles 1 and 2 of Regulation (EEC) No 307/91, the Commission may, at the request of that Member State, use the remaining sum to part-finance eligible expenses incurred by the latter in the implementation of measures under the other head of financing, provided that the rate of the Community financial contribution referred to in the above Articles is respected and the total amount of the two types of financing allocated to that Member State for the year in question is not exceeded.'

Article 2

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

Points 1 and 2 (c), (d), (e) and (f) shall apply from 1994. Point 2 (a) and (b) shall apply from 1995.

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

Done at Brussels, 16 May 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1117/94**of 16 May 1994****fixing the amount of aid for certain grain legumes for the 1994/95 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 762/89 of 20 March 1989 introducing a specific measure for certain grain legumes⁽¹⁾, as last amended by Regulation (EEC) No 2064/92⁽²⁾, and in particular Article 4 thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 762/89, the amount of the aid is to be fixed bearing in mind the need to ensure the maintenance of areas traditionally under grain legume crops, and the aid granted for the said crops under other Community rules; whereas the Community aid per hectare should be fixed at the level specified in this Regulation;

Whereas verification of the areas used for growing grain legumes has revealed no overrun of the maximum guaranteed area fixed in Article 4 of Commission Regulation (EEC) No 2353/89 of 28 July 1989 laying down detailed rules for the grant of aid for certain grain

legumes⁽³⁾, as last amended by Regulation (EC) No 3184/93⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year the aid for the production of grain legumes introduced by Regulation (EEC) No 762/89 shall be ECU 130 per hectare sown and harvested.

Article 2

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

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

Done at Brussels, 16 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 80, 23. 3. 1989, p. 76.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 47.

⁽³⁾ OJ No L 222, 1. 8. 1989, p. 56.

⁽⁴⁾ OJ No L 285, 19. 11. 1993, p. 17.

COMMISSION REGULATION (EC) No 1118/94

of 16 May 1994

fixing for the 1994 marketing year the reference prices for cherries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular Article 27 (1) 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 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 to be amended 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, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas cherries are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas cherries harvested during a given crop year are marketed from April to September; Whereas the quantities harvested in April, during the first 20 days of May and from 11 August to 30 September are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 21 May to 10 August inclusive;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year,

adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

Whereas Regulation (EEC) No 3824/92 establishes a list of prices and amounts for the fruit and vegetables sector which are to be divided by a coefficient of 1,000426 fixing by Commission Regulation (EEC) No 537/93⁽⁷⁾, as amended by Regulation (EEC) No 1331/93⁽⁸⁾, whereas Article 2 of Regulation (EEC) No 3824/92 lays down that the resulting reduction in the prices and amounts for each sector concerned shall be specified and the level of such reduced prices fixed; whereas, however, this adjustment

⁽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.

may not result in a reference price level below that of the preceding marketing year, in accordance with Article 23 (2) of Regulation (EEC) No 1035/72;

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

For the 1994 marketing year, the reference prices for cherries falling within CN code 0809 20, expressed in

ecus per 100 kilograms net, of packed products of class I, of all sizes, shall be as follows:

May (21 to 31):	140,71
June:	125,70
July:	115,49
August (1 to 10):	88,58.

Article 2

This Regulation shall enter into force on 21 May 1994.

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

Done at Brussels, 16 May 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1119/94

of 16 May 1994

introducing a countervailing charge on tomatoes originating in Morocco

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EC) No 703/94 of 29 March 1994 fixing for the 1994 marketing year the reference prices for tomatoes⁽³⁾ fixed the reference price for products of class I at ECU 136,75 per 100 kilograms net for the month of May 1994;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available, less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72, under the conditions laid down in Commission Regulation (EEC) No 2849/93⁽⁴⁾ on varying entry prices for tomatoes originating in Morocco; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by Regulation (EEC) No 249/93⁽⁶⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas, for tomatoes originating in Morocco the entry price calculated in this way has remained at least ECU 0,6 below the reference price for two consecutive market days; whereas a countervailing charge should therefore be introduced for these tomatoes;

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⁾,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 9,87 per 100 kilograms net is applied to tomatoes (CN code 0702 00) originating in Morocco.

Article 2

This Regulation shall enter into force on 18 May 1994.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 85, 30. 3. 1994, p. 3.

⁽⁴⁾ OJ No L 261, 20. 10. 1993, p. 18.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 28, 5. 2. 1993, p. 45.

⁽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.

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

Done at Brussels, 16 May 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1120/94

of 16 May 1994

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of uniflorous (standard) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 2890/93⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

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

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

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for uniflorous (standard) carnations originating in Israel; whereas the Common Customs Tariff duty should be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of uniflorous (standard) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Regulation (EEC) No 2604/93 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 17 May 1994.

⁽¹⁾ OJ No L 263, 22. 10. 1993, p. 10.

⁽²⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽³⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 239, 24. 9. 1993, p. 1.

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

Done at Brussels, 16 May 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1121/94

of 16 May 1994

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin :

- (a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

- (b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 2890/93⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾, as amended by Regulation (EC) No 3528/93⁽⁸⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁹⁾, as amended by Regulation (EC) No 597/94⁽¹⁰⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for small-flowered roses originating in Israel; whereas the Common Customs Tariff duty should be re-established,

HAS ADOPTED THIS REGULATION :

Article 1

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Regulation (EEC) No 2604/93 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 17 May 1994.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 239, 24. 9. 1993, p. 1.

⁽⁴⁾ OJ No L 263, 22. 10. 1993, p. 10.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽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.

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

Done at Brussels, 16 May 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1122/94
of 16 May 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 1090/94⁽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 13 May 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 17 May 1994.

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

Done at Brussels, 16 May 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 120, 11. 5. 1994, p. 41.

ANNEX

to the Commission Regulation of 16 May 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	33,54 ⁽¹⁾
1701 11 90	33,54 ⁽¹⁾
1701 12 10	33,54 ⁽¹⁾
1701 12 90	33,54 ⁽¹⁾
1701 91 00	39,07
1701 99 10	39,07
1701 99 90	39,07 ⁽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 1123/94
of 16 May 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 Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 10 (5) and Article 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 13 May 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 17 May 1994.

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

Done at Brussels, 16 May 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 16 May 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	99,55 ⁽²⁾ ⁽³⁾
0712 90 19	99,55 ⁽²⁾ ⁽³⁾
1001 10 00	25,68 ⁽¹⁾ ⁽³⁾
1001 90 91	89,55
1001 90 99	89,55 ⁽²⁾
1002 00 00	122,37 ⁽⁶⁾
1003 00 10	125,96
1003 00 90	125,96 ⁽²⁾
1004 00 00	100,83
1005 10 90	99,55 ⁽²⁾ ⁽³⁾
1005 90 00	99,55 ⁽²⁾ ⁽³⁾
1007 00 90	105,85 ⁽⁴⁾
1008 10 00	32,63 ⁽²⁾
1008 20 00	50,69 ⁽⁴⁾ ⁽²⁾
1008 30 00	0 ⁽³⁾
1008 90 10	(7)
1008 90 90	0
1101 00 00	162,92 ⁽²⁾
1102 10 00	208,87
1103 11 10	73,26
1103 11 90	186,87
1107 10 11	170,28
1107 10 19	129,98
1107 10 91	235,09 ⁽¹⁰⁾
1107 10 99	178,41 ⁽²⁾
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 1124/94

of 16 May 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 13 May 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 17 May 1994.

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

Done at Brussels, 16 May 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 16 May 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 5	1st period 6	2nd period 7	3rd period 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	3,30	4,58	4,26
1001 90 99	0	3,30	4,58	4,26
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	4,22	6,41	5,97
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	5,87	8,15	7,58	7,58
1107 10 19	0	4,39	6,09	5,67	5,67
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 February 1994

relating to a procedure in application of the second paragraph of Article 53 of the Euratom Treaty

(Only the German text is authentic)

(94/285/Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular the second paragraph of Article 53 thereof,

Having regard to the letter of 20 January 1994 from Kernkraftwerke Lippe-Ems GmbH,

Whereas :

I. THE FACTS

(a) Acts performed by the Euratom Supply Agency

- (1) The German company Kernkraftwerke Lippe-Ems GmbH, hereinafter referred to as KLE, operates a nuclear power station and is, in this capacity, a user of uranium. By letter of 25 November 1993, received on 29 November 1993, KLE submitted to the Euratom Supply Agency, hereinafter referred to as the Agency, under Article 52 of the Euratom Treaty, a supply contract for 400 tonnes of natural uranium in the form of uranium hexafluoride (UF₆) between it and British Nuclear Fuels plc, hereinafter referred to as BNFL.
- (2) In view of the low price of the nuclear materials concerned and the fact that their country of origin had not been notified, the Agency asked the

contracting parties, by letter of 10 December 1993, to let it know the origin of the natural uranium, while drawing their attention to the requirements of the common supply policy particularly with regard to supplies from the Republics of the Commonwealth of Independent States, hereinafter referred to as the CIS.

- (3) BNFL replied by letter of 14 December 1993, that the uranium to be supplied under the contract would be from the CIS and probably from Russia.
- (4) By letter of 20 December 1993, the Agency — reiterating the reasons given in its letter of 10 December 1993 — expressed reservations, arising from the common supply policy, about the proposed contract and asked the parties to let it know their views before it took a decision.
- (5) By letter of 29 December 1993, KLE sent the Agency a copy of a letter addressed to the Commission the same day in which, under the terms of the second paragraph of Article 53 of the Treaty, KLE accused the Agency of 'failure to act'.
- (6) On 6 January 1994, the Agency signed the proposed supply contract with the following additional clause :

'The contract is signed pursuant to the attached Decision No 1/94 of the Euratom Supply Agency subject to the condition that the natural uranium to

be supplied under the contract does not, either directly or indirectly, have its origin in a country of the Commonwealth of Independent States (CIS)'.

The signed contract and 'Decision No 1/94 of the Euratom Supply Agency concerning a contract submitted on 29 November 1993 between Kernkraftwerke Lippe-Ems GmbH and British Nuclear Fuels plc for the supply of natural uranium', which was issued on the same day, were delivered to KLE and BNFL on 6 January 1994. The details of the grounds for Decision No 1/94 are given below, in the legal assessment.

(b) Reference to the Commission

- (7) In its letter of 29 December 1993, referred to in point 5 above, KLE referred the matter to the Commission, under the terms of the second paragraph of Article 53 of the Treaty, giving a detailed explanation of the Agency's 'failure to act' and setting out the legal reasons why, in their view, their claims should be upheld.

KLE accused the Agency of failure to act, on the grounds that, pursuant to Article 5 bis (f) of the Rules of the Supply Agency of the European Atomic Energy Community of 5 May 1960 determining the manner in which demand is to be balanced against the supply of ores, source materials and special fissile materials⁽¹⁾, as amended by the Regulation of 25 July 1975⁽²⁾, hereinafter referred to as the Agency Rules, the Agency should have given its decision within 10 working days from the date of receipt of the contract, i.e. 29 November 1993, but had not done so.

- (8) By letter of 20 January 1994, KLE referred to the Commission, under the terms of the second paragraph of Article 53 of the Treaty, Decision No 1/94 of the Agency, and requested the Commission:

'1. To order the Euratom Supply Agency to conclude the supply contract for 400 tonnes of uranium in the form of UF₆ between KLE and BNFL, drawn up on 10/22 November 1993 and submitted to the Agency on 29 November 1993;

2. To declare that, in the event that the sales contract referred to in point 1 can no longer be enforced against BNFL, is not effective *vis-à-vis* BNFL, its efficacy is retrospectively challenged or the contractual requirements are not or only condi-

tionally enforceable, as a result of the failure to conclude the contract within the stipulated period or its conditional signature, Euratom be obliged to pay compensation to KLE in respect of the higher purchase price and all additional expenditure, other disadvantages and further costs incurred by KLE in connection with the conclusion of a replacement agreement or with compliance with the contract conditionally signed by the Agency;

3. Alternatively, in the event of rejection of a claim in accordance with point 1, to declare that Euratom shall be obliged to reimburse KLE for the damages suffered by the latter in the form of a higher purchase price, resulting from the fact that KLE in view of the Agency's failure to act in regard to the conclusion of the supply contract within the stipulated period or as a result of the legal uncertainty arising out of the conditional signature of the contract, was only able to make alternative arrangements for supply at a later date, namely at the time of formal notification of a conditional decision on the application by the Euratom Supply Agency in accordance with Article 5 bis (g) sentence 1 of the Agency Rules or the refusal by the Commission to issue an instruction in accordance with point 1.

4. To oblige the Euratom Supply Agency to pay the costs of the procedure.'

- (9) In support of its request, KLE alleges the following:

- Inadmissibility of the Agency's Decision of 6 January 1994 on the grounds that the stipulated time limit had expired,
- Contravention of the Euratom Treaty and of the applicable enabling regulations, in particular Article 5 bis of the Agency Rules,
- Absence of competence of the Agency and a prejudicial effect on the Common Market,
- Contravention of the general principles of Community law,
- Abuse of powers by the Agency,
- No establishment of a 'preferential position *vis-à-vis* other users' as a result of an unconditional conclusion of the contract.

These complaints are, in turn subdivided into individual grievances, the details of which are given in the letter of 20 January 1994.

- (10) In its Decision of 4 February 1994, the Commission rejected the requests made by KLE in its letter of 29 December 1993. For further detail, the Commission refers to this Decision.

⁽¹⁾ OJ No 32, 11. 5. 1960, p. 777/60.

⁽²⁾ OJ No L 193, 25. 7. 1975, p. 37.

II. LEGAL ASSESSMENT

(a) Preliminary remark and allegation of the expiry of the stipulated time limit

- (11) In its letter of 20 January 1994, KLE referred Decision No 1/94 of the Euratom Supply Agency to the Commission and made four requests. In so doing, KLE's essential argument is that the Decision was issued out of time and, on various grounds, should be considered illegal as to its substance.
- (12) Insofar as KLE is again complaining that the Agency acted out of time, the Commission would refer to its Decision of 4 February 1994. In point 13 of this Decision, the Commission stated that the period of 10 working days within which the Agency had to take its decision began on 15 December 1993 and that the last day was 6 January 1994, i.e. the day on which the Agency took its decision and notified KLE and BNFL. This statement is in no way challenged by KLE's new argument.
- (13) Insofar as KLE is alleging that Decision No 1/94 is illegal, the grounds for these allegations must be examined.

(b) Alleged contravention of the Treaty and of the applicable enabling regulations

- (14) As justification for this allegation, KLE asserts that the Agency is obliged, under Article 5 bis of its Rules, to conclude any supply contract which satisfies the formal requirements of that Article. Such a claim finds no support either in the Treaty or in the Agency Rules.

Thus, according to Article 61 of the Treaty, the Agency is not obliged to meet orders where there are 'legal or material obstacles' to doing so. Such a legal obstacle exists in particular if, by meeting the order, the Agency were 'to secure a privileged position for certain users', which is prohibited under Article 52 (2) (a) of the Treaty. In paragraph IV of its Decision the Agency rightly referred to the importance of this prohibition, which is binding on it also.

Nor does Article 5 bis of the Agency Rules require the conclusion of a contract: under paragraphs (f) and (g) of that Article, the Agency also has the right to refuse to conclude a contract if necessary.

- (15) KLE also claims that a 'diversification policy' cannot be derived from the Treaty's general rules on supply without an express legal authorization. The Agency would have no competence 'to exercise dirigiste market control' or 'to impose price controls to protect producers resident in the Community'. No 'global powers' are granted to the Agency by Article 2 (d) of the Treaty.

In the Commission's view, this statement by KLE misjudges the importance and scope of the rights which the Treaty confers on the Community, and in particular on the Agency, for implementing a common supply policy within the meaning of Article 52 (1).

- (16) First, with regard to the general objective of diversifying sources of supply in the energy sector, it should be pointed out that there has long been agreement on this objective in the Community. Thus the Council, in its Resolution of 16 September 1986 concerning new Community energy policy objectives for 1995 and convergence of the policies of the Member States⁽¹⁾, emphatically took the view:

'that the energy policy of the Community and of the Member States must endeavour to achieve the following horizontal objectives:

- (a) more secure conditions of supply and reduced risks of sudden fluctuations in energy prices through

...

— geographical diversification of the Community's external sources of supply, ...'

- (17) With particular regard to the supply of nuclear material, the common supply policy referred to in Article 52 of the Treaty must be directed towards the objectives set out in Article 2 of the Treaty. Under Article 2 (d), the Community must 'ensure that all users in the Community receive a regular and equitable supply of ores and nuclear fuels'. At the same time the Community is obliged, under Article 2 (c), to ensure the establishment of the basic installations 'necessary for the development of nuclear energy in the Community', and this means taking into consideration the interests of producers.
- (18) In view of these general energy objectives and the special obligations arising from the Treaty which are similarly binding on the Commission and the Agency, the Commission sees no reason to criticize

⁽¹⁾ OJ No C 241, 25. 9. 1986, p. 1.

the Agency's efforts to ensure a geographical diversification of the Community's external sources of supply. This is especially true at the present time, when the situation on the world uranium market presents long-term risks to which the Agency rightly referred in part II of its Decision.

- (19) Insofar as KLE is not against the principle of diversifying the sources of supply but is criticizing the way in which this is being legally implemented, the Commission is unable to share KLE's view that such implementation would require an amendment of the Agency Rules, a Council Regulation on the basis of Article 203 of the Treaty or an amendment of Chapter VI of the Treaty.

- (20) According to Article 52 (2) (b) of the Treaty, the Agency has the exclusive right, within the framework of the common supply policy, 'to conclude contracts relating to the supply of ores, source materials and special fissile materials coming from inside the Community or from outside'. Article 64 of the Treaty lays down that:

'The Agency, acting where appropriate within the framework of agreements concluded between the Community and a third State or an international organization, shall, subject to the exceptions provided for in this Treaty, have the exclusive right to enter into agreements or contracts whose principal aim is the supply of ores, source materials or special fissile materials coming from outside the Community'.

Subject to any Commission Directives issued pursuant to Article 53 (1) of the Treaty, the Agency is not only authorized, on the basis of these provisions, to decide whether and with which partners agreements or contracts should be concluded for the supply of ores, source materials or special fissile materials coming from outside the Community but is also authorized to determine the modalities of such supply arrangements which it considers necessary. The fact that the Agency allows producers and users themselves to draw up contracts more easily and directly under a simplified procedure under the sixth paragraph of Article 60 of the Treaty, does not mean that the Agency loses these powers conferred on it by the Treaty. Under Article 52 (2) (b) of the Treaty, the Agency still has the exclusive right to conclude supply contracts for materials coming from outside the Community and

is therefore still authorized to exercise its rights under the Treaty in respect of the common supply policy. The validity of these rights does not depend on the Agency Rules, and the exercise of these rights requires neither a Council Regulation under Article 203 of the Treaty nor an amendment to Chapter VI.

- (21) As for the rest, with regard to deliveries from the former Soviet Union under Articles 64 and 101 of the Treaty, it must be remembered that in 1990 the European Atomic Energy Community concluded an Agreement with the Union of Soviet Socialist Republics on trade and commercial and economic cooperation⁽¹⁾. Under Article 14 of this Agreement, goods must be traded between the Contracting Parties at market-related prices. Where, in individual cases, supplies are available at prices unrelated to market conditions, thus contravening Article 14, the Agency must take this into consideration when exercising its exclusive right to conclude contracts.

(c) Alleged absence of competence of the Agency and a prejudicial effect on the Common Market

- (22) In this connection, KLE alleges that the Agency, in seeking to diversify sources of supply, is pursuing commercial policy objectives, and that it is not competent to take commercial policy measures since these can be adopted only on the basis of Article 113 of the EC Treaty. Such statements show that, in many respects, KLE misjudges the legal scope and independence of the Euratom Treaty. As a sectoral Treaty containing special rules for a common policy, including supplies coming from outside the Community, the Euratom Treaty takes precedence over the general provisions of the EC Treaty. This precedence not only derives from the general legal principle that special rules take precedence over general ones but is expressly stated in Article 232 (2) of the EC Treaty: 'The provisions of this Treaty shall not derogate from those of the Treaty establishing the European Atomic Energy Community'. Moreover, the European Atomic Energy Community and the European Economic Community were established, from a legal, organi-

⁽¹⁾ OJ No L 68, 15. 3. 1990, p. 2.

zational and institutional viewpoint, as two mutually independent Communities and the legal acts of one Community are not subject to the acts of the other. On this basis, any attempt to construe Chapter VI of the Euratom Treaty as *lex imperfecta* and to make the implementation of the Euratom Treaty's common supply policy subject to Article 113 of the EEC Treaty is to be rejected.

- (23) Furthermore, the Commission cannot see in what respect measures taken by the Agency to implement the common supply policy can contravene Article 2 (g) or Articles 92 *et seq.* of the Treaty.

(d) Alleged contravention of the general principles of Community Law

- (24) As its first point of grievance, KLE asserts that the Agency's action contravenes the principle of legal certainty. KLE maintains that its procurement policy is in line with Article 5 bis of the Agency Rules and that it has complied with all the requirements laid down in those Rules. The Agency, according to KLE, never communicated its supply quotas, so that sufficient transparency was not ensured.

In the first place it should be noted that, according to the wording of Article 5 bis of the Agency Rules, notification of the requisite minimum information about the contract does not, of itself, give the contracting parties any right to have their contract concluded by the Agency. As stated in particular in Article 5 bis (f) and (g), the Agency has the right to refuse to conclude contracts if necessary (see point 14 above).

Similarly, KLE must be aware of the basic principles of the common supply policy, particularly as regards the geographical diversification of sources of supply and the observance of market-related prices for supplies coming from the Commonwealth of Independent States (CIS). Quite apart from the legal acts already quoted in points 16 and 21 above, and published in the *Official Journal of the European Communities*, producers and users of nuclear material in the Community participate, through the Advisory Committee to the Agency, in devising and implementing the common supply policy.

- (25) According to Article X of the Statutes of the Euratom Supply Agency of 6 November 1958⁽¹⁾, as last amended by the Act of Accession of Spain and Portugal⁽²⁾, which sets up the Advisory Committee to the Agency, 'the members of the Advisory

Committee shall be appointed by the Council, acting on a proposal from the Member States and after obtaining the opinion of the Commission, from representatives of producers and users and from highly qualified experts'. According to Article XI(1) of the Statutes, the Advisory Committee acts 'as a link between the Agency on the one hand and users and sectors concerned on the other'. As can be seen from numerous minutes of meetings, questions regarding the common supply policy, relevant for this case, have on more than one occasion been discussed by the Advisory Committee. In addition, the Agency informed users about the common supply policy at a meeting attended by KLE representatives, as is evident from the minutes of that meeting.

- (26) As to the rest, there can be no question of supply quotas previously specified and then allocated to different users. Since the Agency alone has the right to conclude contracts for the supply of nuclear material originating outside the Community, it endeavours to meet the orders submitted to it, as far as possible, within the framework of the common supply policy and to refuse or impose conditions upon the conclusion of a contract only when and to the extent that, given the circumstances of the individual case, the conclusion of the proposed contract would secure a privileged position for the user concerned.

- (27) KLE further alleges that the Decision of the Agency contravenes the principle of the legality of administrative action. With reference to an example taken from EC agricultural legislation, it puts forward the view that the Euratom Treaty envisages no constitutional, essentially balanced, evenly applied administrative procedures which are transparent for market operators.

The Commission cannot share this view. Indeed, under the simplified procedure provided for in Article 5 bis of the Agency Rules, the Community grants users and producers a maximum of transparency and market economy freedom and limits public intervention to an irreducible minimum which is reasonable under prevailing market conditions. Should it prove, however, that users and producers, within the framework of the Advisory Committee or indeed outside it, are generally in favour of abolishing this simplified procedure and introducing a formal quota system as proposed by KLE along the lines of EC agricultural law, the Agency will be faced with a new situation and will have to consider what appropriate measures to take. In any case, up to now, both the Advisory Committee and users and producers have expressed themselves almost unanimously opposed to such ideas.

⁽¹⁾ OJ No 27, 6. 12. 1958, p. 534/58.

⁽²⁾ OJ No L 302, 15. 11. 1985.

- (28) KLE then alleges that the Agency's action contravenes the general equality principle by taking an 'automatic quota' for each individual user and not allowing for the user's particular circumstances and the terms of the different supply contracts.

As already stated in points 26 and 27 above, we are not at present concerned with the introduction of a general and rigid quota system for all users but with a case-by-case examination by the Agency of the terms of each individual contract (see part IV of the recital of Decision No 1/94).

- (29) KLE further alleges that the principle of proportionality has been infringed. According to KLE, the conditional signing of an intra-Community supply contract is unnecessary since, to achieve its objectives, the Agency need only refuse to conclude supply contracts for materials coming from outside the Community, as is its exclusive right. KLE also considers that the refusal to conclude a contract unconditionally is also disproportionate, since the Treaty provides for less injurious supply policy instruments such as building up emergency stocks and taking steps to promote prospecting. KLE further considers that forcing users to purchase supplies of uranium at excessive prices for the sake of a diversification policy is foreign to the purposes of the Treaty, and that it is questionable whether the desired objectives can be achieved only by imposing a ceiling of 20 to 25 % on imports from the CIS.

- (30) First, for the sake of maintaining confidence and fair play between contracting parties, the Commission does not believe that the Agency, knowing the origin of the materials in question, should have unconditionally concluded the supply contract between KLE and BNFL and instead refused to conclude the supply contract between BNFL and its supplier.

- (31) As regards the building-up of emergency stocks pursuant to the second paragraph of Article 72 of the Treaty and financial support for prospecting programmes pursuant to Article 70 of the Treaty, KLE's argument does not affect the legality of the Agency's actions, as these are responsibilities of the Commission and of the Council and not of the Agency. Pursuant to the first paragraph of Article 72, the Agency is responsible only for building up commercial stocks, and in any case in view of the current supply situation the conditions for the application of this provision are not met.

- (32) As regards the claim that the Agency is forcing the user to purchase uranium at 'excessive prices', part II of the recital of the Agency's decision does not defend purchasing at excessive prices, but refers to 'market-related prices', that is prices which reflect production costs and are consistent with the prices charged by producers in market-economy countries.

- (33) As regards the doubt about the appropriateness of deliveries from the CIS States accounting for 20-25 % of total deliveries, the Commission would point out that the Community has concluded multiannual supply agreements with a number of third countries. The common supply policy must also take account of relations with these trading partners and with other supplier countries, so a further increase in the proportion of supplies coming from the CIS States would be difficult to reconcile with the Community's long-term supply interests.

(e) Alleged abuse of powers

- (34) KLE's allegation on this point relies on polemical assertions regarding the Agency's motives, which the Commission firmly rejects. Insofar as KLE makes specific claims in this respect, these have already been refuted and rejected (see in particular points 14, 15, 16 and 22).

(f) Allegation that a 'preferential position *vis-à-vis* other users' would not be established as a result of unconditional conclusion of the contract

- (35) This final complaint by KLE comprises a series of separate complaints, which KLE summarizes under the following headings:
- (i) Ensuring fair distribution by means of freedom to conclude contracts in accordance with Article 5 bis of the Agency Rules,
 - (ii) No competence to act based on illegal Agency practice *vis-à-vis* other users,
 - (iii) Invalidity of the isolated application of Article 52 (2) (a) of the Treaty,
 - (iv) Historically incorrect application of Article 52 (2) (a) of the Treaty,
 - (v) No infringement of the right to equal access,
 - (vi) Failure by the Agency to implement its 'diversification policy' throughout the Community.

- (36) The assertions made at (i) and (ii) essentially repeat claims made earlier, which have been rejected at points 14 ff above. However, where KLE concedes that 'Article 52 (2) (a) of the Treaty, in addition to the provisions enumerated in Article 5 bis of the Agency Rules, allows a margin for monitoring abuse of the system', it approaches the interpretation of the Agency and also of the Commission in one important respect (see point 26 above). Likewise, KLE's observation that the Agency may in the past have been able, 'by exercising its right to conclude contracts, to impose on a single user or a substantial proportion of all users the "diversification policy" which it is allegedly pursuing,' shows that there is in practice no basis for KLE's claim that the Agency's role is 'quasi notarial' (see (iii)). That this claim has no legal basis has been demonstrated above (see in particular point 14).

Whether and to what extent Article 52 (2) (a) refers, 'by virtue of its legal origin, to a quite different case', as KLE claims at (iv), is irrelevant, as pursuant to Article 208 the Treaty is concluded for an unlimited period and its provisions remain binding under changing conditions.

The claim made at (v) likewise repeats an earlier complaint which has been rejected at point 30 above.

At (vi) KLE admits that it 'would secure a privileged position only to the extent that the Agency was able to impose its "diversification policy" on all users under identical conditions'. Insofar as 'individual users established in the Community are bypassing the Agency', as KLE claims without elaborating any further, KLE cannot rely on the purported illegal behaviour of third parties in its complaint against the Agency.

The CIS States' 20-25 % share of supplies, which is criticized as being imprecise, is in the Commis-

sion's opinion beyond reproach, as it allows the circumstances of individual cases to be taken into account more easily than would be the case with a fixed percentage.

III. CONCLUSION

- (37) As is demonstrated above, none of the complaints made against Agency Decision No 1/94 is founded. As the examination of the case has revealed no grounds for questioning the validity of Decision No 1/94, KLE's application cannot be granted,

HAS ADOPTED THIS DECISION:

Article 1

The applications made by Kernkraftwerke Lippe-Ems GmbH in its letter of 20 January 1994 are hereby rejected.

Article 2

This Decision is addressed to Kernkraftwerke Lippe-Ems GmbH, Rheinlanddamm 24, D-44139 Dortmund, Federal Republic of Germany.

Done at Brussels, 21 February 1994.

For the Commission

Abel MATUTES

Member of the Commission

COMMISSION DECISION

of 22 April 1994

on the regionalization plan submitted by Portugal under Regulation (EEC) No 1765/92

(Only the Portuguese text is authentic)

(94/286/EC)

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 system for producers of certain arable crops⁽¹⁾, as last amended by Regulation (EC) No 232/94⁽²⁾, and in particular Article 16 thereof,

Whereas, on 30 September 1992, Portugal submitted a regionalization plan to the Commission in accordance with Article 3 (3) of Regulation (EEC) No 1765/92; whereas, pursuant to Commission Decision 93/121/EEC of 23 December 1992 on the regionalization plan submitted by Portugal under Council Regulation (EEC) No 1765/92⁽³⁾, Portugal revised the plan; whereas a new plan was submitted to the Commission on 21 March 1994;

Whereas an examination of the revised plan shows that Portugal has retained the criteria previously used for regions in the southern part of the country resulting in the allocation, in accordance with a pre-established national classification of soils, of a specific yield to each holding on the basis of the areas it comprises and for which a compensatory payment has been applied for; whereas as a consequence the plan does not result in the establishment of distinctive homogenous production zones in the regions in question; whereas it does not, therefore, meet the criteria laid down in Article 3 of Regulation (EEC) No 1765/92;

Whereas, however, in view of the work completed for the 1994 harvest, its applications for the 1994/95 marketing year should be permitted;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Joint Management Committee for Cereals, Oils and Fats and Dried Fodder,

HAS ADOPTED THIS DECISION:

Article 1

1. For the 1994/95 marketing year, Portugal may apply, in regions in the southern part of the country and by way of a transitional measure, the regionalization plan notified to the Commission on 21 March 1994 based on the same criteria for the classification of land as used for the establishment of the regionalization plan for the 1993/94 marketing year.

2. For the 1995/96 marketing year, the Portuguese Republic shall submit before 31 July 1994 a plan revising the methods referred to in paragraph 1 in accordance with Article 3 of Regulation (EEC) No 1765/92.

Article 2

The Community shall not be liable financially should expenditure exceed that arising from the application of this Decision.

Article 3

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 22 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 7.

⁽³⁾ OJ No L 48, 26. 2. 1993, p. 63.

COMMISSION DECISION
of 28 April 1994
amending Commission Decision 93/495/EEC laying down specific conditions for
importing fishery products from Canada

(94/287/EC)

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

Having regard to Council Directive 91/493/EEC of 22 July 1991 ⁽¹⁾, laying down the health conditions for the production and the placing on the market of fishery products, and in particular Article 11 (5) thereof,

Whereas the list of establishments and factory ships approved by Canada for importing fishery products into the Community has been drawn up in Commission Decision 93/495/EEC ⁽²⁾, as last amended by Decision 93/606/EC ⁽³⁾; whereas this list may be amended following the communication of a new list by the competent authority in Canada;

Whereas the competent authority in Canada has communicated a new list adding 30 establishments, deleting three establishments and amending the data of five establishments;

Whereas it is necessary to amend the list of approved establishments;

Whereas the measures provided for in this Decision have been drawn up in accordance with the procedure laid down by Commission Decision 90/13/EEC ⁽⁴⁾,

HAS ADOPTED THIS DECISION:

Article 1

Annex B of Decision 93/495/EEC is replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 232, 15. 9. 1993, p. 43.

⁽³⁾ OJ No L 289, 24. 11. 1993, p. 26.

⁽⁴⁾ OJ No L 8, 11. 1. 1990, p. 70.

ANNEX

ANNEX B

List of approved establishments

Approval number	Establishment	Address	Province
0001	Coastal Labrador Fisheries Limited	St Lewis	Newfoundland
0003	Aquatic Foods Ltd	Holyrood	Newfoundland
0004	P. Janes & Sons Limited	Hant's Harbour	Newfoundland
0006	High Sea Foods Limited	Glovertown	Newfoundland
0007	Notre Dame Seafoods Inc.	Comfort Cove	Newfoundland
0009	Sea Treat Limited	Little Bay Islands	Newfoundland
0010	Fogo Island Cooperative Society, Ltd	Fogo	Newfoundland
0013	Conpak Seafoods Inc.	Landing Ticks	Newfoundland
0019	Eric King Fisheries Ltd	Codroy	Newfoundland
0025	Port Enterprises Limited	Southern Harbour	Newfoundland
0029	Gerald Woodward	North Boat Harbour	Newfoundland
0030	ConPak Seafoods Inc.	Hermitage	Newfoundland
0032	North Atlantic Packaging Limited	St John's	Newfoundland
0036	E. J. Green & Company Limited	Conche	Newfoundland
0039	Fogo Island Coop Society Limited	Seldom	Newfoundland
0041	Dorset Fisheries Limited	Long Cove	Newfoundland
0046	Summerville Fisheries Limited	Summerville	Newfoundland
0048	Fishery Products International Limited	Triton	Newfoundland
0052	Eric King Fisheries Ltd	Burnt Island	Newfoundland
0053	P. Janes & Sons Limited	Salvage	Newfoundland
0055	Daley Brothers Limited	St Joseph's	Newfoundland
0058	Fogo Island Cooperative Society, Ltd	Joe Batt's Arm	Newfoundland
0059	Bonavista Seafoods Limited	Bonavista	Newfoundland
0061	Breakwater Fisheries Limited	Cottlesville	Newfoundland
0063	H. B. Dawe Limited	Cupids	Newfoundland
0064	J. W. Hiscock Sons Limited	Brigus	Newfoundland
0071	Atlantic Seafood Sauce Co. Ltd	St Mary's	Newfoundland
0075	ConPak Seafoods Inc.	Bide Arm	Newfoundland
0076	Beothic Fish Processors Limited	Newtown	Newfoundland
0077	Atlantic Light Seafoods Limited	Bay Roberts	Newfoundland
0078	Conception Bay Ocean Products Limited	Portugal Cove	Newfoundland
0079	Green Seafoods Limited	Winterton	Newfoundland
0084	National Sea Products Limited	Arnold's Cove	Newfoundland
0093	The Earle Freighting Service Limited	Carbonear	Newfoundland
0094	Great Harbour Deep Fisheries Limited	Great Harbour Deep	Newfoundland
0096	ConPak Seafoods Inc.	Clarenville	Newfoundland
0098	Quinlan Brothers Limited	Old Perlican	Newfoundland
0102	Happy Adventure Sea Products (1991) Limited	Happy Adventure	Newfoundland
0104	Bay Roberts Seafoods Limited	Bay Roberts	Newfoundland
0105	Crimson Tide Fisheries Limited	Dover	Newfoundland
0106	Lord's Cove Fisheries Limited	Lord's Cove	Newfoundland
0108	Holyrood Fish Processors Limited	Holyrood	Newfoundland
0111	James Doyle (Sr) & Sons Ltd	New Ferolle	Newfoundland
0123	Souris Seafoods Ltd	Souris	Prince Edward's Island
0124	Nain Fisheries	Nain	Newfoundland
0125	Woodman's Sea Products Limited	New Harbour	Newfoundland
0129	Argosy Seafoods Limited	Bareneed	Newfoundland
0130	Quinlan Brothers Limited	Bay de Verde	Newfoundland
0132	White Bay Ocean Products Limited	Jackson's Arm	Newfoundland
0133	Aqua Fisheries Limited	Aquaforte	Newfoundland

Approval number	Establishment	Address	Province
0134	B. A. Richard Ltée	Côte Sainte Anne	New Brunswick
0140	Beothic Fish Processors Limited	Greenspond	Newfoundland
0142	Terra Nova Fishery Company Limited	Clarenville	Newfoundland
0151	Allen's Ltd	Benoit's Cove	Newfoundland
0153	Fishery Products International Limited	Burin	Newfoundland
0154	Fishery Products International Limited	Fortune	Newfoundland
0155	Fishery Products International Limited	Harbour Breton	Newfoundland
0156	Grand Bank Seafoods Ltd	Grand Bank	Newfoundland
0160	Earle Brothers Fisheries Limited	Carbonear	Newfoundland
0163	Supreme Seafoods Limited	St Bride's	Newfoundland
0164	Fishery Products International Limited	Bonavista	Newfoundland
0165	Bay Bulls Sea Products Limited	Bay Bulls	Newfoundland
0169	The Harbour Grace Fishing Company Limited	Fermeuse	Newfoundland
0170	Smith Seafoods Ltd	Chance Cove	Newfoundland
0171	Quin-Sea Fisheries Limited	Old Perlican	Newfoundland
0174	Beach Point Fishermen's Coop Assn Ltd	Beach Point	Prince Edward's Island
0175	Doyle W. Sansome & Sons Limited	Hillgrade	Newfoundland
0177	Shediac Lobster Shop Ltd	Shediac	New Brunswick
0179	ConPak Seafoods Inc.	Englee	Newfoundland
0183	Fishery Products International Ltd	Port au Choix	Newfoundland
0185	ConPak Seafoods Inc.	Gaultois	Newfoundland
0193	Cape Broyle Sea Products Limited	Cape Broyle	Newfoundland
0194	Torngat Fish Producers Cooperative Society Limited	Makkovik	Newfoundland
0196	Calvert Fish Industries Limited	Calvert	Newfoundland
0197	Fishery Products International Limited	Marystown	Newfoundland
0199	Beothic Fish Processors Limited	Badger's Quay - Valleyfield - Pool's Island	Newfoundland
0203	H. Hopkins Ltd	Louisbourg	Nova Scotia
0209	Emile C. LeBlanc & Sons Ltd	Petit Cap	New Brunswick
0216	Summer Fisheries Limited	Belliveau Cove	Nova Scotia
0219	R & D Nickerson Fisheries	Shag Harbour	Nova Scotia
0222	Connors Bros Limited Factory No 10	Blacks Harbour	New Brunswick
0229	H. Hopkins Ltd	Glace Bay	Nova Scotia
0233	IMO Foods Limited	26 Water St., Yarmouth	Nova Scotia
0236	Bay of Fundy Fisheries Limited	Hillsburn	Nova Scotia
0240	Gully Fish & Food Products Co. Ltd	Le Goulet	New Brunswick
0241	Keeping and Mackay Ltd	Beach Point	Prince Edward's Island
0242	Quality Seafoods Limited	Lellys Cove	Nova Scotia
0252	French River Connery Ltd	Kensington	Prince Edward's Island
0255	Produits Belle Baie Ltée	Caraquet	New Brunswick
0256	Gully Fish & Food Products Co. Ltd	Shippagon	New Brunswick
0257	Baccaro Fisheries Limited	Baccaro Point	Nova Scotia
0260	J & J Nickerson Fisheries	Clark's Harbour	Nova Scotia
0262	Canadian Ocean Products Ltd	Grand-Anse	New Brunswick
0266	Clifford Hopkins Fisheries Ltd	Bear Point	Nova Scotia
0269	Oscar E. Smith Co. Ltd	Shag Harbour	Nova Scotia
0270	W. Sears Seafoods Ltd	Shag Harbour	Nova Scotia
0272	Hopkins & Devine Fisheries	Woods Harbour	Nova Scotia
0277	East Side Fisheries Limited	Lower East Pubnico	Nova Scotia
0278	Stoney Islands Fisheries Limited	Stoney Island	Nova Scotia
0279	Sable Fish Packers (1988) Limited	South Side	Nova Scotia
0281	Stoddard Fisheries (1988) Limited	Clark's Harbour	Nova Scotia
0283	Charles & Robert Blades Limited	Clark's Harbour	Nova Scotia
0288	Etheron Nickerson Limited	Clark's Harbour	Nova Scotia
0291	Joel Smith Fisheries Limited	Short Beach, Yarmouth County	Nova Scotia
0297	Inshore Fisheries Limited	Middle West Pubnico	Nova Scotia
0298	W. S. Fisheries Limited	Middle West Pubnico	Nova Scotia
0301	Comeau's Sea Foods Limited	Saulnierville	Nova Scotia

Approval number	Establishment	Address	Province
0303	GM Newell Fisheries Limited	Newellton Wharf Road	Nova Scotia
0304	Les Pêcheries Alfo Ltée	Petit-Rocher	New Brunswick
0305	Tignish Fisheries Co-op Assn Ltd	Judes Point	Prince Edward's Island
0306	Passage Fisheries Limited	East Ferry	Nova Scotia
0311	Wendell Graham (1981) Ltd	Gaspereaux	Prince Edward's Island
0319	International Seafoods Ltd	Morell	Prince Edward's Island
0320	Laurence Sweeney Fisheries Limited	Lower Water Street, Yarmouth	Nova Scotia
0327	C. L. Deveau & Son Limited	Salmon River	Nova Scotia
0328	H. Hopkins Ltd	Port Morien	Nova Scotia
0333	D. B. Kenney Fisheries Limited	Westport	Nova Scotia
0341	Shag Harbour Fisheries Limited	Shag Harbour	Nova Scotia
0342	Hopkins & Devine Fisheries	Woods Harbour	Nova Scotia
0348	Richibucto Village Fisherman's Coop	Richibucto Village	New Brunswick
0351	Connors Bros Limited Factory No 9	Beaver Harbour	New Brunswick
0353	Pêcheries Cap-Lumière Fisheries Ltd	Cap Lumière	New Brunswick
0356	Baker's Point Fisheries Ltd	Jeddore	Nova Scotia
0362	Bickerton Industries Ltd	Bickerton, Drum Head	Nova Scotia
0365	Chéticamp Fish Cooperative Ltd	Chéticamp	Nova Scotia
0369	Alpheus Halliday Fisheries Limited	Bear Point	Nova Scotia
0372	M & S Fisheries Limited	Shag Harbour	Nova Scotia
0373	Cape Bald Packers Ltd	Cap Pele	New Brunswick
0387	W. C. Nickerson Fisheries Limited	Sherosse Island	Nova Scotia
0394	M. G. Fisheries Ltd	Grand Harbour	New Brunswick
0395	Saint Mary's Bay Fisheries Limited	Meteghan Wharf Road	Nova Scotia
0402	Westmorland Fisheries Ltd	Bas Capo Pelé	New Brunswick
0405	Pierce Fisheries Limited	Lockeport	Nova Scotia
0407	Casey Fisheries Limited	Prince William Street, Digby	Nova Scotia
0408	Clare Fisheries Limited	Comeauville Digby County	Nova Scotia
0409	Comeau & Saulnier Limited	Comeauville Digby County	Nova Scotia
0411	McClafferty & Frost Fisheries Limited	East Ferry	Nova Scotia
0413	National Sea Products Ltd, Lunenburg Division	Lunenburg	Nova Scotia
0416	Continental Seafoods (Division of Clearwater Finefoods)	Shelburne	Nova Scotia
0420	John's Cove Fisheries Ltd	Cape Forchu	Nova Scotia
0421	National Sea Products Ltd	North Sydney	Nova Scotia
0424	Acadian Fishermen's Co-op Assn Ltd	Abrams Village	Prince Edward's Island
0425	Mersey Seafoods Limited	Liverpool	Nova Scotia
0429	Coopérative des Pêcheurs de Baie Sainte-Anne Ltée (La)	Escuminac	New Brunswick
0430	National Sea Products Ltd	Louisbourg	Nova Scotia
0435	L'Association Coopérative des Pêcheurs de l'Île Ltée	Lamèque	New Brunswick
0437	Tignish Fisheries Co-op Assn Ltd	Tignish	Prince Edward's Island
0438	Doucet Fisheries Limited	New Edinburg	Nova Scotia
0439	Highland Fisheries Ltd	Glace Bay	Nova Scotia
0440	Tignish Fisheries Co-op Assn Ltd	Tignish Harbour North	Prince Edward's Island
0442	Kennie MacWilliams Seafoods	Fort Augustus	Prince Edward's Island
0445	Edmond Gagnon Ltd	Robichaud	New Brunswick
0452	Blue Cove Packing Co. Ltd	Blue Cove	New Brunswick
0454	Babineau Fisheries Ltd	Red Head	Prince Edward's Island
0457	Claredon S. Nickerson & Sons	Clark's Harbour	Nova Scotia
0459	Skipper Fisheries Limited (Denis Point)	Lower West Pubnico (Denis Point Wharf Road)	Nova Scotia
0463	Connors Bros Limited Factory No 16	Back Bay	New Brunswick
0472	R. I. Smith Co. Limited	Shag Harbour	Nova Scotia
0477	K & N Fisheries Limited	Upper Port La Tour	Nova Scotia
0480	O'Neil Fisheries Limited	Prince William Street, Digby	Nova Scotia
0481	H. Anderson Lobster Sales Limited	Auld's Cove	Nova Scotia
0483	Pêcheries Roma Ltée	Anse-Bleue	New Brunswick
0486	Maisonnette Seafoods Ltd	Maisonnette	New Brunswick

Approval number	Establishment	Address	Province
0496	James L. Mood Fisheries Limited	Woods Harbour	Nova Scotia
0504	Primonor (1989) Inc.	La Tabatière	Québec
0505	Les Fruits de Mer Impérial Inc.	Saint-Hyacinthe, Qc.	Québec
0508	Pêcheries Gingras Inc.	Saint-Nicolas, Qc.	Québec
0528	Les Crustacés de Gaspé Ltée	Grande Rivière, Qc.	Québec
0529	Lelièvre, Lelièvre et Lemoignan Ltée	Sainte-Thérèse de Gaspé	Québec
0530	Assel's Seafoods Reg'd	Shigawake	Québec
0535	E. Gagnon (Gascons) Ltée	Gascons, Qc.	Québec
0536	Marche Blais Inc.	Pabos, Qc.	Québec
0542	Les Fruits de Mer de l'Est du Québec Ltée	Matane, Qc.	Québec
0543	Les Pêcheries Gaspésiennes Inc.	Petit Cap, Qc.	Québec
0546	E. Gagnon et Fils Ltée	Sainte-Thérèse de Gaspé, Qc.	Québec
0547	Poissonnerie de Cloridorme Inc.	Cloridorme, Qc.	Québec
0550	Poisson Salé Gaspésien Ltée	Grande Rivière, Qc.	Québec
0557	Mills Sea Food Ltd	Bouctouche	New Brunswick
0558	La Crevette du Nord Atlantique Inc.	Havre de l'anse au Griffon, Qc.	Québec
0563	Madelipêche Inc.	Cap aux Meules, Qc.	Québec
0566	Les Pêcheries Gros Cap Inc.	Gros Cap, Qc.	Québec
0570	J. W. Delaney Ltée	Havre aux Maisons, Qc.	Québec
0589	Produits Mrs White Inc.	Saint-Louis de Richelieu	Québec
0590	Bluewater Seafoods	Lachine, Qc.	Québec
0594	Krinos Foods Canada Ltd	Montréal	Québec
0606	Omstead Foods Ltd Wheatley	Wheatley	Ontario
0611	McLean Brothers Fisheries Inc.	Wheatley	Ontario
0619	Freshwater Fish Marketing Corp	La Ronge	Saskatchewan
0623	Jer-Mar Foods Ltd	Windsor	Ontario
0638	Canadian Arctic Smoked Product	Edmonton	Alberta
0642	S & C Enterprises	Owensound	Ontario
0701	B. C. Packers Ltd, Atlin Plant	Prince Rupert	British Columbia
0702	Ocean Fisheries Ltd	Richmond	British Columbia
0703	Versacold Canada Corporation, Harbour Plant	Vancouver	British Columbia
0706	Canadian Fishing Company, a Div. of Jim Pattison	Vancouver	British Columbia
0707	Klau's Sausage & Salmon House Inc.	Campbell River	British Columbia
0708	Unique Seafoods Ltd	Nanaimo	British Columbia
0709	Prince Rupert Fisherman's Cooperative Association	Vancouver	British Columbia
0710	Lions Gate Fisheries Ltd	Richmond	British Columbia
0713	Sechelt Processing Ltd	Sechelt	British Columbia
0715	Hywave (Fairview Plant)	Prince Rupert	British Columbia
0716	Ocean Fisheries Ltd, Royal Plant	Prince Rupert	British Columbia
0717	Sea Drift Fish Co. Ltd	Nanaimo	British Columbia
0718	Seafood Products Ltd	Vancouver	British Columbia
0722	B.C. Packers Limited, Imperial Plant	Richmond	British Columbia
0723	Bella Coola Fisheries Ltd	Richmond	British Columbia
0724	Tri-Star Seafood Supply Ltd	Richmond	British Columbia
0726	Efishent Fish Co.	Sooke	British Columbia
0727	J. S. McMillan Fisheries Ltd	Prince Rupert	British Columbia
0728	434870 B.C. Ltd, O/A Hub City Fisheries	Nanaimo	British Columbia
0729	J. T. D. Ventures Ltd	Vancouver	British Columbia
0731	Leader Marine Ltd	Vancouver	British Columbia
0733	Pacific Canadian Fisheries Inc.	Shearwater	British Columbia
0734	Innovative Aquaculture Product	Losqueti Island	British Columbia
0735	Seven Seas Fish Co. Ltd	Ladner	British Columbia
0736	Seafoods Products Co. Ltd	Port Hardy	British Columbia

Approval number	Establishment		Province
0737	Great Northern Packing Ltd	North Vancouver	British Columbia
0738	Fjord Pacific Marine Industries	Richmond	British Columbia
0739	Imperial Salmon House Ltd	Vancouver	British Columbia
0740	Pacific Northwest Shellfish Co.	Richmond	British Columbia
0745	Kitasoo Seafood Ltd	Klemtu	British Columbia
0747	Bella Bella Fisheries Ltd	Waglisla	British Columbia
0748	Coastal Fisheries Ltd	Sooke	British Columbia
0749	Fukuyama — Sugiyama	Vancouver	British Columbia
0750	Redonda Sea Farms Ltd	Lund	British Columbia
0751	North Sea Products Ltd	Vancouver	British Columbia
0753	Lions Gate Fisheries Ltd	Sointula	British Columbia
0756	B. C. Packers Ltd	Masset	British Columbia
0757	Artic Seafood Products Ltd	Burnaby	British Columbia
0758	Limberis Seafoods Ltd	Ladysmith	British Columbia
0759	Redonda Sea Farms Ltd	Cortes Island	British Columbia
0760	Hi-To Fisheries Ltd	Cowichan Bay	British Columbia
0761	Seaprima Seafood Ltd	Tofino	British Columbia
0762	Westview Fisheries Ltd	Powell River	British Columbia
0763	Great Glacier Salmon Ltd	Lower Stikine River	British Columbia
0766	J. S. McMillan Fisheries Ltd	Vancouver	British Columbia
0767	Canadian Fishing Company	Prince Rupert	British Columbia
0768	Bella Coola Fisheries Ltd	Delta	British Columbia
0770	Aero Trading Co. Ltd	Vancouver	British Columbia
0771	Pacific Coast Processors	Ucluelet	British Columbia
0772	Sung Fish Co. Ltd Plant 2	Vancouver	British Columbia
0773	Fanny Bay Oyster Ltd	Fanny Bay	British Columbia
0777	Long Beach Shellfish, a Div. of Lions Gate Fish	Delta	British Columbia
0778	Kowaki (Canada) Ltd	Richmond	British Columbia
0779	Versacold Group	Richmond	British Columbia
0780	Saint Jean's Coast Mountain Resources Inc.	Nanaimo	British Columbia
0783	Neptune Packers Ltd	Ucluelet	British Columbia
0786	Port Alberni Harbour Commission	Port Alberni	British Columbia
0787	French Creek Seafood Ltd	Parksville	British Columbia
0788	Scanmar Seafood Ltd	Egmont	British Columbia
0791	Pacific Seafood Int'l Ltd	Sidney	British Columbia
0792	B. C. Packers Ltd, Prince Rupert Plant	Prince Rupert	British Columbia
0794	Versacold Canada Corporation, Gore Plant, East Gore Bldg	Vancouver	British Columbia
0798	Ucluelet Seafood Processors	Ucluelet	British Columbia
0799	Dollar Food Manufacturing Inc.	Vancouver	British Columbia
0824	Montague Seafoods Inc.	Brudnell	Prince Edward's Island
0825	Island Seafood Supreme	Kensington	Prince Edward's Island
0826	Summerside Seafood Supreme	Summerside, Prince Edward's Island	Prince Edward's Island
0827	Seafood 2000 Ltd	Georgetown	Prince Edward's Island
0835	Paturel Seafood Ltd	Red Head	Prince Edward's Island
0836	Paturel Seafood Ltd	Cap Bimet	New Brunswick
0838	Beauséjour Seafoods Inc.	Bas Cap Pelé	New Brunswick
0851	Pêcheries FN Fisheries Ltd	Shippagan	New Brunswick
0902	Kanata Holdings Ltd (DBA Orca Seafoods)	Richmond	British Columbia
0904	Browns Bay Packing Co. Ltd	Campbell River	British Columbia
0905	Tenerife Packing Co. Ltd	Pt Edward	British Columbia
0907	Lox Royale Processors Inc.	Vancouver	British Columbia
0909	Emerald Lake Fish Farm	Westholme	British Columbia
0911	Saltstream Engineering Ltd	West Redonda Island	British Columbia
0915	Kanata Holdings Limited	Delta	British Columbia
0916	Bornstein Seafoods Canada Ltd	Port Albion	British Columbia
0918	Wilson Trading Canada Ltd	Richmond	British Columbia
0919	Cansalm Products Ltd	Campbell River	British Columbia

Approval number	Establishment		Province
0920	Coastwise Fisheries Inc.	Surrey	British Columbia
0923	Wood Bay Salmon Farms Ltd	Sechelt	British Columbia
0925	Great Northwest Seafood Co.	Surrey	British Columbia
0938	Mac's Oyster Ltd	Fanny Bay	British Columbia
0939	Fairline Seafoods (Canada) Ltd	Richmond	British Columbia
0940	Sea Spray Aquaculture Ltd	Woss	British Columbia
0941	Angler Smoke House	Richmond	British Columbia
0942	SM Products Ltd	Delta	British Columbia
0943	Pacific National Group Ent. Ltd	Tofino	British Columbia
1007	National Sea Products Limited	Pacquet	Newfoundland
1008	Stan W. Elliot	Cook's Harbour	Newfoundland
1014	Salmon Bight Fisheries Limited	William Harbour	Newfoundland
1016	Terra Nova Fishery Company Limited	Trouty	Newfoundland
1020	Gorman Fisheries Limited	Harbour Main-Chapel Cove-Lakeview	Newfoundland
1022	Fishery Products International Limited, Plant 2	Fortune	Newfoundland
1043	Labrador Fisherman's Union Shrimp Company Limited	Mary's Harbour	Newfoundland
1044	Labrador Fisherman's Union Shrimp Company Limited	Cartwright	Newfoundland
1051	Terra Vista Ltd	Glovertown	Newfoundland
1068	Barry's Fisheries Ltd	Corner Brook	Newfoundland
1070	T & H Fisheries Inc.	Cox's Cove	Newfoundland
1072	Sea Treat Limited	Fleur de Lys	Newfoundland
1083	International Enterprises Limited	Summerford	Newfoundland
1085	Avalon Ocean Products Incorporated	Fair Haven	Newfoundland
1091	Sea-Delite Limited	Harbour Grace	Newfoundland
1106	Golden Shell Fisheries Limited	Hickman's Harbour	Newfoundland
1117	Fishery Products International Limited 'Nfld OTTER'	St John's	Newfoundland
1123	Moorfish Limited	Port De Grave	Newfoundland
1174	Conpak Seafoods Inc.	Twillingate	Newfoundland
1207	Botsford Fisheries Ltd	Cap Pelé	New Brunswick
1215	Boucoute Fish Market Ltd	Boucoute	New Brunswick
1216	Wm. R. Murphy Fisheries Limited	Little River Harbour	Nova Scotia
1217	Karlson Shipping Company Limited	New Harbour	Nova Scotia
1250	Scotia Fisheries Limited	Little River	Nova Scotia
1252	Arisaig Fisheries Limited	Arisaig	Nova Scotia
1260	Frankland Canning Company Limited	Church Point	Nova Scotia
1271	Acadian Fish Processors Limited	Denis Point Wharf Road Lower West Pubnico	Nova Scotia
1277	Helshiron Fisheries Ltd	Seal Cove	New Brunswick
1286	G & G Fisheries Limited	Sandy Point Road	Nova Scotia
1289	Charlesville Fisheries Limited	Charlesville, Shelburne County	Nova Scotia
1292	M & M Fisheries Limited	Charlesville, Shelburne County	Nova Scotia
1293	Atlantic Fish Specialities Ltd	Parkdale	Prince Edward's Island
1302	B&J Fisheries Ltd	Sambro	Nova Scotia
1307	US Four Fisheries Limited	Meteghan	Nova Scotia
1311	L. J. Robicheau & Son Fisheries	Lake Midway, Digby County	Nova Scotia
1315	Sans Souci Seafoods Limited	Moods Mill Road	Nova Scotia
1317	Hovey Russel & Son Ltd	Woodwards Cove	New Brunswick
1319	Clearwater Lobster Limited	Courtney Street	Nova Scotia
1322	Sea Crest Fisheries Limited	Comeauville, Digby County	Nova Scotia
1323	Sea Brook Fisheries Limited	Prince William Street, Digby	Nova Scotia
1324	M & G Nickerson Fish Limited	Shag Harbour	Nova Scotia
1328	Helshiron Fisheries Ltd	Seal Cove	New Brunswick
1331	J. Willy Krauch & Son	Tangier	Nova Scotia
1337	Blue Ribbon Seafoods	Little Dover	Nova Scotia
1338	Adams Fisheries Limited	Shag Harbour	Nova Scotia
1343	Fisherman's Market Ltd	5080 George Street	Nova Scotia
1344	Aspy Bay Fisheries	Dingwall	Nova Scotia
1345	The Fish Basket Ltd	100 Government Wharf Rd.	Nova Scotia
1352	M/V Mersey Viking	Liverpool	Nova Scotia

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1353	M/V B. C. M. Atlantic	Liverpool	Nova Scotia
1356	Louisbourg Seafoods Ltd	Louisbourg	Nova Scotia
1360	Ferguson's Lobster Pound	Tangier	Nova Scotia
1373	OW & BS Look NB Ltd	Grand Harbour	New Brunswick
1382	Sea Smokers Limited	Lower Eel Brook	Nova Scotia
1384	Pubnico Trawlers Limited	Lower East Pubnico	Nova Scotia
1387	Little Island Fisheries Limited	Lower West Pubnico (Denis Point Wharf Road)	Nova Scotia
1389	Salt Water Fisheries Limited	Pinkney's Point	Nova Scotia
1390	W. H. Atkinson Seafoods Limited	Lower Clark's Harbour	Nova Scotia
1392	Comeau's Sea Foods Ltd	Digby County (Plant 2)	Nova Scotia
1393	Laurence Sweeney Fisheries Limited (1393)	Lower Water Street, Yarmouth	Nova Scotia
1394	Comeau's Sea Foods Limited	Saulnierville, Digby County	Nova Scotia
1400	Emery Smith Fisheries	Shag Harbour	Nova Scotia
1403	Hopkins & Devine Fisheries	Woods Harbour	Nova Scotia
1404	Mersey Point Fisheries Limited	Mersey Point	Nova Scotia
1405	Gidney Fisheries Limited	Centerville	Nova Scotia
1408	Seaside Fisheries Limited	Shag Harbour	Nova Scotia
1410	D. Waybret & Sons Fisheries Limited	Clam Point	Nova Scotia
1416	Yarmouth Bar Fisheries Limited	Main Street Yarmouth	Nova Scotia
1422	R & K Murphy Enterprises Limited	Pinkney's Point	Nova Scotia
1430	Canus Fisheries Limited	West Head	Nova Scotia
1434	Laurence Sweeney Fisheries Limited	Water Street, Yarmouth	Nova Scotia
1435	Schooner Seafoods Limited	Doucet Wharf Road, Wedgeport	Nova Scotia
1436	Laurence Sweeney Fisheries Limited (1436)	Water Street, Yarmouth	Nova Scotia
1437	Fishery Products International Limited	Riverport	Nova Scotia
1440	J. W. Fisheries Limited	Salmon River, Digby County	Nova Scotia
1443	Leo G. Atkinson Fisheries Limited	Daniels Head	Nova Scotia
1444	Linco Fisheries Limited	West Head	Nova Scotia
1446	Little River Seafoods Packers Limited	Prince William Street, Digby	Nova Scotia
1448	Scallops Unlimited Incorporated	Hillsburn	Nova Scotia
1449	Island Marine Products Limited	Clark's Harbour	Nova Scotia
1453	Adams Fisheries Limited	Bear Point	Nova Scotia
1455	Skipper Fisheries Limited (Wharf Plant)	Abbots Harbour Wharf	Nova Scotia
1459	BCD Fisheries Limited	Little Brook, Digby County	Nova Scotia
1460	Canus Fisheries Limited	West Head	Nova Scotia
1461	Huskins Fisheries	Forbes Point	Nova Scotia
1462	Eddie & Sons Fisheries Limited	Woods Harbour	Nova Scotia
1465	Skipper Fisheries Limited (Upper Plant)	Abbots Harbour Road, West Pubnico	Nova Scotia
1470	I. Deveau Fisheries Limited	Meteghan Wharf Road	Nova Scotia
1472	L. Walker Seafoods Limited	Woods Harbour	Nova Scotia
1475	Gullivers Cove Fisheries	Gullivers Cove	Nova Scotia
1476	La Have Seafoods Limited	La Have	Nova Scotia
1477	Indian Point Marine Farms Limited	Indian Point	Nova Scotia
1479	National Sea Products Limited (M/V Cape North)	Lunenburg (Battery Point)	Nova Scotia
1480	Foster's Seafoods	Hubbards Point, Yarmouth County	Nova Scotia
1483	Victoria Co-op	New Haven	Nova Scotia
1490	John L. Ingersoll & Sons Ltd	Woodwards Cove	New Brunswick
1496	Back Bay Lobsters Ltd	Back Bay	New Brunswick
1499	Connors Bros Limited	Seal Cove, Grand Manan	New Brunswick
1640	Ikaluktutiak Coop Ltd	Cambridge Bay	Northwest Territories
1664	Freshwater Fish Marketing Corp.	Winnipeg	Manitoba
1682	Penner Foods	Kingsville	Ontario
1694	Kingsville Fishermen's Co.	Kingsville	Ontario
1713	Janes Family Foods Ltd	Concord	Ontario
1748	Janes Family Foods Ltd	Concord	Ontario

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1801	A & A Marine	Blenheim	Ontario
1812	Lake Erie Foods Inc.	Leamington	Ontario
1822	Swissco Foods Ltd	Waterloo	Ontario
1825	Captain Fats	Goderich	Ontario
1834	Exclusive Smoked Fish	Toronto	Ontario
1835	Harrison Foods Ltd	Picton	Ontario
1838	Summersweet Fine Foods Ltd	Richmond Hill	Ontario
1867	Presteve Foods Limited	Wheatley	Ontario
1878	Nestlé Canada Inc.	Trenton	Ontario
1890	La Nassa Seafood Ltd	Kingsville	Ontario
1893	Etna Foods of Windsor Limited	Leamington	Ontario
1902	Ocean Fisheries Ltd	Vancouver	British Columbia
1903	Hi-To Fisheries Ltd	Vancouver	British Columbia
1905	Walcan Seafood Ltd	Quadra Island	British Columbia
1906	Albion Fisheries Ltd	Vancouver	British Columbia
1907	Island Scallops Ltd	Qualicum Beach	British Columbia
1908	Scanner Enterprises (1982) Inc.	Surrey	British Columbia
1909	Arrow Seafoods Ltd	Ucluelet	British Columbia
1911	Pacific Point Seafoods Ltd	Richmond	British Columbia
1912	Hecate Seafoods Ltd	Sidney	British Columbia
1913	S. B. S. Freezer and Food Distribution	Burnaby	British Columbia
1914	Astra Industries Ltd	Vancouver	British Columbia
1915	Westminster Fish Co. Ltd	New Westminster	British Columbia
1918	Long Beach Shellfish, a Div. of Lions Gate	Tofino	British Columbia
1920	Ocean Fisheries Ltd	Vancouver	British Columbia
1924	Port Hardy Cold Storage Co. Ltd	Port Hardy	British Columbia
1926	Grand Hale Marine Products Co.	Vancouver	British Columbia
1928	Scheves Mink & Feed Ltd	Surrey	British Columbia
1931	Okisollo Marketing Inc.	Campbell River	British Columbia
1932	Icy Waters Ltd	Whitehorse	Yukon
1933	Icicle Seafoods (BC) Inc.	Delta	British Columbia
1934	Blundell Seafoods Ltd	Richmond	British Columbia
1936	Sea-West Processors Incorp.	Clearbrook	British Columbia
1938	Versacold Canada Corporation, Valley Plant	Abbotsford	British Columbia
1947	Han Fisheries Ltd	Dawson City	Yukon
1955	Kento Seafoods Ltd	Richmond	British Columbia
1960	Taylor Fisheries Ltd	Victoria	British Columbia
1963	The Ice House (Yukon) Ltd	Whitehorse	Yukon
1968	Sung Fish Co. Ltd — Plant 1	Vancouver	British Columbia
1972	Aquatec Seafoods Ltd	Comox	British Columbia
1977	Associated Freezers of Canada Inc.	Vancouver	British Columbia
1979	Finn Bay Sea Products Ltd	Lund	British Columbia
1982	Oceanfood Industries Ltd	Vancouver	British Columbia
1986	Woody Bay Salmon Farms Ltd	VCR Land District	British Columbia
1987	Sealand Foods International Inc.	Richmond	British Columbia
1990	Mari Fish Ltd	Alert Bay	British Columbia
1991	Hokkai Marine Ltd	Delta	British Columbia
1994	Egmont Fish Plant Ltd	Egmont	British Columbia
1999	The Trans Canada Freezers	Delta	British Columbia
2001	Burleigh Bros.	Bideford	Prince Edward's Island
2010	Caraquet Ice Co. Ltd	Caraquet	New Brunswick
2013	Chase's Lobster Pound Ltd	Port Howe	Nova Scotia
2106	Harbour Seafoods Ltd	Rocky Harbour	Newfoundland
2113	Labrador Fishermen's Union Shrimp Co. Ltd	L'Anse au Loup, Lab.	Newfoundland

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2117	Bonne Bay Seafoods Ltd	Winterhouse Brook	Newfoundland
2122	3 T's Company Ltd	Woody Point	Newfoundland
2128	Conpak Seafoods Inc.	Rose Blanche	Newfoundland
2132	Great Northern Seafoods Limited	Brig Bay	Newfoundland
2134	Conpak Seafoods Inc.	Anchor Point	Newfoundland
2138	James Doyle (Sr) & Sons Ltd	New Ferolle	Newfoundland
2141	Fisheries Market International Inc.	Parson's Pond	Nova Scotia
2145	Diamonds Industries Limited	Sandy Cove	Newfoundland
2148	Newfish & Lobster Exchange Limited	Hawkes Bay	Newfoundland
2150	Gulf Seafoods Inc.	Port aux Basques	Newfoundland
2151	Long Range Sea Products Inc.	Isle aux Morts	Newfoundland
2152	Long Range Sea Products Inc.	Black Duck Cove, Newfoundland	Newfoundland
2154	EM Enterprises Ltd	Green Island Brook	Newfoundland
2204	Arisaig Fisheries Limited	Lismore	Nova Scotia
2205	Cape John Seafoods Ltd	River John	Nova Scotia
2206	Wallace Fisheries Ltd	Wallace	Nova Scotia
2214	Chéticamp Packers (1991) Ltd	Chéticamp	Nova Scotia
2228	Austrian Smokehaus	Upper North River	Nova Scotia
2301	Howard's Cove Seafoods Ltd	Howard's Cove	Prince Edward's Island
2302	Belle River Enterprises Ltd	Belle River	Prince Edward's Island
2304	Carr's Lobster Pound Ltd	Stanley Bridge	Prince Edward's Island
2305	Atlantic Mussel Growers Corporation	Point Pleasant	Prince Edward's Island
2316	Abeqweit Seafoods Inc.	Naufrage	Prince Edward's Island
2318	Cavendish Seafoods Inc.	North Rustico	Prince Edward's Island
2322	Polar Fisheries Ltd	Summerside	Prince Edward's Island
2329	Atlantic Aqua Farms Ltd	Orwell Cove	Prince Edward's Island
2331	North Lake Fish Co-op Ltd	North Lake	Prince Edward's Island
2346	Eastern Kings Seafood Ltd	Beach Point	Prince Edward's Island
2347	MacKinnon's Mussel Farm	Tracadie Harbour	Prince Edward's Island
2354	Prince Edward Aqua Farms Ltd	Springbrook	Prince Edward's Island
2356	P. E. I. Mussel Farm	Red Head	Prince Edward's Island
2360	IslandSaltfish (1991) Incorporated	Desable	Prince Edward's Island
2364	Canadian Smoked Fish Inc.	Ebenezer	Prince Edward's Island
2366	Fisherman's Pride Inc.	Ellerslie	Prince Edward's Island
2369	Abegweit Seafoods Inc.	Anglo	Prince Edward's Island
2370	Mariner Seafoods Inc.	Murray Harbour	Prince Edward's Island
2371	Seaside Holdings Inc.	Souris West, P. E. I.	Prince Edward's Island
2372	P. E. I. Oyster Company	Cavendish, P. E. I.	Prince Edward's Island
2377	South Shore Seafoods Ltd	Rosebank	Prince Edward's Island
2379	North Atlantic Harvest Inc.	St Eleonors	Prince Edward's Island
2401	Sea Tide Import & Export Ltd	Cap Pelé	New Brunswick
2406	Leslie Léger & Sons Ltd	Trois Ruisseaux	New Brunswick
2411	Eastern Sea Products Ltd	Shediac	New Brunswick
2413	Raymond O'Neill & Son Fisheries Ltd	Escuminac	New Brunswick
2419	Acadia Seafood Ltd	Robichaud	New Brunswick
2427	South Shore Trading Co. Ltd	Port Elgin	New Brunswick
2428	Crown Seafood Ltd	Pointe Sapin	New Brunswick
2439	Sea Tide Import & Export Ltd	Bas Cap Pelé	New Brunswick
2501	Carapro Ltée	Caraquet	New Brunswick
2510	Les Pêcheries Gem Ltée	Centre Saint-Simon	New Brunswick
2518	Les Produits de Pêche A. Jones Enrg.	Sainte-Cécile	New Brunswick
2524	Produits Belle Baie Ltée	Bas Caraquet	New Brunswick
2539	Continental Fisheries Ltd	Anse-Bleue	New Brunswick
2546	Les Pêcheries Malbay Fisheries Ltée/Ltd	Miscou	New Brunswick
2547	McGraw Seafood Ltd/McGraw Fruits de Mer Ltée	Tracadie	New Brunswick
2552	Pêcheries De Chez-Nous Ltée	Val-Comeau	New Brunswick
2553	Caraquet Aquaculture Ltée	Caraquet	New Brunswick
2555	Pêcheries Saint-Paul (1989) Ltée	Bas-Caraquet	New Brunswick
2560	C-Gem Exports Ltd	Bas-Caraquet	New Brunswick
2561	Les Fruits de Mer Cormier & Landry Ltée	Grande-Anse	New Brunswick

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2563	Ichiboshi LPC Ltd	Caraquet	New Brunswick
2565	Les Fruits de Mer Oceanis Ltée	Shippagan	New Brunswick
3011	Clearwater Ltd Partnership	Arichat	Nova Scotia
3017	Sambro Fisheries Ltd	Sambro	Nova Scotia
3018	Chelsea Fish Co. Inc.	Louisbourg	Nova Scotia
3023	Southern Cross Fisheries Ltd	Woodwards Cove	New Brunswick
3024	Ocean Crest Ltd	Back Bay	New Brunswick
3040	Sea Star Seafoods Limited	Clark's Harbour	Nova Scotia
3044	Ford Fisheries Limited	St Bernard	Nova Scotia
3048	Harbour Lobster Limited	The Hawk	Nova Scotia
3052	Broad Cove Fisheries	Culloden	Nova Scotia
3058	Laurence Sweeney Fisheries Limited (Sealife Division)	Middle East Pubnico	Nova Scotia
3061	Silver Roe Fisheries Limited	Lower West Pubnico (Denis Point Wharf Road)	Nova Scotia
3064	Ocean Pride Fisheries Limited	Lower Wedgeport	Nova Scotia
3066	Crowell Eel Processors Limited	Argyle Head	Nova Scotia
3067	Shoreline Fisheries Limited	Woods Harbour	Nova Scotia
3068	G. L. Halliday Fisheries Limited	Hillsburn	Nova Scotia
3072	Ocean's Best Seafoods Limited	Meteghan Centre	Nova Scotia
3075	Seabright Smokehouses Limited	Tantallon	Nova Scotia
3076	Fresh Wave Seafoods	Edson Foot Road, Pembrook	Nova Scotia
3077	Shoal Water Seafoods	Upper Clements, Annapolis County	Nova Scotia
3078	Yarmouth Sea Products Limited	Yarmouth Water Street	Nova Scotia
3081	U & S Fisheries Limited	Centreville	Nova Scotia
3089	Canus Fisheries Limited	Port Mouton	Nova Scotia
3095	Islandfresh Seafoods Incorporated	Tiverton	Nova Scotia
3097	Sea Winds Fisheries Incorporated	Hillsburn	Nova Scotia
3098	John's Cove Fisheries Limited (Bayview)	Port Maitland Wharf Road	Nova Scotia
3107	Surf Seafoods Limited	Port La Tour	Nova Scotia
3108	Cape Negro Fish & Lobster Co. Limited	Cape Negro	Nova Scotia
3109	F. Pierce Atlantic Seafoods Limited	Sandy Point	Nova Scotia
3111	Tusket Seafoods Limited	Tusket (old Route 3)	Nova Scotia
3113	Stoney Island Fisheries Limited	Stoney Island	Nova Scotia
3114	Sable Fish Packers (1988) Limited	South Side	Nova Scotia
3117	Cape Breeze Seafoods Limited	Port La Tour	Nova Scotia
3118	High Tide Seafoods Incorporated	Port Mouton	Nova Scotia
3120	Delaps Cove Fish Products	Delaps Cove	Nova Scotia
3122	MV Atlantic Enterprise	Lunenburg	Nova Scotia
3123	E & P Donaldson Fisheries Limited	Ritchman Road, Port Maitland	Nova Scotia
3127	Innovative Fishery Products Incorporated	Mavillette, Digby County	Nova Scotia
3128	M/V/Mersey Venture	Liverpool	Nova Scotia
3130	Islandfresh Seafoods Incorporated	Tiverton	Nova Scotia
3131	R&S Fisheries	Waterford	Nova Scotia
3133	BBH Packers Limited	Port Medway	Nova Scotia
3134	Ships Stern Lobster Pound Limited	Cape Forchu	Nova Scotia
3135	Comeau's Sea Foods Limited (Custom Cuisine)	Grosse Coques, Digby County	Nova Scotia
3136	Woods Harbour Lobster Company Limited	Woods Harbour	Nova Scotia
3137	Atlantic Pride Fisheries Limited	Upper Port La Tour	Nova Scotia
3139	Continental Seafoods (Division of Clearwater Finefoods)	Shelburne	Nova Scotia
3140	D & L Williams Fisheries Limited	Lockeport	Nova Scotia
3143	E. Carty Fisheries Limited	Mink Cove	Nova Scotia
3145	Sea & Surf Lobster Limited	North East Point	Nova Scotia
3146	R. Baker Fisheries Limited	Lockeport	Nova Scotia
3149	Evan A. Swim Limited	Woods Harbour	Nova Scotia
3150	Comeauville Fisheries Limited	Comeauville, Digby County	Nova Scotia
3151	Golden Days Fisheries Limited	Bear Point	Nova Scotia
3153	Newell Lobster Limited	Short Beach, Yarmouth County	Nova Scotia

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3154	F. Thibault Seafoods Incorporated	Saulnierville Station	Nova Scotia
3157	Corner Fisheries Limited	Bear Point	Nova Scotia
3158	Birch Street Seafoods Limited	Birch Street, Digby	Nova Scotia
3159	Birch Street Seafoods Limited	Birch Street, Digby	Nova Scotia
3160	Ocean Organic Limited	Argyle Head	Nova Scotia
3164	ScotiaTrawler Equipment Limited (M/V Cape Blomidon)	Lunenburg	Nova Scotia
3165	Atlantic Lobster Company Incorporated	Osborne Harbour	Nova Scotia
3167	John's Cove Fisheries Limited (Port Maitland)	Yarmouth Bar (Bayview)	Nova Scotia
3175	Old Salt Seafoods Limited	Newellton	Nova Scotia
3176	W. Banks Seafoods Limited	Shag Harbour	Nova Scotia
3178	Blue Wave Seafoods Incorporated	Port Mouton	Nova Scotia
3179	Charlesville Fisheries Limited	Middle East Pubnico	Nova Scotia
3182	Northwest Fisheries Limited	Northwest Cove	Nova Scotia
3183	National Sea Products Limited (M/V Cape Adair)	Lunenburg (Battery Point)	Nova Scotia
3184	Finest Kind Seafood Products Limited	Blandford	Nova Scotia
3185	Yarmouth Sea Products Limited (Argyle Division)	Camp Cove Wharf, Argyle	Nova Scotia
3187	Oxford Frozen Foods Limited	Halfway River, Cumberland County	Nova Scotia
3188	Shag Harbour Fisheries Limited	Shag Harbour	Nova Scotia
3189	La Pointe Fisheries Limited	Church Point	Nova Scotia
3190	Deep Sea Trawlers (Hamilton Banker)	Lunenburg	Nova Scotia
3192	Innovative Fishery Products Incorporated	Little Brook, Digby County	Nova Scotia
3193	Nova Hawk Properties Limited	Clark's Harbour	Nova Scotia
3196	Deep Sea Trawlers (Aquatic Pioneer)	Lunenburg	Nova Scotia
3197	Terence Bay Fisheries Limited	Terence Bay	Nova Scotia
3199	M/V Fame	Lunenburg	Nova Scotia
3204	Clearwater Atlantic Seafoods Inc.	Alder Point	Nova Scotia
3219	Jack's Lobster Ltd	Myers Point	Nova Scotia
3221	Pikalujak Fisheries 'Ocean Prawns'	Harbour Grace	Newfoundland
3222	Seafreez Fine Foods Inc.	Canso	Nova Scotia
3224	Eskosoni Fisheries	Lingan	Nova Scotia
3225	M/V Northern Osprey	Mulgrave	Nova Scotia
3226	Felmar Mussel Farms Ltd	Louisdale	Nova Scotia
3228	Fisherman's Market International Inc.	Bedford	Nova Scotia
3259	Helshiron Fisheries Ltd	Seal Cove	New Brunswick
3261	John L. Ingersoll & Sons Ltd (Bloater)	Woodwards Cove	New Brunswick
3403	M. V. Atlantic Vigour	Grand Bank	Newfoundland
5012	Les Moules De Culture Des Îles	Îles-De-La-Madeleine	Québec
5024	Les Aliments de Qualité HJS de Montréal Inc.	Montréal	Québec
5025	Boucanerie Chelsea Inc.	Chelsea, Qc.	Québec
5041	Homard Gidney Lobster Ltd	Pointe Claire, Qc.	Québec
5047	Best Foods	Pointe Claire, Qc.	Québec
5048	Enterprise H. Aida Inc.	Salaberry de Valleyfield, Qc.	Québec
5054	Poissonnerie G.M.S. Enr.	Laniel, Qc.	Québec
5056	National Herring Importing Co.	Montréal	Québec
5057	Culipak Inc. (Les Aliments Friands)	Boisbriand	Québec
5058	Cuisifrance Canada Inc. / Gourmexel Inc.	Boisbriand, Qc.	Québec
5069	Les Aliments Clouston Canada	Lachine, Qc.	Québec
5070	Catelli (1989) Inc.	Montréal, Qc.	Québec
5073	Brookman Holding Inc., (Les Poissons Fumés Colonial)	Montréal	Québec
5074	Poisson Fumé Saint-Thimotée (1991) Inc.	Saint Thimotée	Québec
5077	Les Plats du Chef Inc.	Pointe Claire	Québec
5078	Les Petits Pâtés Labbé (1991) Inc.	Saint-Thomas D'Aquin, Qc.	Québec
5079	123464 Canada Inc. (Groupe La Mer)	Montréal	Québec
5169	Société des Pêches de Newport Inc.	Newport, Qc.	Québec
5171	Les Aliments Fidas Ltée	Cap Chat	Québec
5172	Les Produits Marins de Saint-Godefroi Inc.	Saint-Godefroi, Qc.	Québec
5178	Pêcheries Marinard Ltée	Rivière au Renard, Qc.	Québec
5185	Les Fruits de Mer de l'Est du Québec Ltée	Matane, Qc.	Québec
5186	Les Pêcheries Gaspésiennes Inc.	Rivière au Renard, Qc.	Québec

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5195	Poissonnerie Blanchette Inc.	Sainte Luce	Québec
5197	Cusimer (1991) Inc.	Mont Louis, Qc.	Québec
5198	Les Crustacés des Monts Inc.	Sainte-Anne des Monts	Québec
5199	Unipêche M.D.M. Limitée	Paspebiac, Qc.	Québec
5203	Bacalão del Castillo Inc.	Gaspe, Qc.	Québec
5208	Pêcheries Rivière au Renard Inc.	Rivière au Renard, Qc.	Québec
5209	Charcuteries de la Mer (1991) Inc.	Anse à Brillant, Qc.	Québec
5214	Gastronomie Gaspésienne Inc.	Rivière au Renard, Qc.	Québec
5215	Société des Pêches de Newport Inc.	Newport, Qc.	Québec
5217	Les Fumoirs Transcom Canada Inc.	Les Mechins, Qc.	Québec
5222	Poissonnerie Blanchette Inc.	Les Mechins	Québec
5223	Pêcheries Carleton Inc.	Carleton, Qc.	Québec
5226	Isaac Smoke House	Restigouche, Qc.	Québec
5227	Crustacés De Malbaie Inc.	1491 Route 132 Saint-Georges De Malbaie	Québec
5229	Regroupement des Pêcheurs prof. du Sud de la Gaspésie	Grand-Rivière	Québec
5601	Pêcheries Norpro Ltée	Étang du Nord, Qc.	Québec
5602	Pêcheries Gagnon et Turbide Inc.	Étang du Nord, Qc.	Québec
5603	Pêcheries Norpro Ltée	Étang du Nord, Qc.	Québec
5606	Pêcheries Hubert Fisheries Inc.	Havre Aux Maisons, Qc.	Québec
5609	Les Moules Bleues Clark Inc.	Grosse Isle, Qc.	Québec
5611	Madelimer (1989) Inc.	Grande Entrée, Qc.	Québec
5613	Groupe La Mer	Montréal	Québec
5614	Fruits De Mer De Grande-Entrée Inc.	Grande-Entrée	Québec
5754	J.P. Bouchard Enr.	Baie Saint-Paul	Québec
5762	Les Pêcheries Tri-Nord Inc.	Lourdes de Blanc-Sablon	Québec
5766	Poissonnerie Jean-Guy Laprise Inc.	Chute Aux Outardes	Québec
5772	Pisciculture Des Alleghany Inc.	Saint-Philémon, Qc.	Québec
5776	Les Fruits de Mer Côte Nord Inc.	Baie Trinité	Québec
5782	Poissonnerie Benoît Tremblay Inc.	Sainte-Anne De Portneuf, Qc.	Québec
5789	Poissonnerie A. Bouchard et Fils Inc.	Sheldrake	Québec
5796	Canadian Saltfish Corporation	Bradore Bay, Qc.	Québec
5797	Canadian Saltfish Corporation	Old Fort Bay, Qc.	Québec
5805	Coquillages Nordiques Inc. / Nordic Shellfish Inc.	Forestville	Québec
5807	Poséidon, Les Poissons et Crustacés Inc.	Longue Pointe de Mingan	Québec
5808	Poissonnerie Havre Saint-Pierre (1989) Inc.	Havre Saint-Pierre, Qc.	Québec
5817	Community Seafood Co-op	Harrington Harbour, Qc.	Québec
5818	Northern Gulf Seafoods Ltd	St. Paul's River, Qc.	Québec
5819	Northern Gulf Seafoods Ltd	Middle Bay, Qc.	Québec
5821	Les Produits de Qualité Murray & Martin Inc.	Saint-Augustin, Qc.	Québec
5822	Fruits de Mer Kegaska	Kegaska, Qc.	Québec
5823	Canadian Saltfish Corporation	Blanc Sablon	Québec
5824	Poissons de Qualité Murray & Martin Inc.	Tête-à-la-Baleine	Québec
5825	Les Crevettes de Sept-Îles Inc.	Sept-Îles	Québec
5828	Community Seafood Co-op	Kegaska	Québec
5900	Les Pêcheries Val-Mer Inc.	Sainte-Anne de la Pérade	Québec
5901	Bilopage Inc.	Ville-Vanier	Québec
5902	Qikiqtaaluk Cooperation 'Kinguk'	Harbour Grace	Northwest Territories
5905	Aliments Prolimer Inc.	St. Émile	Québec
5907	Atlantic Champion	Lunenburg	Nova Scotia
5908	Aquiq Trawl Inc.	Mulgrave	Nova Scotia
5911	Waswanipi commercial Fishery	Waswanipi, Qc.	Québec
5913	Truites Saint-Mathieu (1991) Inc.	Harricana Quest	Québec
5914	Produits Luco Inc.	Senneterre	Québec
5916	Frega Inc.	Levis, Qc.	Québec

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5917	Henri Duranseau	Senneterre	Québec
5924	Theo Farm Enterprises Ltd	Shawville	Québec
5925	Pisciculture Val-des-Bois	Val-des-Bois	Québec
5927	Conserverie Notre-Dame Inc.	Charette	Québec
5928	Fumoir Grizzly Inc.	Sainte-Foy	Québec
AC0052	Thomas J. Lipton Inc.	Brampton	Ontario
AC0300	Omstead Foods Ltd	Wheatley (Milo Road)	Ontario
HV100	Groupe Bleu Marin	Rivière-des-Prairies	Québec
HV104	Melrose International	Montréal	Québec
HV0152	Socainex Ltée/Aleghanys Inc.	Laval	Québec
HV0156	Gamez de Segura Enr.	Montréal	Québec
HV201	Poissonnière Moderne	Montréal	Québec
HV310	Homard Gidney Lobster Ltd	Point Claire	Québec
HV326	Bombardier Johnson International Inc.	Boucherville	Québec
LL04001	Clearwater Fine Foods Inc.	Bedford	Nova Scotia
LL04002	Swim's Canada Ltd	Halifax	Nova Scotia
LL05001	Classic Seafoods Ltd	Jeddore	Nova Scotia
LL23-1	Ryer & Ryer Lobsters Limited	Indian Harbour	Nova Scotia
LL23-2	Skipper Seafoods Limited	Halifax	Nova Scotia
LL25-1	Saint Margaret's Bay Bait Co.	Hubbards	Nova Scotia
LL26-1	Blue Lobster Seafood Inc.	Windsor	Nova Scotia
LL28-1	BBH Packers Limited	Port Medway	Nova Scotia
LL28-2	High Tide Seafood Inc.	Port Mouton	Nova Scotia
LL28-3	Sandy & Sons Fisheries Limited	Port Joli	Nova Scotia
LL30108	R. Baker Fisheries Ltd	Lockport	Nova Scotia
LL30109	Atlantic Lobster Co. Inc.	Osborne Harbour	Nova Scotia
LL32001	Bayview Seafoods Ltd	Pictou	Nova Scotia
LL32002	Sea Bright Fisheries Ltd	Pictou	Nova Scotia
LL32100	East Coast Seafoods	Woods Harbour	Nova Scotia
LL32101	Atlantic Lobster Co. Ltd	Clark's Harbour	Nova Scotia
LL32102	Clearwater Lobster Ltd	Clark's Harbour	Nova Scotia
LL32103	R. I. Smith Co. Ltd	Shag Harbour	Nova Scotia
LL32104	Island Marine Products Ltd	Clark's Harbour	Nova Scotia
LL32105	P&P Lobster	Clark's Harbour	Nova Scotia
LL32106	Harbour Lobster	Shag Harbour	Nova Scotia
LL32107	R&L Fisheries	Clark's Harbour	Nova Scotia
LL34001	A. L. LeBlanc Limited	Wedgeport	Nova Scotia
LL34002	Pinkney's Point Fisheries Ltd	Yarmouth	Nova Scotia
LL34003	Chebogue Fisheries Limited	Yarmouth	Nova Scotia
LL34004	N. Leblanc Entreprises	Yarmouth County	Nova Scotia
LL36001	Tai-Pan	Meteghan	Nova Scotia
LL36002	F. Thibault Seafoods	Church Point, Digby County	Nova Scotia
LL40001	Halls Harbour Lobster Co.	Wolfville	Nova Scotia