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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1487/94

of 24 June 1994

fixing the basic price and the buying-in price for cauliflowers, peaches, nectarines, lemons, tomatoes, apricots, pears and aubergines for July 1994

THE COUNCIL OF THE EUROPEAN UNION,

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⁾, and in particular Article 16 (1) thereof,

Having regard to the proposal from the Commission,

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

Whereas, pursuant to Article 16 (1) of Regulation (EEC) No 1035/72, a basic price and a buying-in price must be fixed for each marketing year for each of the products listed in Annex II to that Regulation; whereas the products harvested during a given crop year are marketed from January to December of each year in the case of tomatoes and aubergines, from May to August of each year in the case of apricots, from May to October for each year in the case of peaches and nectarines, from May to April of the following year in the case of cauliflowers and from June of May of the following year in the case of lemons and pears; whereas, however, in accordance with the third subparagraph of Article 16 (1) of Regulation (EEC) No 1035/72, no basic price or buying-in price need be fixed for the slack marketing periods of the beginning and end of the marketing year;

Whereas, to ensure the continuity of cauliflower, tomato, apricot, peach, nectarine and lemon prices and the possibility of intervention in the case of pears and nectarines from 1 July 1994, the basic price and the buying-in-price

for these products must be fixed for the period 1 to 31 July 1994, pending a decision for the 1994/95 marketing year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 to 31 July 1994, the basic price and the buying-in price for cauliflowers, peaches, nectarines, lemons, apricots, tomatoes, pears and aubergines expressed in ecus per 100 kilograms net, shall be as follows:

	<i>Basic price</i>	<i>Buying-in price</i>
for cauliflowers	21,79	9,38
for peaches	42,38	23,74
for nectarines	53,99	25,91
for lemons	42,99	25,29
for apricots	41,16	23,44
for tomatoes	23,08	8,56
for pears	28,27	14,54
for aubergines	17,55	7,04

These prices refer respectively to:

- trimmed cauliflowers of quality Class I, put up in packaging,
- packed peaches of the Amsdon, Cardinal, Charles Ingouf, Dixired, Jeronimo, J. H. Hale, Merrill Gemfree, Michelini, Red Haven, San Lorenzo, Springcrest and Springtime varieties of quality Class I, size 61-67 mm,
- packed nectarines of the Armking, Crimsongold, Early Sun Grand, Fantasia, Independence, May Grand, Nectared, Snow Queen and Stark Red Gold varieties of quality Class I, size 61-67 mm,
- packed lemons of quality Class I, size 53-62 mm,

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

⁽²⁾ OJ No C 128, 9. 5. 1994.

- packed apricots of quality Class I of a size over 30 mm,
- packed 'round' and 'ribbed' tomatoes of quality Class I, size 57-67 mm,
- pears of the Beurré Hardy, Bon Chrétien Williams, Conférence, Coscia (Ercolini), Crystallis (Beurré Napoléon, Blanquilla, Tsakonika), Dr. Jules Guyot (Limonniers) and Rocha varieties, Quality Class I, size 60 mm or more and pears of the Empereur Alexandre (Kaiser

Alexandre Bosc), variety , Quality Class I, size 70 mm or more,

- packed elongated aubergines of quality Class I of a size over 40 mm and packed globus aubergines of quality Class I of a size over 70 mm.

These prices do not include the cost of the packaging in which the product is presented.

Article 2

This Regulation shall enter into force on 1 July 1994.

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

Done at Luxembourg, 24 June 1994.

For the Council

The President

G. MORAITIS

COMMISSION REGULATION (EC) No 1488/94

of 28 June 1994

laying down the principles for the assessment of risks to man and the environment of existing substances in accordance with Council Regulation (EEC) No 793/93

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 793/93 of 23 March 1993 on the evaluation and control of the risks of existing substances⁽¹⁾ and, in particular, Article 10 (4) thereof,

Whereas Regulation (EEC) No 793/93 envisages a system of evaluation and control of the risk of existing substances and whereas Article 10 thereof requires that it shall be for the Member States to carry out such risk assessment on existing substances having priority;

Whereas, given that the responsibility for risk assessment lies with the Member States, it is, however, appropriate that the principles of such assessment be adopted at Community level to avoid disparities between Member States which would not only affect the functioning of the internal market but would also fail to guarantee the same level of protection of man and the environment;

Whereas the assessments of risks should be based on a comparison of the potential adverse effects of a substance with the known or reasonably foreseeable exposure of man and the environment to that substance;

Whereas, having regard to the classification of a given substance in accordance with Council Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances⁽²⁾, as last amended by Commission Directive 93/105/EC⁽³⁾, the assessment of risks to man should take account of the physico-chemical and toxicological properties of a substance;

Whereas, having regard to its classification in accordance with Directive 67/548/EEC, the assessment of risks to the environment should take account of the environmental effects of a substance;

Whereas the results of a risk assessment should be the principal basis of decisions under appropriate legislation to reduce the risks arising from manufacture, transport,

storage, formulation into a preparation or other processing, use and disposal or recovery of existing substances;

Whereas it is appropriate to reduce to a minimum the number of animals used for experimental purposes in accordance with Council Directive 86/609/EEC of 24 November 1986 on the approximation of the laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes⁽⁴⁾;Whereas the provisions of this Regulation shall be without prejudice to specific Community legislation concerning the safety and protection of health of workers at work, in particular Council Directive 89/391/EEC⁽⁵⁾, which places an obligation on employers to evaluate the risks to the health and safety of workers arising from the use of new and existing chemical substances and, as necessary, to take measures to ensure an appropriate protection of workers;

Whereas the measures set out in this Regulation are in accordance with the opinion of the Committee set up pursuant to Article 15 of Regulation (EEC) No 793/93,

HAS ADOPTED THIS REGULATION:

*Article 1***Objectives**

This Regulation lays down general principles for the assessment of the risks posed by existing substances to man and the environment as required by Article 10 of Council Regulation (EEC) No 793/93.

*Article 2***Definitions**

1. The definitions contained in Article 2 of Regulation (EEC) No 793/93 are applicable to this Regulation.
2. For the purposes of this Regulation:
 - (a) 'hazard identification' is the identification of the adverse effects which a substance has an inherent capacity to cause;

⁽¹⁾ OJ No L 84, 5. 4. 1993, p. 1.⁽²⁾ OJ No 196, 16. 8. 1967, p. 1.⁽³⁾ OJ No L 294, 30. 11. 1993, p. 21.⁽⁴⁾ OJ No L 358, 18. 12. 1986, p. 1.⁽⁵⁾ OJ No L 183, 29. 6. 1989, p. 1.

- (b) 'dose (concentration) — response (effect) assessment' is the estimation of the relationship between dose, or level of exposure to a substance, and the incidence and severity of an effect;
- (c) 'exposure assessment' is the determination of the emissions, pathways and rates of movement of a substance and its transformation or degradation, in order to estimate the concentrations/doses to which human populations or environmental spheres (water, soil and air) are or may be exposed;
- (d) 'risk characterization' is the estimation of the incidence and severity of the adverse effects likely to occur in a human population or environmental sphere due to actual or predicted exposure to a substance, and may include 'risk estimation', i.e. the quantification of that likelihood.

Article 3

Principles of risk assessment

1. The risk assessment shall entail hazard identification and, as appropriate, dose (concentration) — response (effect) assessment, exposure assessment and risk characterization. It shall be based on the information on the substance submitted in accordance with Articles 3, 4, 7 (1) and (2), 9 (1) and (2) and 10 (2) of Regulation (EEC) No 793/93 and on other available information and shall normally be conducted in accordance with the procedures set out in Articles 4 and 5 of this Regulation.
2. Notwithstanding paragraph 1, in relation to particular effects, such as ozone depletion, for which the procedures set out in Articles 4 and 5 are impracticable, the risks associated with such effects shall be assessed on a case-by-case basis and the rapporteur shall include a full description and justification of such assessments in the written report submitted to the Commission in accordance with Article 6.
3. In conducting an exposure assessment, the rapporteur shall take into account those human populations or environmental spheres for which exposure to the substance is known or reasonably foreseeable in the light of available information on the substance, with particular regard to manufacture, transport, storage, formulation into a preparation or other processing, use and disposal or recovery.
4. Where a substance for which a risk assessment has already been carried out in accordance with Article 10 of Regulation (EEC) No 793/93 appears again on a priority list, the subsequent risk assessment shall take into account the previous risk assessment(s).

Article 4

Risk assessment : human health

For each substance appearing on the priority lists in accordance with Article 8 of Regulation (EEC) No 793/93,

the rapporteur shall carry out a risk assessment in relation to its effects on human health, the first stage of which shall be hazard identification which shall address, at least, the properties and potential adverse effects specified in Annexes I A and II A. Having conducted the hazard identification, the rapporteur shall take the following sequence of actions, which shall be carried out in accordance with the guidelines set out in Annexes I B and II B :

- (a) (i) dose (concentration) — response (effect) assessment, where appropriate ;
- (ii) exposure assessment for whichever human population-group (i.e. workers, consumers or man exposed indirectly via the environment) is exposed or likely to be exposed to the substance ;
- (b) risk characterization.

Article 5

Risk assessment : environment

For each substance appearing on the priority lists in accordance with Article 8 of Regulation (EEC) No 793/93, the rapporteur shall carry out a risk assessment in relation to its environmental effects, the first stage of which shall be hazard identification. Having conducted the hazard identification, the rapporteur shall proceed to the following sequence of actions which shall be carried out in accordance with the guidelines set out in Annex III ;

- (a) (i) dose (concentration) — response (effect) assessment, where appropriate ;
- (ii) exposure assessment for the environmental spheres exposed or likely to be exposed to the substance ;
- (b) risk characterization.

Article 6

Risk assessment report

Having carried out the risk assessment in accordance with Articles 4 and 5, the rapporteur shall prepare a report containing at least the information set out at Annex V together with all data relevant for the risk assessment. This report, together with a summary thereof, shall be forwarded to the Commission in accordance with Article 10 (3) of Regulation (EEC) No 793/93.

Article 7

Final provisions

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

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

Done at Brussels, 28 June 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I**RISK ASSESSMENT: HUMAN HEALTH (TOXICITY)****Part A**

The risk assessment conducted in accordance with Article 4 shall take account of the following potential toxic effects and populations exposed or liable to be exposed:

EFFECTS

1. Acute toxicity
2. Irritation
3. Corrosivity
4. Sensitization
5. Repeated dose toxicity
6. Mutagenicity
7. Carcinogenicity
8. Toxicity for reproduction

HUMAN POPULATIONS

1. Workers
2. Consumers
3. Man exposed indirectly via environment

Part B**1. HAZARD IDENTIFICATION**

The objective shall be to identify the effect(s) of concern and to review the (provisional) classification in the light of all data available.

2. DOSE (CONCENTRATION) — RESPONSE (EFFECT) ASSESSMENT

- 2.1. For repeated-dose toxicity and reproductive toxicity, the dose-response relationship shall be assessed and, where possible, the no observed adverse effect level (Noael) identified. If it is not possible to identify a Noael, the lowest dose/concentration associated with an adverse effect, i.e. the lowest observed adverse effect level (Loael), shall be identified.
- 2.2. For acute toxicity, corrosivity and irritation, it is not usually possible to derive a Noael or Loael on the basis of the results of tests conducted in accordance with the requirements of Directive 67/548/EEC. For acute toxicity, the LD50 or LC50 value or, where the fixed dose procedure has been used, the discriminating dose shall be derived. For the other effects, it shall be sufficient to determine whether the substance has an inherent capacity to cause such effects.
- 2.3. For mutagenicity and carcinogenicity, it shall be sufficient to determine whether the substance has an inherent capacity to cause such effects. However, if it can be demonstrated that a substance identified as a carcinogen is non-genotoxic, it will be appropriate to identify a Noael/Loael as described in paragraph 2.1.
- 2.4. With respect to skin sensitization and respiratory sensitization, in so far as there is no consensus on the possibility of identifying a dose/concentration below which adverse effects are unlikely to occur in a subject already sensitized to a given substance, it shall be sufficient to evaluate whether the substance has an inherent capacity to cause such effects.
- 2.5. Where toxicity data derived from observations of human exposure, e.g. information from poison centres or epidemiological surveys, are available, special consideration shall be given to those data when carrying out the risk assessment.

3. EXPOSURE ASSESSMENT

- 3.1. An exposure assessment shall be conducted for each of the human populations (workers, consumers and man liable to exposure indirectly via the environment) for which exposure to the substance is known or can reasonably be foreseen. The objective of the assessment shall be to make a quantitative or qualitative estimate of the dose/concentration of the substance to which a population is or may be exposed. Such estimation shall take account of spatial and temporal variations in the exposure pattern.

3.2. In particular, the exposure assessment, where appropriate, shall take account of:

- (i) adequately measured exposure data;
- (ii) the quantity in which the substance is produced and/or imported;
- (iii) the form in which the substance is produced and/or imported and/or in which the substance is used (e.g. substance itself or as component of a preparation);
- (iv) use pattern and degree of containment;
- (v) process data, where relevant;
- (vi) physico-chemical properties of the substance including, where relevant, those conferred by the process (e.g. aerosol formation);
- (vii) breakdown products and/or transformation products;
- (viii) likely routes of exposure and potential for absorption;
- (ix) frequency and duration of exposure;
- (x) type and size of specific exposed population(s) where such information is available.

3.3. Where adequately measured, representative exposure data are available, special consideration shall be given to them when conducting the exposure assessment. Where calculation methods are used for the estimation of exposure levels, adequate models shall be applied. Relevant monitoring data from substances with analogous use and exposure patterns or analogous properties shall then also be considered.

3.4. If a substance is contained in a preparation, consideration of exposure to the substance in that preparation shall be necessary if the latter is classified on the basis of the toxicological properties of the substance in accordance with Council Directive 88/379/EEC ⁽¹⁾, or if there are other reasonable grounds for concern.

4. RISK CHARACTERIZATION

4.1. Where, for any of the effects set out in Annex I A, a Noael or Loael has been identified, the risk characterization in relation to each of those effects shall entail comparison of the Noael or Loael with the estimate of the dose/concentration to which the population(s) will be exposed. If a quantitative estimate of exposure is available, an exposure level /N(L)oa_{el} ratio shall be derived. On the basis of the comparison between the quantitative or qualitative estimate of exposure and the N(L)oa_{el}, the rapporteur shall indicate the results of the risk characterization in relation to those effects.

4.2. Where, for any of the effects set out in Annex I A, a N(L)oa_{el} has not been determined, the risk characterization in relation to each of those effects shall entail an evaluation, on the basis of the quantitative and/or qualitative information on exposure relevant to the human populations under consideration, of the likelihood that the effect will occur ⁽²⁾. Having made the evaluation, the rapporteur shall indicate the results of the risk characterization in relation to those effects.

4.3. When carrying out the risk characterization, the rapporteur shall take into account, *inter alia*:

- (i) the uncertainty arising, among other factors, from the variability in the experimental data and intra- and inter-species variation;
- (ii) the nature and severity of the effect;
- (iii) the human population to which the quantitative and/or qualitative information on exposure applies.

5. INTEGRATION

In accordance with the provisions of Article 4, a risk characterization may be carried out in relation to more than one potential adverse effect or human population. The rapporteur shall judge the result of the risk characterization for each effect. Having completed the risk assessment, the rapporteur shall review the various results and produce integrated results in relation to the overall toxicity of the substance.

⁽¹⁾ OJ No L 187, 16. 7. 1988, p. 14.

⁽²⁾ Where, despite a N(L)oa_{el} not having been determined, the test results nevertheless demonstrate a relationship between dose/concentration and the severity of an adverse effect or where, in connection with a test method which entails the use of only one dose or concentration, it is possible to evaluate the relative severity of the effect, such information shall also be taken into account in evaluating the likelihood of the effect occurring.

*ANNEX II***RISK ASSESSMENT: HUMAN HEALTH (PSYCHO-CHEMICAL PROPERTIES)****Part A**

Risk assessment in accordance with Article 4 shall take account of the potential adverse effects which may occur in the following human populations exposed or liable to be exposed to substances with the following properties.

PROPERTIES

1. Explosivity
2. Flammability
3. Oxidizing potential

HUMAN POPULATIONS

1. Workers
2. Consumers
3. Man exposed indirectly via the environment

Part B**1. HAZARD IDENTIFICATION**

The objective shall be to identify the effect(s) of concern and to review the (provisional) classification in the light of all data available.

2. EXPOSURE ASSESSMENT

If risk characterization has to be conducted in accordance with Article 4, it shall be necessary to determine the known or the reasonably foreseeable conditions of use.

3. RISK CHARACTERIZATION

The risk characterization shall entail an evaluation of the likelihood that an adverse effect will be caused under the known or the reasonably foreseeable conditions of use. The rapporteur shall indicate the results of the risk characterization.

4. INTEGRATION

In accordance with the provisions of Article 4, a risk characterization may be carried out in relation to more than one potential adverse effect or human population. The rapporteur shall judge the results of the risk characterization for each effect. Having completed the risk assessment, the rapporteur shall review the various results and produce integrated results.

ANNEX III

RISK ASSESSMENT : ENVIRONMENT

1. HAZARD IDENTIFICATION

The objective shall be to identify the effect(s) and/or property (properties) of concern and to review the (provisional) classification in the light of all data available.

2. DOSE (CONCENTRATION) — RESPONSE (EFFECT) ASSESSMENT

- 2.1. The objective shall be to predict the concentration of the substance below which adverse effects in the environmental sphere of concern are not expected to occur. This concentration is known as the predicted no effect concentration (PNEC). However, in some cases, it may not be possible to establish a PNEC and a qualitative estimation of the dose (concentration) — response (effect) relation would have to be made.
- 2.2. The PNEC may be calculated by applying an assessment factor to the values resulting from tests on organisms, e.g. LD50 (median lethal dose), LC50 (median lethal concentration), EC50 (median effective concentration), IC50 (concentration causing 50 per cent inhibition of a given parameter, e.g. growth), NOEL(C) (no observed effect level (concentration)), or LOEL(C) (lowest observed effect level (concentration)) or other appropriate methods.
- 2.3. An assessment factor is an expression of the degree of uncertainty in extrapolation from test data on a limited number of species to the real environment. Therefore, in general, the more extensive the data and the longer the duration of the tests, the smaller is the degree of uncertainty and the size of the assessment factor⁽¹⁾.

3. EXPOSURE ASSESSMENT

- 3.1. The objective of the exposure assessment shall be to predict the concentration of the substance which is likely to be found in the environment. That concentration is known as the predicted environmental concentration (PEC). However, in some cases, it may not be possible to establish a PEC and a qualitative estimation of exposure would have to be made.
- 3.2. A PEC or, where necessary, a qualitative estimation of exposure need only be determined for the environmental spheres to which emissions, discharges, disposal or distributions are known or are reasonably foreseeable.
- 3.3. The PEC or qualitative estimation of exposure shall be determined taking account of, in particular and if appropriate :
 - (i) adequately measured exposure data ;
 - (ii) the quantity in which the substance is produced and/or imported ;
 - (iii) the form in which the substance is produced and/or imported and/or in which the substance is used (e.g. substance itself or as component of a preparation) ;
 - (iv) use pattern and degree of containment ;
 - (v) process data, where relevant ;
 - (vi) physico-chemical properties of the substance, in particular melting point, boiling point, vapour pressure, surface tension, water solubility, partition coefficient n-octanol/water ;
 - (vii) breakdown products and/or transformation products ;
 - (viii) likely pathways to environmental spheres and potential for absorption/desorption and degradation ;
 - (ix) frequency and duration of exposure.
- 3.4. Where adequately measured, representative exposure data are available, special consideration shall be given to them when conducting the exposure assessment. Where calculation methods are used for the estimation of exposure concentrations, adequate models shall be applied. Where appropriate, on a case-by-case basis, relevant monitoring data from substances with analogous use and exposure patterns or analogous properties shall then also be considered.

⁽¹⁾ An assessment factor of the order of 1 000 is typically applied to an L(E)C50 value derived from the results of testing for acute toxicity but that factor may be reduced in the light of other relevant information. A lower assessment factor is typically applied to an NOEC derived from the results of testing for long-term/chronic toxicity.

4. RISK CHARACTERIZATION

- 4.1. For any given environmental sphere, the risk characterization shall, as far as possible, entail comparison of the PEC with the PNEC so that a PEC/PNEC ratio may be derived. If the PEC/PNEC ratio is equal to or less than one, the risk characterization shall result that, at present, no further information and/or testing and no risk reduction measures beyond those which are being applied already are necessary. If the ratio is greater than one, the rapporteur shall judge, on the basis of the size of that ratio and other relevant factors, such as :

- (i) indications of bioaccumulation potential ;
- (ii) the shape of the toxicity/time curve in ecotoxicity testing ;
- (iii) indications of other adverse effects on the basis of toxicity studies, e.g. classification as a mutagen, toxic or very toxic or as harmful with risk phrase R40 ('Possible risk of irreversible effects') or R48 ('Danger of serious damage to health by prolonged exposure') ;
- (iv) data on structurally analogous substances ;

if further information and/or testing are required to clarify the concern or if risk reduction measures are necessary.

- 4.2. If it has not been possible to derive a PEC/PNEC ratio, the risk characterization shall entail a qualitative evaluation of the likelihood that an effect is occurring under the current conditions of exposure or will occur under the expected conditions of exposure. Having made such an evaluation and taking into account relevant factors such as those listed in paragraph 4 (1), the rapporteur shall indicate the results of the risk characterization in relation to those effects.

5. INTEGRATION

In accordance with the provisions of Article 5, a risk characterization may be carried out in relation to more than one environmental sphere. The rapporteur shall judge the results of the risk assessment for each sphere. Having completed the risk assessment, the rapporteur shall review the different results and produce integrated results in relation to the overall environmental effects of the substance.

ANNEX IV

OVERALL INTEGRATION OF RESULTS

1. The results produced in conformity with section 5 of Annex I B, section 4 of Annex II B and section 5 of Annex III shall be reviewed by the rapporteur and integrated in relation to the totality of risks identified in the risk assessment.
 2. Further information/testing requirements or recommendations to consider risk reduction measures shall be justified.
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*ANNEX V***INFORMATION TO BE INCLUDED IN REPORT OF RISK ASSESSMENT**

1. The written report submitted to the Commission of the European Communities in accordance with Article 6 shall include the following elements:
 - (i) the results of the risk assessment produced in conformity with Annex IV;
 - (ii) if there is need for further information and/or testing in relation to one or more potential adverse effect(s), human population(s) or environmental sphere(s), a description and justification of the further information and/or tests required and a proposal for the time limits within which that further information and/or the results of tests should be submitted;
 - (iii) if there is at present no need for further information and/or testing and no need for risk reduction measures beyond those which are being applied already in relation to all potential adverse effects, human populations and environmental spheres, a statement that, on the basis of all available information, at present no further information/testing on the substance is needed and that at present no risk reduction measures beyond those being applied already, are necessary;
 - (iv) if there is a need for limiting the risks and risk reduction measures are necessary in relation to one or more potential adverse effect(s), human population(s) and/or environmental sphere(s), a statement of the effect(s), human population(s) and/or environmental sphere(s) for which the risk needs to be reduced and an explanation of the need for risk reduction measures. Risk reduction measures which are already being applied shall be taken into account. A risk reduction strategy in accordance with Article 10 (3) of Regulation (EEC) No 793/93 shall be drawn up and be submitted to the Commission together with the risk assessment as foreseen under this Regulation.
 2. Where risk characterization has entailed the use of exposure/effect ratios as described in section 4 of Annex I B and section 4 of Annex III or the use of assessment factors as described in section 2 of Annex III, those ratios or factors shall be stated and methods of calculation used shall be explained.
 3. The data considered relevant and therefore chosen as the basis for the risk assessment by the rapporteur on each effect or property and each exposure group listed in Annexes I A and II A and for each environmental property and environmental sphere according to Annex III shall be submitted to the Commission of the European Communities using an appropriate computer program.
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COMMISSION REGULATION (EC) No 1489/94

of 28 June 1994

fixing the amount of aid to Portuguese producers of paddy rice 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 738/93 of 17 March 1993 amending the transitional measures governing the organization of the market in cereals and rice in Portugal laid down in Regulation (EEC) No 3653/90 ⁽¹⁾, and in particular Article 2 thereof,

Whereas the special aid for rice producers in Portugal specified in Article 1 (1) (c) of Regulation (EEC) No 738/93 must be reduced by a fifth for marketing year 1994/95; whereas the amount thereof must therefore be fixed;

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 special aid for Portugal for marketing year 1994/95 referred to in Article 1 (1) (c) of Regulation (EEC) No 738/93 is hereby fixed at ECU 20/tonne.

*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 1 September 1994.

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

Done at Brussels, 28 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 77, 31. 3. 1993, p. 1.

COMMISSION REGULATION (EC) No 1490/94

of 28 June 1994

adjusting the combined nomenclature codes of certain products listed according to the terms of Council Regulation (EEC) No 426/86 on the common organization of the market in products processed from fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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

Article 1 (1) of Regulation (EEC) No 426/86 is hereby amended as follows:

The following indent under heading ex 2001:

Whereas Commission Regulation (EEC) No 2505/92 of 14 July 1992 amending Annexes I and II to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽³⁾, contains the combined nomenclature in force on 1 January 1993;

— Vine leaves, hop shoots, palm hearts and other similar edible parts of plants, and olives falling within subheading 2001 90 65',

is replaced by the following:

Whereas, since 1 January 1993, certain products listed in Article 1 of Council Regulation (EEC) No 426/86⁽⁴⁾, as last amended by Regulation (EC) No 549/94⁽⁵⁾, are designated by specific codes; whereas such codes should accordingly be specified in the aforementioned Article;

— Palm hearts falling within subheading 2001 90 60,
— Olives falling within subheading 2001 90 65,
— Vine leaves, hop shoots and other similar edible parts of plants falling within subheading 2001 90 95'.

Whereas this Regulation should apply from the date of entry into force of Regulation (EEC) No 2505/92;

Article 2

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

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 1 January 1993.

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

Done at Brussels, 28 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 34, 9. 2. 1979, p. 2.

⁽²⁾ OJ No L 312, 27. 10. 1989, p. 5.

⁽³⁾ OJ No L 267, 14. 9. 1992, p. 1.

⁽⁴⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽⁵⁾ OJ No L 69, 12. 3. 1994, p. 5.

COMMISSION REGULATION (EC) No 1491/94

of 28 June 1994

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for processing within the Community and repealing Regulation (EC) No 1067/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

exceptions on account of the particular use to which the products in question are to be put;

Having regard to the Treaty establishing the European Community,

Whereas Commission Regulation (EC) No 1067/94⁽⁹⁾ should be repealed;

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 7 (3) thereof,

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

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 1759/93⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

HAS ADOPTED THIS REGULATION:

Article 1

Whereas certain intervention agencies hold substantial stocks of intervention meat; whereas an extension of the period of storage should be avoided on account of the ensuing high costs; whereas, in the present market situation, there are outlets for such meat for processing in the Community;

1. The following approximate quantities of beef shall be put up for sale for processing within the Community:

(a) bone-in forequarters:

- 79 tonnes held by the Danish intervention agency,
- 1 000 tonnes held by the German intervention agency,
- 37 tonnes held by the Irish intervention agency,
- 1 tonne held by the Italian intervention agency;

(b) boneless beef:

- 4 400 tonnes held by the United Kingdom intervention agency and bought in before 1 June 1993,
- 1 000 tonnes held by the Italian intervention agency and bought in before 1 February 1993,
- 1 018 tonnes held by the Danish intervention agency and bought in before 1 September 1993,
- 8 000 tonnes held by the Irish intervention agency and bought in before 1 June 1993.

Whereas with a view to securing a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Regulation (EEC) No 2173/79⁽⁵⁾, as last amended by Regulation (EEC) No 1759/93;

Whereas, as specified in Article 5 of Regulation (EEC) No 2539/84, lodging of securities should be required;

Whereas such sales should be made in accordance with Commission Regulations (EEC) No 2539/84, (EEC) No 3002/92⁽⁶⁾, as last amended by Regulation (EEC) No 1938/93⁽⁷⁾, and (EEC) No 2182/77⁽⁸⁾, as last amended by Regulation (EEC) No 1759/93, subject to certain special

2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 121, 12. 5. 1994, p. 9.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 59.

⁽⁵⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁶⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁷⁾ OJ No L 176, 20. 7. 1993, p. 12.

⁽⁸⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁹⁾ OJ No L 117, 7. 5. 1994, p. 11.

3. The sales shall be conducted in accordance with the provisions of Regulations (EEC) No 2539/84, (EEC) No 3002/92, (EEC) No 2182/77 and this Regulation.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 6 July 1994.

6. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

7. By way of derogation from Article 8 (1) of Regulation (EEC) No 2173/79 a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 5.

Article 2

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender or application to purchase :

(a) shall be valid only if presented by a natural or legal person who, for at least 12 months, has been engaged in the processing of products containing beef and who is entered in a public register of a Member State;

(b) must be accompanied by :

— a written undertaking by the applicant to process the meat purchased into products specified in Article 1 (1) of Regulation (EEC) No 2182/77

within the period referred to in Article 5 (1) of the abovementioned Regulation,

— a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the products which they purchase. In this case the agent shall submit the tenders or applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 10 per 100 kilograms.

2. The security provided for in Article 5 (3) (a) of Regulation (EEC) No 2539/84 shall be :

— ECU 100 per 100 kilograms for bone-in forequarters,

— ECU 140 per 100 kilograms for boneless meat.

Article 4

Regulation (EC) No 1067/94 is hereby repealed.

Article 5

This Regulation shall enter into force on 6 July 1994.

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

Done at Brussels, 28 June 1994.

For the Commission

René STEICHEN

Member of the Commission

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

Estado miembro	Productos	Cantidad aproximada (toneladas)	Precio mínimo expresado en ecus por tonelada (1)
Medlemsstat	Produkter	Tilnærmet mængde (tons)	Mindstepriser i ECU/ton (1)
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)	Mindestpreise, ausgedrückt in ECU/Tonne (1)
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)	Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu τόνο (1)
Member State	Products	Approximate quantity (tonnes)	Minimum prices expressed in ecus per tonne (1)
État membre	Produits	Quantité approximative (tonnes)	Prix minimaux exprimés en écus par tonne (1)
Stato membro	Prodotti	Quantità approssimativa (tonnellate)	Prezzi minimi espressi in ecu per tonnellata (1)
Lid-Staat	Produkten	Hoeveelheid bij benadering (ton)	Minimumprijzen uitgedrukt in ecu per ton (1)
Estado-membro	Produtos	Quantidade aproximada (toneladas)	Preço mínimo expresso em ecus por tonelada (1)

a) Cuartos traseros con hueso — Bagfjerdinger, ikke udbenet — Hinterviertel mit Knochen — Οπίσθια τέταρτα με κόκαλα — Bone-in hindquarters — Quartiers arrière avec os — Quarti posteriori non disossati — Achtervoeten met been — Quartos traseiros com osso

Deutschland	— Vorderviertel, stammend von : Kategorien A/C, Klassen U, R und O	1 000	1 100
Danmark	— Forfjerdinger af : kategori A/C, klasse R og O	79	1 100
Italia	— Quarti anteriori, provenienti da : categoria A, classi U, R e O	1	1 100
Ireland	— Forequarters, from : category C, classes U, R and O	37	1 100

b) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Αποστεωμένο κρέας — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada

Ireland	— Category C:		
	Shins and shanks	500	1 500
	Plates and flanks	3 000	1 150
	Forequarters	2 000	1 550
	Briskets	1 000	1 500
	Outsides	500	2 700
	Knuckles	500	2 400
	Rumps	500	2 050
United Kingdom	— Category C:		
	Briskets	500	1 500
	Rumps	500	1 950
	Thick flanks	500	2 150
	Topsides	1 000	3 100
	Pony	500	1 900
	Pony parts	200	1 400
	Foreribs	300	1 550
	Shins and shanks	400	1 500
	Clod and sticking	500	1 700
Italia	— Categoria A:		
	Scamone	250	2 000
	Fesa esterne	250	2 500
	Fesa interna	350	2 600
	Noce	128	2 100
	Girello	22	2 950

Estado miembro	Productos	Cantidad aproximada (toneladas)	Precio mínimo expresado en ecus por tonelada ⁽¹⁾
Medlemsstat	Produkter	Tilnærmet mængde (tons)	Mindstepriser i ECU/ton ⁽¹⁾
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)	Mindestpreise, ausgedrückt in ECU/Tonne ⁽¹⁾
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)	Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu τόνο ⁽¹⁾
Member State	Products	Approximate quantity (tonnes)	Minimum prices expressed in ecus per tonne ⁽¹⁾
État membre	Produits	Quantité approximative (tonnes)	Prix minimaux exprimés en écus par tonne ⁽¹⁾
Stato membro	Prodotti	Quantità approssimativa (tonnellate)	Prezzi minimi espressi in ecu per tonnellata ⁽¹⁾
Lid-Staat	Produkten	Hoeveelheid bij benadering (ton)	Minimumprijzen uitgedrukt in ecu per ton ⁽¹⁾
Estado-membro	Produtos	Quantidade aproximada (toneladas)	Preço mínimo expresso em ecus por tonelada ⁽¹⁾
Danmark	— Kategori A/C: Bryst og slag Øvrigt kød af forfjerding Skank og muskel	118 800 100	1 350 1 900 1 600

⁽¹⁾ Estos precios se entenderán con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

⁽¹⁾ Disse priser gælder i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

⁽¹⁾ Diese Preise gelten gemäß Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

⁽¹⁾ Οι τιμές αυτές εφαρμόζονται σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

⁽¹⁾ These prices shall apply in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

⁽¹⁾ Ces prix s'entendent conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

⁽¹⁾ Il prezzo si intende in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

⁽¹⁾ Deze prijzen gelden overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

⁽¹⁾ Estes preços aplicam-se conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção**

- IRELAND:** Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 6616263, (01) 6785214 and (01) 6620198
- DANMARK:** EF-Direktoratet
Nyropsgade 26
DK-1602 København K
Tlf. 33 92 70 00, telex 15137 EFDIR DK, fax 33 92 69 48
- ITALIA:** Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91
Telex 61 30 03
- UNITED KINGDOM:** Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302, telefax (0734) 56 67 50
- DEUTSCHLAND:** Bundesanstalt für landwirtschaftliche Marktordnung (BALM)
Geschäftsbereich 3 (Fleisch und Fleischerzeugnisse)
Postfach 180 107 — Adickesallee 40
D-60322 Frankfurt am Main
Tel.: (069) 1 56 47 72/3
Telex: 411727, Telefax: (069) 15 64 791
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COMMISSION REGULATION (EC) No 1492/94

of 28 June 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 last amended by Regulation (EC) No 1112/94⁽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 July 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, 28 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 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 122, 17. 5. 1994, p. 2.

COMMISSION REGULATION (EC) No 1493/94

of 28 June 1994

amending Regulation (EC) No 994/94 on the opening of a standing invitation to tender for the sale on the internal market of sorghum held by the French intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas the last partial invitation to tender under Commission Regulation (EC) No 994/94 ⁽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 (EC) No 994/94 is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 26 July 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, 28 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 111, 30. 4. 1994, p. 56.

COMMISSION REGULATION (EC) No 1494/94

of 28 June 1994

amending Regulation (EC) No 1028/94 on the opening of a standing invitation to tender for the sale on the internal market of maize held by the French intervention agency

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas the last partial invitation to tender under Commission Regulation (EC) No 1028/94⁽⁵⁾, as last amended by Regulation (EC) No 1375/94⁽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 1028/94 is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 26 July 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, 28 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 112, 3. 5. 1994, p. 34.

⁽⁶⁾ OJ No L 151, 17. 6. 1994, p. 13.

COMMISSION REGULATION (EC) No 1495/94

of 28 June 1994

fixing countervailing charges on seeds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2358/71 of 26 October 1971 on the common organization of the market in seeds⁽¹⁾, as last amended by Regulation (EC) No 3375/93⁽²⁾, and in particular Article 6 (5) thereof,

Whereas Article 6 (3) of Regulation (EEC) No 2358/71 provides that where the free-at-frontier offer price, plus customs duties, for a type of hybrid maize and hybrid sorghum for sowing and coming from a non-member country, is lower than the corresponding reference price, a countervailing charge on hybrid maize and hybrid sorghum shall be levied on imports of the hybrid from that country, subject to obligations resulting from binding under GATT; whereas the countervailing charge is equal to the difference between the reference price and the free-at-frontier price plus customs duties;

Whereas the reference prices for the 1994/1995 marketing year for hybrid maize and hybrid sorghum for sowing were fixed in Commission Regulation (EC) No 1476/94⁽³⁾;

Whereas the free-at-frontier offer prices for each country of provenance are determined using all available relevant information; whereas such relevant information is defined in Article 1 (1), (2) and (3) of Commission Regulation (EEC) No 1665/72⁽⁴⁾, amended by Regulation (EEC) No 2811/86⁽⁵⁾; whereas Article 3 of the same Regulation provides that the free-at-frontier offer prices for each country of provenance shall be determined from the most favourable purchasing opportunities for the products in question calculated in accordance with Articles 1 and 2 of the Regulation; whereas information on offers which have no economic effect on the market in particular because of the

insignificant quantities for which they are made are to be disregarded for the purpose of calculating these prices;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1665/72, an adjustment must be made in the case of price information relating to a stage other than free-at-Community-frontier; whereas, pursuant to Article 4 (2) of that Regulation, the countervailing charge must be amended where a significant variation in the free-at-frontier offer price is recorded;

Whereas, as a result of the application of the aforementioned provisions to the information currently available to the Commission, the countervailing charge in respect of certain types of hybrid is to be fixed at the amounts indicated in the Annex to this Regulation;

Whereas, consequently, Commission Regulation (EEC) No 1706/93⁽⁶⁾, as last amended by Regulation (EC) No 666/94⁽⁷⁾, which fixed the countervailing charges for the preceding period, should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The countervailing charges on seeds are fixed as shown in the Annex hereto.

Article 2

Regulation (EEC) No 1706/93 is hereby repealed.

Article 3

This Regulation shall enter into force on 1 July 1994.

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

Done at Brussels, 28 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 246, 5. 11. 1971, p. 1.

⁽²⁾ OJ No L 303, 10. 12. 1993, p. 9.

⁽³⁾ OJ No L 159, 28. 6. 1994, p. 34.

⁽⁴⁾ OJ No L 175, 2. 8. 1972, p. 49.

⁽⁵⁾ OJ No L 260, 12. 9. 1986, p. 8.

⁽⁶⁾ OJ No L 159, 1. 7. 1993, p. 72.

⁽⁷⁾ OJ No L 83, 26. 3. 1994, p. 6.

ANNEX

Countervailing charge on hybrid maize for sowing

(ECU/100 kg)

CN code	Amount of countervailing charge (°)	Country of origin (°)
1005 10 11	13,8	404
	15,1	064
	20,4	066
	34,9	068
	34,9	1
1005 10 13	3,2	091
	3,2	090
	3,2	093
	5,5	388
	14,3	063
	21,7	061
	35,2	066
	38	068
	70,1	404
	70,1	2
1005 10 15	7,2	061
	14,9	092
	19,4	038
	22,6	093
	29,4	090
	29,4	091
	45,7	052
	47	512
	51	064
	77	063
	80,4	066
	90,5	388
	140,7	524
	140,7	3

(°) The countervailing charge may not exceed 4 % of the customs value.

(°) Origin identification :

- 1 Other countries with the exception of Austria, Argentina, Bosnia-Herzegovina, Croatia, Chile, Slovenia, the territory of former Yugoslav Republic of Macedonia and the United States
 - 2 Other countries with the exception of Japan, Austria, Argentina, Hungary, Turkey, Chile, the United States and Croatia
 - 3 Other countries with the exception of Argentina, Bulgaria, Canada and the United States
- 038 Austria
 052 Turkey
 061 Czech Republic
 063 Slovak Republic
 064 Hungary
 066 Romania
 068 Bulgaria
 090 The territory of former Yugoslav Republic of Macedonia
 091 Slovenia
 092 Croatia
 093 Bosnia-Herzegovina
 388 South Africa
 400 the United States
 404 Canada
 512 Chile
 524 Uruguay

COMMISSION REGULATION (EC) No 1496/94

of 28 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 27 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 29 June 1994.

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

Done at Brussels, 28 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 28 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	106,98 (*) (*)
0712 90 19	106,98 (*) (*)
1001 10 00	49,98 (*) (*)
1001 90 91	101,18
1001 90 99	101,18 (*)
1002 00 00	125,67 (*)
1003 00 10	127,72
1003 00 90	127,72 (*)
1004 00 00	104,34
1005 10 90	106,98 (*) (*)
1005 90 00	106,98 (*) (*)
1007 00 90	110,85 (*)
1008 10 00	38,35 (*)
1008 20 00	55,09 (*) (*)
1008 30 00	0 (*)
1008 90 10	(*)
1008 90 90	0
1101 00 00	179,21 (*)
1102 10 00	212,55
1103 11 10	110,92
1103 11 90	203,16
1107 10 11	190,98
1107 10 19	145,45
1107 10 91	238,22 (*)
1107 10 99	180,75 (*)
1107 20 00	208,85 (*)

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

(*) 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.

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

(*) 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.

(*) 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.

(*) 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).

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

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

(*) 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.

(*) 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 1497/94**of 28 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 27 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 29 June 1994.

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

Done at Brussels, 28 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 28 June 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 6	1st period 7	2nd period 8	3rd period 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

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 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 1498/94
of 28 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 1483/94 ⁽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 27 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 29 June 1994.

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

Done at Brussels, 28 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 159, 28. 6. 1994, p. 53.

ANNEX

to the Commission Regulation of 28 June 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽³⁾
1701 11 10	33,88 ⁽¹⁾
1701 11 90	33,88 ⁽¹⁾
1701 12 10	33,88 ⁽¹⁾
1701 12 90	33,88 ⁽¹⁾
1701 91 00	40,44
1701 99 10	40,44
1701 99 90	40,44 ⁽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 1499/94

of 28 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 1457/94⁽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 29 June 1994.

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

Done at Brussels, 28 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 157, 24. 6. 1994, p. 31.
⁽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 28 June 1994 altering the import levies on products
processed from cereals and rice

(ECU/tonne)			(ECU/tonne)		
CN code	Import levies (?)		CN code	Import levies (?)	
	ACP	Third countries (other than ACP)		ACP	Third countries (other than ACP)
1102 20 10	194,65	200,69	1104 29 31	159,62	162,64
1102 20 90	110,30	113,32	1104 29 35	200,62	203,64
1102 30 00	129,92	132,94	1104 29 39	179,02	182,04
1102 90 90	114,13	117,15	1104 29 91	101,76	104,78
1103 13 10	194,65	200,69	1104 29 95	127,90	130,92
1103 13 90	110,30	113,32	1104 30 10	74,82	80,86
1103 14 00	129,92	132,94	1104 30 90	81,11	87,15
1103 19 10	225,70	231,74	1106 20 90	170,48 (?)	194,66
1103 19 90	114,13	117,15	1108 11 00	219,47	240,02
1103 21 00	179,57	185,61	1108 12 00	174,11	194,66
1103 29 10	225,70	231,74	1108 13 00	174,11	194,66 (?)
1103 29 40	194,65	200,69	1108 14 00	87,05	194,66
1103 29 50	129,92	132,94	1108 19 10	186,31	217,14
1103 29 90	114,13	117,15	1108 19 90	87,05 (?)	194,66
1104 19 10	179,57	185,61	1109 00 00	399,04	580,38
1104 19 30	225,70	231,74	1702 30 51	227,09	323,81
1104 19 50	194,65	200,69	1702 30 59	174,11	240,60
1104 19 91	220,63	226,67	1702 30 91	227,09	323,81
1104 19 99	201,40	207,44	1702 30 99	174,11	240,60
1104 23 10	173,02	176,04	1702 40 90	174,11	240,60
1104 23 30	173,02	176,04	1702 90 50	174,11	240,60
1104 23 90	110,30	113,32	1702 90 75	237,91	334,63
1104 29 11	132,68	135,70	1702 90 79	165,45	231,94
1104 29 15	166,77	169,79	2106 90 55	174,11	240,60
1104 29 19	179,02	182,04	2303 10 11	216,28	397,62

(?) 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.

(?) 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.

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