

Official Journal

of the European Communities

ISSN 0378-6978

L 157

Volume 37

24 June 1994

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 1442/94 of 23 June 1994 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	1
* Commission Regulation (EC) No 1443/94 of 23 June 1994 establishing the forecast supply balance for 1994/95 for the Azores, Madeira and the Canary Islands with regard to sugar, provided by Council Regulations (EEC) No 1600/92 and (EEC) No 1601/92	4
* Commission Regulation (EC) No 1444/94 of 23 June 1994 amending Regulation (EEC) No 1523/71 on communications between Member States and the Commission on flax and hemp	6
* Commission Regulation (EC) No 1445/94 of 23 June 1994 establishing the sugar forecast supply balance for 1994/95 to the smaller Aegean islands provided for in Council Regulation (EEC) No 2019/93	7
* Commission Regulation (EC) No 1446/94 of 23 June 1994 amending Regulation (EEC) No 1748/93 fixing the adjustment coefficients for aid for fibre flax	9
Commission Regulation (EC) No 1447/94 of 23 June 1994 authorizing certain intervention agencies to put up for sale by tender 500 000 tonnes of common wheat for export in the form of flour	10
Commission Regulation (EC) No 1448/94 of 23 June 1994 fixing the export refunds on rice and broken rice	12
Commission Regulation (EC) No 1449/94 of 23 June 1994 fixing the import levies on rice and broken rice	15
Commission Regulation (EC) No 1450/94 of 23 June 1994 fixing the premiums to be added to the import levies on rice and broken rice	17

Contents (continued)

Commission Regulation (EC) No 1451/94 of 23 June 1994 suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of uniflorous (standard) carnations originating in Israel	19
Commission Regulation (EC) No 1452/94 of 23 June 1994 amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender	21
Commission Regulation (EC) No 1453/94 of 23 June 1994 fixing the import levies on white sugar and raw sugar	23
Commission Regulation (EC) No 1454/94 of 23 June 1994 fixing the corrective amount applicable to the refund on cereals	25
Commission Regulation (EC) No 1455/94 of 23 June 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal	27
Commission Regulation (EC) No 1456/94 of 23 June 1994 fixing the premiums to be added to the import levies on cereals, flour and malt	29
Commission Regulation (EC) No 1457/94 of 23 June 1994 altering the import levies on products processed from cereals and rice	31
★ Commission Directive 94/26/EC of 15 June 1994 adapting to technical progress Council Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection	33

II *Acts whose publication is not obligatory*

Council

94/357/EC:

★ Council Decision of 21 February 1994 on the conclusion of an Agreement in the form of an Exchange of Letters between the European Community and the United States of America on the mutual recognition of certain distilled spirits/spirit drinks	36
Agreement in the form of an Exchange of Letters between the European Community and the United States of America on the mutual recognition of certain distilled spirits/spirit drinks	37
★ Information regarding the Agreement in the form of an Exchange of letters between the European Community and the US on the mutual recognition of certain distilled spirits/spirit drinks	40

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1442/94**of 23 June 1994****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 3179/93⁽²⁾, and in particular Article 16 (2) thereof,

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 20 and 21 June 1994 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

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

Article 2

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 3

This Regulation shall enter into force on 24 June 1994.

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽³⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

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

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

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

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

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

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

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

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

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

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

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

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

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)

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

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

COMMISSION REGULATION (EC) No 1443/94

of 23 June 1994

establishing the forecast supply balance for 1994/95 for the Azores, Madeira and the Canary Islands with regard to sugar, provided by Council Regulations (EEC) No 1600/92 and (EEC) No 1601/92

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽³⁾, as last amended by Regulation (EEC) No 1974/93, and in particular Articles 3 (4) and 7 (2) thereof,

Whereas pursuant to Article 2 of Regulations (EEC) No 1600/92 and (EEC) No 1601/92, Commission Regulation (EEC) No 2177/92⁽⁴⁾, as last amended by Regulation (EEC) No 2932/93⁽⁵⁾, sets the forecast supply balance with sugar to the Azores, Madeira and the Canary Islands for the 1993/94 marketing year; whereas pursuant to the

said Article 2 and on the basis of the forecasts the supply balance for the 1994/95 marketing year under the arrangements should now be set;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 2177/92 is hereby replaced for the 1994/95 marketing year by the Annex to this Regulation.

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, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽⁴⁾ OJ No L 217, 31. 7. 1992, p. 71.

⁽⁵⁾ OJ No L 265, 26. 10. 1993, p. 12.

ANNEX

Quantities of sugar expressed in terms of tonnes of white sugar, referred to in Article 1 of Regulation (EEC) No 2177/92 for the 1994/95 marketing year

Region	Quantity
Azores	6 000
Madeira	10 000
Canary Islands	60 000

COMMISSION REGULATION (EC) No 1444/94
of 23 June 1994
amending Regulation (EEC) No 1523/71 on communications between Member
States and the Commission on flax and hemp

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp ⁽¹⁾, as last amended by Regulation (EEC) No 1557/93 ⁽²⁾, and in particular Article 10 thereof,

Whereas under Article 1 of Commission Regulation (EEC) No 1523/71 ⁽³⁾, as last amended by Regulation (EEC) No 1757/78 ⁽⁴⁾, the Member States send the Commission certain information relating to the areas under flax grown for fibre in particular for which an aid application or declaration of areas sown has been made; whereas pursuant to Article 4 (2) of Regulation (EEC) No 1308/70 the amount of aid for this type of flax is varied by applying coefficients established on the basis of production areas on the one hand and fixed on the other hand in respect of retted, non-deseeded flax and flax other than retted, non-deseeded flax; whereas with a view to the sound management of the sector in question, the communications on areas for which aid has been requested as provided for in the said Article should be made separately for the various production areas and for the two types of flax referred to above;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1523/71 the following paragraph is added:

'4. The information on flax referred to in paragraphs 2 and 3 shall be communicated separately for retted, non-deseeded flax and for flax other than retted, non-deseeded flax, and for the various production areas referred to in the Annex to Regulation (EEC) No 1784/93 ⁽⁵⁾.

(⁽⁵⁾) OJ No L 163, 6. 7. 1993, p. 7.'

Article 2

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

It shall apply from the 1994/95 marketing year.

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 26.

⁽³⁾ OJ No L 160, 17. 7. 1971, p. 14.

⁽⁴⁾ OJ No L 203, 27. 7. 1978, p. 27.

COMMISSION REGULATION (EC) No 1445/94

of 23 June 1994

establishing the sugar forecast supply balance for 1994/95 to the smaller Aegean islands provided for in Council Regulation (EEC) No 2019/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2019/93 of 19 July introducing specific measures for the smaller Aegean islands concerning certain agricultural products⁽¹⁾, as last amended by Commission Regulation (EC) No 822/94⁽²⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EEC) No 2958/93 lays down detailed rules for the application of Regulation (EEC) No 2019/93 as regards the specific arrangements for the supply of certain agricultural products⁽³⁾;

Whereas Commission Regulation (EEC) No 3719/88⁽⁴⁾, as last amended by Regulation (EC) No 3519/93⁽⁵⁾, lays down the common detailed rules for the application of the system of import licences; whereas Commission Regulation (EEC) No 2630/81 of 10 September 1981 on special detailed rules for the application of the system of import and export licences in the sugar sector⁽⁶⁾, as last amended by Regulation (EEC) No 1754/93⁽⁷⁾, lays down special detailed rules for the sugar sector;

Whereas, in order to take account of commercial practices specific to the sugar sector, detailed rules, additional to or derogating from the provisions of Regulation (EEC) No 2958/93, should be laid down;

Whereas, pursuant to Article 2 of Regulation (EEC) No 2019/93, the forecast supply balance for sugar for the

smaller Aegean islands for the 1994/95 marketing year should be established; whereas that balance may be revised during the year on the basis of trends in the smaller islands' requirements;

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

HAS ADOPTED THIS REGULATION:

Article 1

Pursuant to Article 2 of Regulation (EEC) No 2019/93, the forecast supply balance for sugar originating in the Community for the smaller Aegean islands for the 1994/95 marketing year shall be as laid down in the Annex hereto.

Article 2

The validity of aid certificates shall expire on the final day of the second month following their issue.

Article 3

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

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 184, 27. 7. 1993, p. 1.

⁽²⁾ OJ No L 95, 14. 4. 1994, p. 1.

⁽³⁾ OJ No L 267, 28. 10. 1993, p. 4.

⁽⁴⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 320, 22. 12. 1993, p. 16.

⁽⁶⁾ OJ No L 258, 11. 9. 1981, p. 16.

⁽⁷⁾ OJ No L 161, 2. 7. 1993, p. 45.

ANNEX

SUPPLY BALANCE FOR THE SMALLER AEGEAN ISLANDS

(in tonnes of white sugar)

Product	CN code	Quantity July 1994 to June 1995
Sugar	1701	
— Group A (*)		3 000
— Group B (*)		9 000
Total		12 000

(*) These groups are defined in Annexes I and II of Regulation (EEC) No 2958/93.

COMMISSION REGULATION (EC) No 1446/94
of 23 June 1994
amending Regulation (EEC) No 1748/93 fixing the adjustment coefficients for
aid for fibre flax

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1308/70 of 29 June 1970 on the common organization of the market in flax and hemp ⁽¹⁾, as last amended by Regulation (EEC) No 1557/93 ⁽²⁾, and in particular Article 4 (5) thereof,

Whereas Article 1 (3) of Commission Regulation (EEC) No 1748/93 ⁽³⁾ lays down that, to be considered as 'retted but not deseeded flax', flax must be left in the field for a certain period after pulling; whereas, as a result of technical developments in the flax sector, cultivation methods other than pulling have been introduced; whereas the definition of retted but not deseeded flax should be amended;

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

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

Done at Brussels, 23 June 1994.

Article 1

Article 1 (3) of Regulation (EEC) No 1748/93 is hereby replaced by the following:

'3. For the purposes of this Regulation, "retted but not deseeded flax" means fibre flax which:

- (a) after harvesting, was left in the field for a period exceeding that required for drying;
- (b) shows at least two of the following characteristics:
 - dark brown or black colouring,
 - easily detachable seed capsules,
 - easier freeing of fibres than in the case of flax which after harvesting has only remained in the field for the period required for drying;and
- (c) has not been deseeded in the field.'

Article 2

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

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 146, 4. 7. 1970, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 26.

⁽³⁾ OJ No L 163, 6. 7. 1993, p. 7.

COMMISSION REGULATION (EC) No 1447/94

of 23 June 1994

authorizing certain intervention agencies to put up for sale by tender 500 000 tonnes of common wheat for export in the form of flour

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 1972 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 procedure and conditions for the disposal of cereals held by invitation agencies;

Whereas the Community cereal year begins on 1 July; whereas, however, in the north of the Community the common wheat harvest is not available until August; whereas, as a result, millers working for export in the Community suffer from supply problems; whereas, therefore, provision should be made for supplies to the latter in the period from 1 July to 15 August from intervention stocks at terms competitive with the market prices for the new harvest;

Whereas a conversion rate should be set to determine the quantity of flour to be exported on the basis of the common wheat used;

Whereas, to ensure that the operation is carried out smoothly, it should be stipulated that securities may be released only after completion of customs export formalities to avoid any disturbance of the market;

Whereas the Member States are to take all additional measures compatible with the provisions in force to ensure that the scheme operates smoothly and that the Commission is kept informed;

Whereas, Commission Regulation (EEC) No 2220/85⁽⁵⁾, as amended by Regulation (EC) No 3403/93⁽⁶⁾, lays down common detailed rules for the application of the system of securities for agricultural products;

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

HAS ADOPTED THIS REGULATION:

Article 1

The intervention agencies of the Member States listed below are hereby authorized to issue an invitation to tender for the sale on the Community market of 500 000 tonnes of common wheat in accordance with Article 4 of Regulation (EEC) No 2131/93, as follows:

	(tonnes)
Belgium	25 000
Denmark	5 000
Germany ^(*)	150 000
France ^(*)	320 000

(*) Of which a part is stocked in the Benelux.

Article 2

1. The invitation to tender shall be open from 1 July to 15 August 1994.

2. A quantity of common wheat flour for human consumption equal to the quantity of common wheat awarded divided by the coefficient referred to in Article 5 must be exported to third countries.

Tenders shall be valid only if they:

- are accompanied by an application for an export licence for common wheat flour having an ash content of 0 to 600 mg per 100 g with an application for advance fixing of the refund set for the relevant quality,
- are accompanied by evidence that the tenderer has lodged a security of ECU 5 per tonne,
- are accompanied by a written undertaking from the tenderer to lodge, at the latest on payment of the goods, a security covering any difference between the price provided for in Article 5 (3) of Regulation (EEC) No 2131/93 and that indicated in the tender.

Article 3

The minimum sales price shall be ECU 107 per tonne.

⁽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 205, 3. 8. 1985, p. 5.

⁽⁶⁾ OJ No L 310, 14. 12. 1993, p. 4.

Article 4

1. The customs export formalities for the quantity of flour equivalent to that obtained from cereals must be completed within 30 days following the date of the award and not later than 31 August 1994.

2. Export licences issued under this invitation to tender must bear the following entry in Section 22:

'Invitation to tender issued by Regulation (EC) No 1447/94 — Tender from

Article 5

For the determination of the quantity of flour to be exported, the quantity of common wheat awarded shall be divided by a coefficient of 1,37.

Article 6

1. The securities referred to in the second indent of the second subparagraph of Article 2 (2) shall be released:

- for the quantities for which the tender has not been accepted, or
- in all other cases, in accordance with Title V of Regulation (EEC) No 2220/85.

2. The securities referred to in the third indent of the second subparagraph of Article 2 (2) shall be released for the corresponding quantities of flour for which evidence of export has been furnished.

3. The primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be payment of the selling price and export within the time limit laid down for the common wheat flour under the export licence referred to in Article 4.

Evidence to be furnished shall be that applicable for the security for the export licence issued following award of the contract.

Article 7

The intervention agencies concerned shall take all necessary steps to ensure compliance with the provisions of this Regulation. They shall provide each other with all necessary information and shall inform the Commission weekly, within the Management Committee for Cereals, of progress of the invitation to tender.

Article 8

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

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1448/94
of 23 June 1994

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas export possibilities exist for a quantity of 35 000 tonnes of white rice to certain destinations; whereas the procedure laid down in Article 9 ⁽⁴⁾ of Commission Regulation (EEC) No 891/89 ⁽⁵⁾, as last amended by Regulation (EC) No 3579/93 ⁽⁶⁾, should be used; whereas account should be taken of this when the refunds are fixed;

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

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

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁸⁾, as amended by Regulation (EC) No 3528/93 ⁽⁹⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽¹⁰⁾, as amended by Regulation (EC) No 547/94 ⁽¹¹⁾;

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

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

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 326, 28. 12. 1993, p. 15.

⁽⁶⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽¹¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽¹²⁾ OJ No L 102, 28. 4. 1993, p. 14.

ADOPTED THIS REGULATION :

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

Article 1

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

Article 2

This Regulation shall enter into force on 24 June 1994.

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 23 June 1994 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination ⁽¹⁾	Amount of refunds ⁽²⁾	Product code	Destination ⁽¹⁾	Amount of refunds ⁽²⁾
1006 20 11 000	01	202,00	1006 30 65 900	01	253,00
1006 20 13 000	01	202,00		04	253,00
1006 20 15 000	01	202,00	1006 30 67 100	—	—
1006 20 17 000	—	—	1006 30 67 900	—	—
1006 20 92 000	01	202,00	1006 30 92 100	01	253,00
1006 20 94 000	01	202,00		02	259,00
1006 20 96 000	01	202,00		03	264,00
1006 20 98 000	—	—		04	253,00
1006 30 21 000	01	202,00	1006 30 92 900	01	253,00
1006 30 23 000	01	202,00		04	253,00
1006 30 25 000	01	202,00		05	264,00
1006 30 27 000	—	—		06	289,00
1006 30 42 000	01	202,00	1006 30 94 100	01	253,00
1006 30 44 000	01	202,00		02	259,00
1006 30 46 000	01	202,00		03	264,00
1006 30 48 000	—	—		04	253,00
1006 30 61 100	01	253,00	1006 30 94 900	01	253,00
	02	259,00		04	253,00
	03	264,00		05	264,00
	04	253,00		06	289,00
1006 30 61 900	01	253,00	1006 30 96 100	01	253,00
	04	253,00		02	259,00
1006 30 63 100	01	253,00		03	264,00
	02	259,00		04	253,00
	03	264,00	1006 30 96 900	01	253,00
	04	253,00		04	253,00
1006 30 63 900	01	253,00		05	264,00
	04	253,00		06	289,00
1006 30 65 100	01	253,00	1006 30 98 100	—	—
	02	259,00	1006 30 98 900	—	—
	03	264,00	1006 40 00 000	—	—
	04	253,00			

⁽¹⁾ The destinations are identified as follows:

- 01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,
- 02 Zones I, II, III, VI, Ceuta and Melilla,
- 03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,
- 04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87,
- 05 Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of 25 000 tonnes of white rice destined for Zones I, II (c), IV, V, VI, VII and VIII, excluding Guyana, Surinam and Madagascar,
- 06 Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of 10 000 tonnes of white rice destined for Zones II (a), II (b), II (d) and III.

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

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 2145/92.

COMMISSION REGULATION (EC) No 1449/94**of 23 June 1994****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2666/93 ⁽⁵⁾, as last amended by Regulation (EC) No 1382/94 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 June 1994.

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

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

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.
⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 4.
⁽⁶⁾ OJ No L 151, 17. 6. 1994, p. 32.

ANNEX

to the Commission Regulation of 23 June 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ^(*)		
	Arrangement in Regulation (EEC) No 3877/86 ^(*)	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Third countries (except ACP) ⁽⁵⁾
1006 10 21	—	151,19	309,59
1006 10 23	—	149,36	305,92
1006 10 25	—	149,36	305,92
1006 10 27	229,44	149,36	305,92
1006 10 92	—	151,19	309,59
1006 10 94	—	149,36	305,92
1006 10 96	—	149,36	305,92
1006 10 98	229,44	149,36	305,92
1006 20 11	—	189,89	386,99
1006 20 13	—	187,60	382,40
1006 20 15	—	187,60	382,40
1006 20 17	286,80	187,60	382,40
1006 20 92	—	189,89	386,99
1006 20 94	—	187,60	382,40
1006 20 96	—	187,60	382,40
1006 20 98	286,80	187,60	382,40
1006 30 21	—	235,29	494,43
1006 30 23	—	289,32	602,41
1006 30 25	—	289,32	602,41
1006 30 27	451,81	289,32	602,41
1006 30 42	—	235,29	494,43
1006 30 44	—	289,32	602,41
1006 30 46	—	289,32	602,41
1006 30 48	451,81	289,32	602,41
1006 30 61	—	250,93	526,57
1006 30 63	—	310,54	645,79
1006 30 65	—	310,54	645,79
1006 30 67	484,34	310,54	645,79
1006 30 92	—	250,93	526,57
1006 30 94	—	310,54	645,79
1006 30 96	—	310,54	645,79
1006 30 98	484,34	310,54	645,79
1006 40 00	—	51,81	109,62

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1450/94**of 23 June 1994****fixing the premiums to be added to the import levies on rice and broken rice**

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2667/93 ⁽³⁾, as last amended by Regulation (EC) No 1383/94 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 24 June 1994.

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 245, 1. 10. 1993, p. 7.

⁽⁴⁾ OJ No L 151, 17. 6. 1994, p. 34.

ANNEX

to the Commission Regulation of 23 June 1994 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 6	1st period 7	2nd period 8	3rd period 9
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EC) No 1451/94

of 23 June 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 (EC) No 1168/94⁽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 24 June 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 130, 25. 5. 1994, p. 21.

⁽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, 23 June 1994.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EC) No 1452/94
of 23 June 1994
amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to
tender

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1096/94 ⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender ⁽³⁾, as last amended by Regulation (EC) No 1200/94 ⁽⁴⁾, buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups ;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 27 June 1994.

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 121, 12. 5. 1994, p. 9.

⁽³⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 133, 28. 5. 1994, p. 5.

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

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

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1453/94**of 23 June 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 1440/94 ⁽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 22 June 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 24 June 1994.

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

Done at Brussels, 23 June 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 156, 23. 6. 1994, p. 30.

ANNEX

to the Commission Regulation of 23 June 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	33,33 ⁽¹⁾
1701 11 90	33,33 ⁽¹⁾
1701 12 10	33,33 ⁽¹⁾
1701 12 90	33,33 ⁽¹⁾
1701 91 00	38,30
1701 99 10	38,30
1701 99 90	38,30 ⁽³⁾

⁽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 1454/94

of 23 June 1994

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 13 (4) thereof,

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 June 1994.

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 23 June 1994 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (*)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		6	7	8	9	10	11	12
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	01	0	0	0	0	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	- 30,00	- 30,00	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	+ 50,00	—	—	—	—	—
1101 00 00 130	01	0	0	—	—	—	—	—
1101 00 00 150	01	0	0	—	—	—	—	—
1101 00 00 170	01	0	0	—	—	—	—	—
1101 00 00 180	01	0	0	—	—	—	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	+ 50,00	—	—	—	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	+ 10,00	—	—	—	—	—
1103 11 10 400	01	0	0	—	—	—	—	—
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	—	—	—	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(*) The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EC) No 1455/94

of 23 June 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 22 June 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 24 June 1994.

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

Done at Brussels, 23 June 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 23 June 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	103,44 ^(?) ^(?)
0712 90 19	103,44 ^(?) ^(?)
1001 10 00	48,07 ⁽¹⁾ ^(?)
1001 90 91	99,07
1001 90 99	99,07 ^(?)
1002 00 00	123,94 ⁽⁶⁾
1003 00 10	125,96
1003 00 90	125,96 ^(?)
1004 00 00	104,34
1005 10 90	103,44 ^(?) ^(?)
1005 90 00	103,44 ^(?) ^(?)
1007 00 90	106,75 ^(?)
1008 10 00	38,35 ^(?)
1008 20 00	55,09 ^(?)
1008 30 00	0 ^(?)
1008 90 10	^(?)
1008 90 90	0
1101 00 00	176,25 ^(?)
1102 10 00	212,55
1103 11 10	107,96
1103 11 90	200,20
1107 10 11	187,22
1107 10 19	142,64
1107 10 91	235,09 ⁽¹⁰⁾
1107 10 99	178,41 ^(?)
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 1456/94

of 23 June 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 22 June 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 24 June 1994.

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

Done at Brussels, 23 June 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 23 June 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	6	7	8	9
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	6,32	10,05	10,05
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

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

COMMISSION REGULATION (EC) No 1457/94

of 23 June 1994

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation

(EC) No 1211/94⁽⁷⁾, as last amended by Regulation (EC) No 1422/94⁽⁸⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽⁹⁾, as last amended by Regulation (EEC) No 1740/78⁽¹⁰⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93⁽¹¹⁾ as fixed in the Annex to amended Regulation (EC) No 1211/94 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 24 June 1994.

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

Done at Brussels, 23 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 133, 28. 5. 1994, p. 30.

⁽⁸⁾ OJ No L 155, 22. 6. 1994, p. 17.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹¹⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

to the Commission Regulation of 23 June 1994 altering the import levies on products processed from cereals and rice

(ECU/tonne)			(ECU/tonne)		
CN code	Import levies (7)		CN code	Import levies (7)	
	ACP	Third countries (other than ACP)		ACP	Third countries (other than ACP)
1102 20 10	183,78	189,82	1702 30 91	214,41	311,13
1102 20 90	104,14	107,16	1702 30 99	164,38	230,87
1103 13 10	183,78	189,82	1702 40 90	164,38	230,87
1103 13 90	104,14	107,16	1702 90 50	164,38	230,87
1103 29 40	183,78	189,82	1702 90 75	224,62	321,34
1104 19 50	183,78	189,82	1702 90 79	156,21	222,70
1104 23 10	163,36	166,38	2106 90 55	164,38	230,87
1104 23 30	163,36	166,38	2302 10 10	45,90	51,90
1104 23 90	104,14	107,16	2302 10 90	98,35	104,35
1104 30 90	76,58	82,62	2302 20 10	45,90	51,90
1106 20 90	160,75 ⁽²⁾	184,93	2302 20 90	98,35	104,35
1108 12 00	164,38	184,93	2302 30 10	45,90 ⁽⁹⁾	51,90
1108 13 00	164,38	184,93 ⁽²⁾	2302 30 90	98,35 ⁽⁹⁾	104,35
1108 14 00	82,19	184,93	2302 40 10	45,90	51,90
1108 19 90	82,19 ⁽²⁾	184,93	2302 40 90	98,35	104,35
1702 30 51	214,41	311,13	2303 10 11	204,20	385,54
1702 30 59	164,38	230,87			

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

⁽³⁾ Pursuant to amended Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.

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

⁽⁹⁾ Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.

COMMISSION DIRECTIVE 94/26/EC

of 15 June 1994

adapting to technical progress Council Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DIRECTIVE:

Having regard to the Treaty establishing the European Community,

Article 1

Annex I to Directive 79/196/EEC, is replaced by the Annex to this Directive.

Having regard to Council Directive 76/117/EEC of 18 December 1975 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres⁽¹⁾, and in particular Article 5 thereof,

Article 2

1. Member States shall bring into force the necessary provisions in order to comply with this Directive not later than 31 March 1995 and shall forthwith inform the Commission thereof.

Having regard to Council Directive 79/196/EEC of 6 February 1979 on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection⁽²⁾, as last amended by Directive 90/487/EEC⁽³⁾, and in particular Article 5 thereof,

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

Whereas it is necessary to adapt the contents of Annex 1 to Directive 79/196/EEC to technical progress by incorporating five new European standards recently drawn up by Cenelec;

2. Until 30 June 2003 the Member States shall continue to apply the measures provided for in Article 4 of Directive 76/117/EEC as regards the equipment for which conformity to the harmonized standards referred to in Directive 79/196/EEC, in its version of 17 September 1990, is attested by the certificate of conformity referred to in Article 8 of Directive 76/117/EEC, provided that this certificate has been issued before 1 March 1996.

Whereas, in view of the present state of technical progress, it is now necessary to adapt the contents of the harmonized standards referred to in Annex I to Directive 79/196/EEC;

Article 3

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Whereas, in view of the nature of the equipment concerned, a transitional arrangement must be allowed in order to enable the industry to adapt adequately to the amendments introduced into the standards;

Done at Brussels, 15 June 1994.

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives for the Elimination of Technical Barriers in the Sector of Electrical Equipment for Use in Potentially Explosive Atmospheres,

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 24, 30. 1. 1976, p. 45.

⁽²⁾ OJ No L 43, 20. 2. 1979, p. 20.

⁽³⁾ OJ No L 270, 2. 10. 1990, p. 23.

ANNEX

ANNEX I

HARMONIZED STANDARDS

The harmonized standards to which equipment must conform, depending on the type of protection, are the European standards referred to in the table below.

European Standards

(drawn up by Cenelec, 35, Rue de Stassart, B-1050 Brussels)

Number	Title	Edition	Date
EN 50014	— Electrical equipment for use in potentially explosive atmospheres : general requirements	1	March 1977
	— Amendment 1		July 1979
	— Amendment 2		June 1982
	— Amendments 3 and 4		December 1982
	— Amendment 5		February 1986
EN 50015	— Electrical equipment for use in potential explosive atmospheres : oil immersion "o"	1	March 1977
	— Amendment 1		July 1979
EN 50016	— Electrical equipment for use in potentially explosive atmospheres : pressurized apparatus "p"	1	March 1977
	— Amendment 1		July 1979
EN 50017	— Electrical equipment for use in potentially explosive atmospheres : powder filling "q"	1	March 1977
	— Amendment 1		July 1979
EN 50018	— Electrical equipment for use in potentially explosive atmospheres : flameproof enclosure "d"	1	March 1977
	— Amendment 1		July 1979
	— Amendment 2		December 1982
	— Amendment 3		November 1985
EN 50019	— Electrical equipment for use in potential atmospheres : increased safety "e"	1	March 1977
	— Amendment 1		July 1979
	— Amendment 2		September 1983
	— Amendment 3		December 1985
	— Amendment 4		October 1989
EN 50020	— Electrical equipment for use in potential atmospheres : intrinsic safety "i"	1	August 1990
	— Amendment 1		March 1977
	— Amendment 2		July 1979
	— Amendment 3		December 1985
	— Amendment 4		May 1990
	— Amendment 5		May 1990

Number	Title	Edition	Date
EN 50028	— Electrical equipment for use in potential explosive atmospheres : encapsulation "m"	1	February 1987
EN 50039	— Electrical equipment for use in potentially explosive atmospheres : intrinsically safe electrical systems "i"	1	March 1980
EN 50050	— Electrostatic hand-held spraying equipment	1	January 1986
EN 50053 (part 1)	— Hand-held electrostatic paint spray guns with an energy limit of 0,24 mJ and their associated apparatus	1	February 1987 (*)
EN 50053 (part 2)	— Hand-held electrostatic powder spray guns with an energy limit of 5 mJ and their associated apparatus	1	June 1989 (*)
EN 50053 (part 3)	— Hand-held electrostatic flock spray guns with an energy limit of 0,24 mJ or 5 mJ and their associated apparatus	1	June 1989 (*)

(*) Only the paragraphs dealing with the construction of apparatus, provided for in standards EN 50053, parts 1, 2 and 3'.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 21 February 1994

**on the conclusion of an Agreement in the form of an Exchange of Letters
between the European Community and the United States of America on the
mutual recognition of certain distilled spirits/spirit drinks**

(94/357/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with Article 228 (2) thereof,

Having regard to the recommendation from the Commission,

Whereas exports of Community spirit drinks represent a significant share of trade in this sector; whereas the trend in exports is progressing satisfactorily as a result of the quality for which these products are recognized on the markets of third countries;

Whereas recognition by third countries, and in particular by the United States of America, of Community geographical designations for spirit drinks is an essential factor in maintaining and increasing these exports;

Whereas the Community may only conclude an agreement on protection and mutual recognition in this sector on the basis of the principle of reciprocity as laid down in Article 11 of Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down the general rules on the definition, description and presentation of spirit drinks⁽¹⁾;

Whereas it is necessary to authorize the French Republic to maintain in force the Agreement in the form of an Exchange of Letters dated 2 December 1970 and 18 January 1971 in so far as it is complementary to the Agreement that forms the subject of this Decision;

Whereas the negotiations between the Community and the United States of America have resulted in an Agreement which is equally advantageous to both parties,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an Exchange of Letters between the European Community and the United States of America on the mutual recognition of certain distilled spirits/spirit drinks together with the Side Letter annexed thereto are hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The French Republic is authorizing to maintain in force the Agreement in the form of an Exchange of Letters dated 2 December 1970 and 18 January 1971 in so far as it is complementary to the Agreement referred to in Article 1.

Article 3

The President of the Council is hereby authorized to designate the person empowered to sign the Agreement referred to in Article 1 in order to bind the Community.

Article 4

This Decision shall be published in the *Official Journal of the European Communities*.

Done at Brussels, 21 February 1994.

For the Council

The President

Th. PANGALOS

⁽¹⁾ OJ No L 160, 12. 6. 1989, p. 1. Regulation as amended by Regulation (EEC) No 3280/92 (OJ No L 327, 13. 11. 1992, p. 3).

AGREEMENT IN THE FORM OF AN EXCHANGE OF LETTERS
between the European Community and the United States of America on the mutual
recognition of certain distilled spirits/spirit drinks

Letter No 1

Brussels, 25 March 1994.

Sir,

I have the honour to refer to recent discussions between representatives of the European Community (EC) and the United States of America (USA) relating to the issue of recognition of distilled spirits/spirit drinks. These discussions have resulted in the conclusions outlined hereafter:

- A. The USA agrees to restrict, within its regulatory framework (27 CFR 5.22 or an equivalent successor regulation), the use of the product designations: 'Scotch whisky', 'Irish whiskey'/'Irish whisky', 'Cognac', 'Armagnac', 'Calvados' and 'Brandy de Jerez' to distilled spirits/spirit drinks products of the Member States of the EC, produced in compliance with Council Regulation (EEC) No 1576/89 and with the laws of the Member States in which those products originate. Further, it is recognized that these products shall continue to be subject to all of the labelling requirements of the USA.
- B. The EC agrees to restrict, within its regulatory framework (Council Regulation (EEC) No 1576/89, Article 11 or an equivalent successor regulation), the use of the product designations: 'Tennessee whisky'/'Tennessee whiskey', 'Bourbon whisky'/'Bourbon whiskey' and 'Bourbon' as a designation for Bourbon whisk(e)y to distilled spirits/spirit drinks products of the USA produced in compliance with the laws and regulations of the USA (27 CFR 5.22 or an equivalent successor regulation). Further, it is recognized that these whiskies shall continue to be subject to all of the labelling requirements of the EC.
- C. The USA and the EC agree to meet at a mutually convenient time in the future to discuss the possibilities of extending restrictive recognition to additional distilled spirits/spirit drinks which either Party may propose for such consideration. This willingness to meet and consider such requests is without prejudice to the right and rulemaking processes of either Party.
- D. Both Parties agree to consult, upon request, regarding the operation of this Agreement.
- E. Both Parties agree to implement within 60 days of the date of your confirmatory reply all regulatory or administrative measures necessary to fulfil the obligations outlined in Paragraphs A and B above.
- F. Either Party may terminate this Agreement by written notifications to the other Party. This Agreement shall expire 12 months after the date of such notification.

I have the honour to propose that, if the foregoing is acceptable to your government, this letter and your confirmatory reply shall together constitute and evidence an agreement between the EC and the USA on this matter.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Union*

Letter No 2

Brussels, 25 March 1994.

Sir,

I have the honour to refer to your letter of 15 March 1994 which reads as follows :

'I have the honour to refer to recent discussions between representatives of the European Community (EC) and the United States of America (USA) relating to the issue of recognition of distilled spirits/spirit drinks. These discussions have resulted in the conclusions outlined hereafter :

- A. The USA agrees to restrict, within its regulatory framework (27 CFR 5.22 or an equivalent successor regulation), the use of the product designations : "Scotch whisky", "Irish whiskey"/"Irish whisky", "Cognac", "Armagnac", "Calvados" and "Brandy de Jerez" to distilled spirits/spirit drinks products of the Member States of the EC, produced in compliance with Council Regulation (EEC) No 1576/89 and with the laws of the Member States in which those products originate. Further, it is recognized that these products shall continue to be subject to all of the labelling requirements of the USA.
- B. The EC agrees to restrict, within its regulatory framework (Council Regulation (EEC) No 1576/89, Article 11 or an equivalent successor regulation), the use of the product designations : "Tennessee whiskey"/"Tennessee whisky", "Bourbon whiskey"/"Bourbon whisky" and "Bourbon" as a designation for Bourbon whisk(e)y to distilled spirits/spirit drinks products of the USA produced in compliance with the laws and regulations of the USA (27 CFR 5.22 or an equivalent successor regulation). Further, it is recognized that these whiskies shall continue to be subject to all of the labelling requirements of the EC.
- C. The USA and the EC agree to meet at a mutually convenient time in the future to discuss the possibilities of extending restrictive recognition to addition distilled spirits/spirit drinks which either Party may propose for such consideration. This willingness to meet and consider such requests is without prejudice to the right and rulemaking processes of either Party.
- D. Both Parties agree to consult, upon request, regarding the operation of this Agreement.
- E. Both Parties agree to implement within 60 days of the date of your confirmatory reply all regulatory or administrative measures necessary to fulfil the obligations outlined in Paragraphs A and B above.
- F. Either Party may terminate this Agreement by written notifications to the other Party. This Agreement shall expire 12 months after the date of such notification.

I have the honour to propose that the foregoing is acceptable to your government, this letter and your confirmatory reply shall together constitute and evidence an agreement between the EC and the USA on this matter.'

I have the honour confirm that the foregoing is acceptable to the Government of the United States of America and that your letter and this reply shall together constitute and evidence an agreement between the United States of America and the European Community on this matter.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Government
of the United States of America*



Side letter to the EC-US spirits agreements*EC letter*

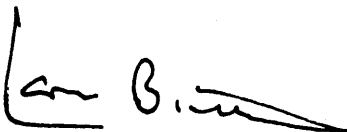
I have the honour to refer to the Agreement concluded between the European Community and the United States of America on the mutual recognition of certain distilled spirits/spirit drinks and to propose the following understanding:

The conclusion of the Agreement does not impede the continued application of the Exchange of Letters, signed on 2 December 1970 and 18 January 1971, between France and the United States of America concerning the protection in France of the US appellations 'Bourbon' and 'Bourbon whisky' and in the United States of the French appellations 'Cognac', 'Armagnac' and 'Calvados'.

I would be grateful if you would confirm that the foregoing is acceptable to the Government of the United States of America.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the
Council of the European Union*

*US reply*

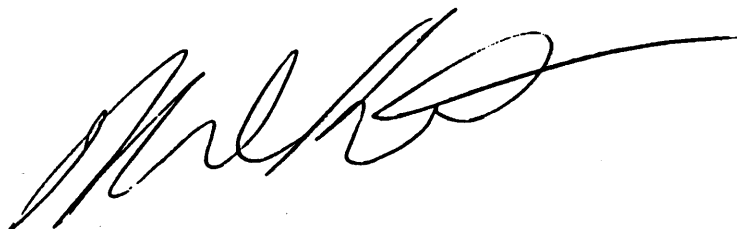
I have the honour to refer to the Agreement concluded between the European Community and the United States of America on the mutual recognition of certain distilled spirits/spirit drinks and to your letter which proposed the following understanding:

The conclusion of the Agreement does not impede the continued application of the Exchange of Letters, signed on 2 December 1970 and 18 January 1971, between France and the United States of America concerning the protection in France of the US appellations 'Bourbon' and 'Bourbon whisky' and in the United States of the French appellations 'Cognac', 'Armagnac' and 'Calvados'.

I have the honour to confirm the above understanding on behalf of the Government of the United States of America.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of the Government
of the United States of America*



**Information regarding the Agreement in the form of an Exchange of letters
between the European Community and the US on the mutual recognition of
certain distilled spirits/spirit drinks⁽¹⁾**

The necessary ratification procedures having been completed and duly notified, the Agreement between the European Community and the US on the mutual recognition of certain distilled spirits/spirit drinks came into force on 24 May 1994.

⁽¹⁾ See page 37 of this Official Journal.