

Official Journal

of the European Communities

ISSN 0378-6978

L 172

Volume 37

7 July 1994

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

Commission Regulation (EC) No 1636/94 of 6 July 1994 altering the export refunds on white sugar and raw sugar exported in the natural state	1
* Commission Regulation (EC) No 1637/94 of 5 July 1994 concerning the classification of certain goods in the combined nomenclature	3
* Commission Regulation (EC) No 1638/94 of 5 July 1994 concerning the classification of certain goods in the combined nomenclature	5
* Commission Regulation (EC) No 1639/94 of 5 July 1994 concerning the classification of certain goods in the combined nomenclature	8
* Commission Regulation (EC) No 1640/94 of 6 July 1994 determining for the Member States, for the 1993 marketing year, the estimated loss of income and the estimated level of the premium payable per ewe and per female goat and fixing the first advance payment for this premium and an advance payment of the specific aid for sheep and goat farming in certain less favoured areas of the Community	10
* Commission Regulation (EC) No 1641/94 of 6 July 1994 amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff	12
Commission Regulation (EC) No 1642/94 of 6 July 1994 fixing the maximum export refund for white sugar for the sixth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94	14
Commission Regulation (EC) No 1643/94 of 6 July 1994 fixing the import levies on white sugar and raw sugar	15
Commission Regulation (EC) No 1644/94 of 6 July 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal	17
Commission Regulation (EC) No 1645/94 of 6 July 1994 fixing the premiums to be added to the import levies on cereals, flour and malt	19

Commission Regulation (EC) No 1646/94 of 6 July 1994 altering the import levies on products processed from cereals and rice	21
---	----

II *Acts whose publication is not obligatory*

Commission

94/381/EC :

- ★ **Commission Decision of 27 June 1994 concerning certain protection measures with regard to bovine spongiform encephalopathy and the feeding of mammalian derived protein ⁽¹⁾** 23

94/382/EC :

- ★ **Commission Decision of 27 June 1994 on the approval of alternative heat treatment systems for processing animal waste of ruminant origin, with a view to the inactivation of spongiform encephalopathy agents ⁽¹⁾** 25

EUROPEAN ECONOMIC AREA

EFTA Surveillance Authority

- ★ **EFTA Surveillance Authority Decision No 48/94/COL of 8 June 1994 concerning additional guarantees relating to transmissible gastroenteritis for pigs destined to EFTA States or regions free of the disease** 29

⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1636/94**of 6 July 1994****altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1504/94 ⁽³⁾, as amended by Regulation (EC) No 1577/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1504/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 1504/94 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 7 July 1994.

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

Done at Brussels, 6 July 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 162, 30. 6. 1994, p. 10.

⁽⁴⁾ OJ No L 166, 1. 7. 1994, p. 108.

⁽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 6 July 1994 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽³⁾
	— ECU/100 kg —
1701 11 90 100	32,36 ⁽¹⁾
1701 11 90 910	30,52 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	32,36 ⁽¹⁾
1701 12 90 910	30,52 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3517
	— ECU/100 kg —
1701 99 10 100	35,17
1701 99 10 910	35,11
1701 99 10 950	33,61
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3517

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

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

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

COMMISSION REGULATION (EC) No 1637/94

of 5 July 1994

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽¹⁾, as last amended by Commission Regulation (EC) No 882/94 ⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation ;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods ;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3 ;

Whereas it is acceptance that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the combined

nomenclature and which do not conform to the rights established by this Regulation, can continue to be invoked, under the provisions in Article 12 (6) of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽³⁾, for a period of three months by the holder ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION :

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12 (6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 21st 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, 5 July 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 103, 22. 4. 1994, p. 5.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Description of goods	Classification CN code	Reasons
(1)	(2)	(3)
Preparation in the form of a syrupy liquid, tasting and smelling of oranges, composed of about 58 % by weight of sugar and having an essential oil content of 0,25 ml/100 gm of product. When diluted with water the product may be consumed as a beverage.	2106 90 99	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 2106, 2106 90 and 2106 90 99. Due, in particular, to its high essential oil content this product has lost the character of a natural fruit juice of heading 2009. See also the HS Explanatory Notes to heading 2009, seventh subparagraph, item 4 and heading 2106, third subparagraph, item 12.

COMMISSION REGULATION (EC) No 1638/94

of 5 July 1994

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 882/94⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is acceptance that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the combined

nomenclature and which do not conform to the rights established by this Regulation, can continue to be invoked, under the provisions in Article 12 (6) of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽³⁾, for a period of three months by the holder;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12 (6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 21st 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, 5 July 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 103, 22. 4. 1994, p. 5.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Description of goods	Classification CN code	Reasons
(1)	(2)	(3)
1. An adapter in its own housing, the main elements of which are : input/output boards, an interface board, a memory board, a control board (with active and passive components and monolithic integrated circuits) and a power supply board. The adapter provides for the digital transmission of data between automatic data-processing machines within a digital network that works at 10 Mbps (mega-bits per second).	8517 82 90	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, Note 5 to Chapter 84 and by the texts of CN codes 8517, 8517 82 and 8517 82 90.
2. A link adapter in its own housing, consisting of two adapters, linked by cable and controlled by a micro-processor unit. The main elements of both adapters are : input/output boards, an interface board, a memory board, a control board (with active and passive components and monolithic integrated circuits) and a power supply board. The apparatus digitally links two networks having different characteristics and so provides for the transmission of data.	8517 82 90	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, Note 5 to Chapter 84 and by the texts of CN codes 8517, 8517 82 and 8517 82 90.
3. A transceiver in its own housing, the main elements of which are an input/output board, a control board (with active and passive components and monolithic integrated circuits) and an enclosed power supply. The apparatus makes it possible to attach up to four adapters to a 50-Mbps (Megabits per second) network for the digital transmission of data.	8517 82 90	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, Note 5 to Chapter 84 and by the texts of CN codes 8517, 8517 82 and 8517 82 90.
4. An electronic assembly known as a Pinfet receiver consisting of the following components : PIN photo-detecting diode, microwave, FET amplifying transistors in chip form, bipolar semiconductor transistor chips, thick film printed resistors and chip capacitors. The PIN photodetecting diode is mounted on a substrate which is mounted on a further substrate together with the other components, the whole being enclosed in a metal casing and connected to a length of fibre optic cable (pigtail connection).	8517 90 92	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, Note 5 (B) (b) to Chapter 85 and by the texts of CN codes 8517, 8517 90 and 8517 90 92.
5. Parts of mobile telephones : (a) surface acoustic wave filter unit with a centre frequency of 45,5 MHz ($\pm$ 50 kHz) and a bandwidth of 340 kHz at 3 dB (950 kHz at 20 dB) contained in a housing whose exterior dimensions do not exceed 5 × 13 × 21 mm, with not more than 6 connections. The filter is constructed in the form of a band-pass filter. It suppresses unwanted signals and noise from adjacent channels.	8529 90 98	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 8529, 8529 90 and 8529 90 98.

(1)	(2)	(3)
(b) voltage-controlled oscillator with an oscillation frequency of 915 MHz or more at 4,5 V, and not exceeding 890 MHz at 1 V, contained in a housing whose exterior dimensions do not exceed $5 \times 10 \times 15$ mm, with not more than 4 connections. The oscillator generates local signals which when mixed with the incoming high-frequency signals can be processed and demodulated into final speech signals.	8529 90 98	
6. Endotracheal tubes principally used with anaesthetic apparatus.	9018 90 60	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, Note 2 b to Chapter 90 and by the texts of CN codes 9018, 9018 90 and 9018 90 60.
7. An electronic component tester consisting of a cabinet containing a calculator, a test head including a contact panel, a printer, a keyboard and a monitor. The circuit boards containing the components to be tested are placed on a contact panel where they are checked. The contacts on the panel send an electric impulse to each component on the circuit board. The tester determines whether the results obtained from a given component are above or below a reference value (usually a voltage or frequency), stored in its memory before testing starts, in order to detect any defects.	9030 81 90	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, Note 3 to Chapter 90 and by the texts of CN codes 9030, 9030 81 and 9030 81 90. See also the explanatory notes to the combined nomenclature concerning subheading 9030 81 90.
8. An electronic circuit board tester consisting of a cabinet containing a calculator, a test head including connectors or a contact panel, a printer, a keyboard and a monitor. The tester checks the overall performance of the circuit board. The circuit board is attached to the connectors or placed on the contact panel. The tester sends electric impulses through the board and determines whether the results obtained for the board are above or below a reference value stored in its memory before testing starts.	9030 81 90	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature, Note 3 to Chapter 90 and by the wording of CN codes 9030, 9030 81 and 9030 81 90. See also the explanatory notes to the combined nomenclature concerning subheading 9030 81 90.

COMMISSION REGULATION (EC) No 1639/94**of 5 July 1994****concerning the classification of certain goods in the combined nomenclature**

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

Having regard to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 882/94⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present

Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas the Tariff and Statistical Nomenclature Section of the Customs Code Committee has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

This Regulation shall enter into force on the 21st 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, 5 July 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 103, 22. 4. 1994, p. 5.

ANNEX

Description of goods	Classification CN code	Reasons
(1)	(2)	(3)
Emulsion of natural bitumen in water consisting of approximately 70 % bitumen, 30 % water and 0,2 % surface active agent to help form the emulsion. The purpose of the emulsion in water is to transport the bitumen. The product is used as a fuel in special burners : the water is eliminated by evaporation before the bitumen is burned.	2714 90 00	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 2714 and 2714 90 00

COMMISSION REGULATION (EC) No 1640/94
of 6 July 1994

determining for the Member States, for the 1993 marketing year, the estimated loss of income and the estimated level of the premium payable per ewe and per female goat and fixing the first advance payment for this premium and an advance payment of the specific aid for sheep and goat farming in certain less favoured areas of the Community

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EC) No 1096/94⁽²⁾, and in particular Article 5 (6) thereof,

Having regard to Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽³⁾, as amended by Regulation (EEC) No 1974/93⁽⁴⁾ and in particular Article 13 thereof,

Whereas Article 5 (1) and (5) of Regulation (EEC) No 3013/89 provides for the grant of a premium to compensate for any loss of income sustained by producers of sheepmeat and, in certain areas, of goatmeat; whereas those areas are defined in Annex I to Regulation (EEC) No 3013/89 and in Article 1 of Commission Regulation (EEC) No 1065/86 of 11 April 1986 determining the mountain areas in which the premium for goatmeat is granted⁽⁵⁾, as amended by Regulation (EEC) No 3519/86⁽⁶⁾;

Whereas, pursuant to Article 5 (6) of Regulation (EEC) No 3013/89 and to enable an advance payment to be made to sheepmeat and goatmeat producers, the foreseeable loss of income should be estimated in the light of the foreseeable trend in market prices;

Whereas, pursuant to Article 5 (2) of Regulation (EEC) No 3013/89, the amount of the premium per ewe for producers of heavy lambs is obtained by multiplying the loss of income referred to in the second subparagraph of paragraph 1 of that Article by a coefficient expressing the annual average production of heavy lamb meat per ewe producing these lambs expressed per 100 kilograms of carcase weight; whereas the coefficient for 1994 has not

yet been fixed in view of the lack of full Community statistics; whereas, pending the fixing of that coefficient, a provisional coefficient should be used; whereas Article 5 (2) of that Regulation also fixes the amount per ewe for producers of light lambs and per female of the caprine species and at 80 % of the premium per ewe for producers of heavy lambs;

Whereas, pursuant to Article 8 of Regulation (EEC) No 3013/89, the premium must be reduced by the impact on the basic price of the coefficient provided for in paragraph 2 of that Article; whereas that coefficient is fixed by Article 8 (4) at 7 %;

Whereas, in accordance with Article 5 (6) of Regulation (EEC) No 3013/89, the half-yearly advance payment is fixed at 30 % of the expected premium; whereas, in accordance with Article 4 (3) of Commission Regulation (EEC) No 2700/93⁽⁷⁾, as last amended by Regulation (EC) No 279/94⁽⁸⁾, the advance payment is to be paid only if it is equal to or greater than ECU 1;

Whereas, under Council Regulation (EEC) No 1323/90 of 14 May 1990⁽⁹⁾, as last amended by Regulation (EEC) No 363/93⁽¹⁰⁾, the Council instituted specific aid for sheep and goat farming in certain less-favoured areas of the Community; whereas it lays down that the aid is to be granted under the same conditions as those for the grant of the premium for producers of sheepmeat and goatmeat; whereas, as a result, provision should be made for the limits and the rates of payment laid down in Article 5 (7) of Regulation (EEC) No 3013/89 to apply equally to this specific aid; Whereas, in view of the expected difficult market situation in certain Member States during the second half of 1994, the Member States should be authorized, for the 1994 marketing year, to pay immediately an amount equal to 90 % of the aid;

Whereas Regulation (EEC) No 1601/92 provides for the application of specific measures relating to agricultural production in the Canary Islands; whereas those measures entail the grant of a supplement to the ewe

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 121, 12. 5. 1994, p. 9.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽⁴⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽⁵⁾ OJ No L 97, 12. 4. 1986, p. 25.

⁽⁶⁾ OJ No L 325, 20. 11. 1986, p. 17.

⁽⁷⁾ OJ No L 245, 1. 10. 1993, p. 99.

⁽⁸⁾ OJ No L 37, 9. 2. 1994, p. 1.

⁽⁹⁾ OJ No L 132, 23. 5. 1990, p. 17.

⁽¹⁰⁾ OJ No L 42, 19. 2. 1993, p. 1.

premium to producers of light lambs and she-goats on the same conditions as those governing the grant of the premium referred to in Article 5 of Regulation (EEC) No 3013/89; whereas those conditions provide that Spain is authorized to pay an advance on the said supplementary premium;

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

HAS ADOPTED THIS REGULATION:

Article 1

A difference is hereby estimated between the basic price, reduced by the impact of the coefficient laid down in Article 8 (2) of Regulation (EEC) No 3013/89, and the foreseeable market price during 1994 is ECU 123,229 per 100 kg.

Article 2

1. The estimated amount of the premium payable per ewe is as follows:

- producers of heavy lambs: ECU 19,717,
- producers of light lambs: ECU 15,774.

2. Pursuant to Article 5 (6) of Regulation (EEC) No 3013/89, the first advance that the Member States are authorized to pay to producers shall be as follows:

- producers of heavy lambs: ECU 5,915 per lamb,
- producers of light lambs: ECU 4,732 per lamb.

Article 3

1. The estimated amount of the premium payable per female of the caprine species in the areas designated in Annex I to Regulation (EEC) No 3013/89 and in Article 1 of Regulation (EEC) No 1065/86: ECU 15,774.

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

Done at Brussels, 6 July 1994.

2. Pursuant to Article 5 (6) of Regulation (EEC) No 3013/89, the first advance which the Member States are authorized to pay to goatmeat producers located in the areas designated in paragraph 1 shall be as follows: ECU 4,732 per female of the caprine species.

Article 4

The specific aid which the Member States are authorized to pay to producers of sheepmeat and goatmeat in less-favoured areas pursuant to Article 1 (1) of Regulation (EEC) No 1323/90, within the meaning of Council Directive 75/268/EEC⁽¹⁾ within the limits and at the rates provided for in Article 5 (7) and the second indent of the second subparagraph of Article 5 (8) of Regulation (EEC) No 3013/89 shall be as follows:

- ECU 4,95 per ewe in the case of the producers referred to in Article 5 (2) and (4) of the said Regulation,
- ECU 3,42 per ewe in the case of the producers referred to in Article 5 (3) of the said Regulation,
- ECU 3,42 per she-goat in the case of the producers referred to in Article 5 (5) of the said Regulation.

Article 5

Pursuant to Article 13 (3) of Regulation (EEC) No 1601/92, the first advance on the supplementary premium for the 1994 marketing year for producers of light lambs and she-goats in the Canary Islands within the limits and at the rates provided for in Article 5 (7) and the second indent of the second subparagraph of Article 5 (8) shall be as follows:

- ECU 2,713 per ewe in the case of producers referred to in Article 5 (3) of that Regulation,
- ECU 2,713 per she-goat in the case of the producers referred to in Article 5 (5) of that Regulation.

Article 6

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 128, 19. 5. 1975, p. 1.

COMMISSION REGULATION (EC) No 1641/94
of 6 July 1994
amending Council Regulation (EEC) No 2658/87 on the tariff and statistical
nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 882/94⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the Combined Nomenclature, it is necessary to adopt provisions concerning the classification of residues of starch manufacture;

Whereas CN code 2303 10 19 includes only residues from the manufacture of starch from maize, but do not cover blends of such residues with products derived from other plants or products derived from maize otherwise than in the course of production of starch by the wet process;

Whereas, these residues may, however, contain residues from the extraction of maize germ oil by the wet milling process, screenings from maize used in the wet process in a proportion not exceeding 15 % by weight, and residues of maize steepwater, arising from the wet process, including residues of steep-water used for the manufacture of alcohol or of other starch derived products;

Whereas residues from the manufacture of starch from maize by the wet process have a starch content not exceeding 28 % by weight on the dry product in accordance with the method contained in Annex I.I to Directive 72/199/EEC of the Commission⁽³⁾, as amended by Directive 93/28/EEC⁽⁴⁾, and a fat content which does not exceed 4,5 % on the dry product determined in accordance with method A contained in Annex I to Directive 84/4/EEC of the Commission⁽⁵⁾;

Whereas the scope of the subheading in question should be specified, by replacing Additional note 1 to Chapter 23 by the note given in Article 1 of this Regulation;

Whereas the Customs Code Committee — Tariff and Statistical Nomenclature Section has not given its opinion within the time-limit indicated by its Chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The following Additional Note shall replace the actual Additional note 1 to Chapter 23 of the Combined Nomenclature in the Annex to Regulation (EEC) No 2658/87:

'1. Subheading 2303 10 19 includes only residues from the manufacture of starch from maize and does not cover blends of such residues with products derived from other plants or products derived from maize otherwise than in the course of the production of starch by the wet process. These residues may, however, contain residues from the extraction of maize germ oil by the wet milling process, screenings from maize used in the wet process in a proportion not exceeding 15 % by weight and residues of maize steep-water, from the wet process, including residues of steep-water used for the manufacture of alcohol or of other starch derived products.

Their starch content may not exceed 28 % by weight on the dry product in accordance with the method contained in Annex I.I to Directive 72/199/EEC of the Commission and their fat content cannot exceed 4,5 % by weight on the dry product determined in accordance with method A contained in Annex I to Directive 84/4/EEC of the Commission.'

Article 2

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

It shall apply from 1 July 1994.

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 103, 22. 4. 1994, p. 5.

⁽³⁾ OJ No L 123, 19. 5. 1972, p. 6.

⁽⁴⁾ OJ No L 179, 22. 7. 1993, p. 8.

⁽⁵⁾ OJ No L 15, 18. 1. 1984, p. 28.

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

Done at Brussels, 6 July 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 1642/94

of 6 July 1994

fixing the maximum export refund for white sugar for the sixth partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94

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

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

Whereas Commission Regulation (EC) No 1021/94 of 29 April 1994 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1021/94, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the sixth partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾ prohibits trade between the European Community and the

Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the sixth partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1021/94 the maximum amount of the export refund is fixed at ECU 37,649 per 100 kilograms.
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.

Article 2

This Regulation shall enter into force on 7 July 1994.

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

Done at Brussels, 6 July 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 112, 3. 5. 1994, p. 13.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

COMMISSION REGULATION (EC) No 1643/94
of 6 July 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 (EC) No 1573/94⁽⁵⁾, as amended by Regulation (EC) No 1632/94⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1573/94 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 5 July 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 7 July 1994.

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

Done at Brussels, 6 July 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 166, 1. 7. 1994, p. 99.

⁽⁶⁾ OJ No L 171, 6. 7. 1994, p. 22.

ANNEX

to the Commission Regulation of 6 July 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
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	39,80
1701 99 10	39,80
1701 99 90	39,80 ⁽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 1644/94**of 6 July 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 1561/94⁽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 5 July 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 1561/94 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 7 July 1994.

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

Done at Brussels, 6 July 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 166, 1. 7. 1994, p. 74.

ANNEX

to the Commission Regulation of 6 July 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	110,04 ⁽²⁾ ⁽³⁾
0712 90 19	110,04 ⁽²⁾ ⁽³⁾
1001 10 00	40,41 ⁽¹⁾ ⁽³⁾
1001 90 91	78,67
1001 90 99	78,67 ⁽⁹⁾
1002 00 00	101,58 ⁽⁹⁾
1003 00 10	101,30
1003 00 90	101,30 ⁽⁹⁾
1004 00 00	90,18
1005 10 90	110,04 ⁽²⁾ ⁽³⁾
1005 90 00	110,04 ⁽²⁾ ⁽³⁾
1007 00 90	115,06 ⁽⁴⁾
1008 10 00	17,84 ⁽⁹⁾
1008 20 00	30,80 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	148,25 ⁽⁹⁾
1102 10 00	180,32
1103 11 10	97,61
1103 11 90	169,54
1107 10 11	150,91
1107 10 19	115,51
1107 10 91	191,19 ⁽¹⁰⁾
1107 10 99	145,61 ⁽⁹⁾
1107 20 00	167,90 ⁽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 1645/94**of 6 July 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 (EC) No 1562/94⁽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 5 July 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 7 July 1994.

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

Done at Brussels, 6 July 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 166, 1. 7. 1994, p. 77.

ANNEX

to the Commission Regulation of 6 July 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 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	6,88
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 7	1st period 8	2nd period 9	3rd period 10	4th period 11
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 1646/94**of 6 July 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 1560/94⁽⁷⁾, as last amended by Regulation (EC) No 1608/94⁽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 1560/94 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 7 July 1994.

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

Done at Brussels, 6 July 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 166, 1. 7. 1994, p. 70.
⁽⁸⁾ OJ No L 168, 2. 7. 1994, p. 18.
⁽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 6 July 1994 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (7)	
	ACP	Third countries (other than ACP)
1102 20 10	197,75	203,79
1102 20 90	112,06	115,08
1102 90 90	116,28	119,30
1103 13 10	197,75	203,79
1103 13 90	112,06	115,08
1103 19 90	116,28	119,30
1103 29 40	197,75	203,79
1103 29 90	116,28	119,30
1104 19 50	197,75	203,79
1104 19 99	205,20	211,24
1104 23 10	175,78	178,80
1104 23 30	175,78	178,80
1104 23 90	112,06	115,08
1104 29 19	182,40	185,42
1104 29 39	182,40	185,42
1104 29 99	116,28	119,30
1104 30 90	82,40	88,44
1106 20 90	173,24 (2)	197,42
1108 12 00	176,87	197,42
1108 13 00	176,87	197,42 (2)
1108 14 00	88,43	197,42
1108 19 90	88,43 (2)	197,42
1702 30 51	230,71	327,43
1702 30 59	176,87	243,36
1702 30 91	230,71	327,43
1702 30 99	176,87	243,36
1702 40 90	176,87	243,36
1702 90 50	176,87	243,36
1702 90 75	241,69	338,41
1702 90 79	168,09	234,58
2106 90 55	176,87	243,36
2303 10 11	219,72	401,06

(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.

(2) 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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 June 1994

concerning certain protection measures with regard to bovine spongiform encephalopathy and the feeding of mammalian derived protein

(Text with EEA relevance)

(94/381/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10 (4) thereof,

Whereas cases of bovine spongiform encephalopathy (BSE) have been reported in the United Kingdom and some other Member States; whereas scrapie is also known to exist in several Member States;

Whereas the origin of BSE in cattle is considered to be from ruminant protein which contained the scrapie agent, and, later on, the BSE agent, which had not been sufficiently processed to inactivate the infectious agents; whereas the Scientific Veterinary Committee has stated that it is not possible at present to define processes which can guarantee total inactivation of the agents in the commercial rendering industry, in the light of recent studies;

Whereas ruminants are known to be susceptible to the BSE and scrapie agents, by the oral route;

Whereas the Commission has carried out a detailed examination of the situation with the Scientific Veterinary Committee which concluded that protein derived from ruminant tissues is the only significant potential source of spongiform encephalopathy agents available to susceptible species; whereas, therefore, its exclusion from feed for these species would minimize the possibility of infection;

Whereas there are difficulties in differentiating processed protein derived from ruminants and that from other mammalian species; whereas, for implementation reasons, it is therefore necessary to prohibit the feeding of protein derived from all mammalian species to ruminants and to apply the same measure throughout the Community;

Whereas, however, where a Member State can enforce a system allowing it to distinguish between protein from ruminants and that of non-ruminant species it shall be authorized, by the Commission under the procedure provided for by Article 17 of Directive 90/425/EEC, to permit the feeding of protein from species other than ruminants to ruminants;

Whereas this Decision is in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

HAS ADOPTED THIS DECISION:

findings of scientific studies currently being carried out with regard to rendering systems.

Article 1

1. Within 30 days of notification of the present Decision, Member States shall prohibit the feeding of protein derived from mammalian tissues to ruminant species.

2. However, Member States which enforce a system that makes it possible to distinguish between animal protein from ruminant and non-ruminant species shall be authorized, by the Commission under the procedure provided for by Article 17 of Directive 90/425/EEC, to permit the feeding of protein from species other than ruminants to ruminants.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 27 June 1994.

Article 2

This Decision shall be revised in the light of developments in scientific knowledge and, in particular, to

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 27 June 1994

on the approval of alternative heat treatment systems for processing animal waste of ruminant origin, with a view to the inactivation of spongiform encephalopathy agents

(Text with EEA relevance)

(94/382/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

parameters used in other processes described in Decision 92/562/EEC which will inactivate those agents ;

Having regard to the Treaty establishing the European Community,

Whereas, therefore, it is necessary to ensure that systems which have been shown to be ineffective are not used for the processing of animal waste of ruminant origin, in order to protect animal health from the hazard of spongiform encephalopathy agents in animal feed, unless another validated sterilisation phase is added to the process ;

Having regard to Council Directive 90/667/EEC of 27 November 1990 laying down the veterinary rules for the disposal and processing of animal waste, for its place on the market and for the prevention of pathogens in feed-stuffs of animal or fish origin and amending Directive 90/425/EEC⁽¹⁾, as amended by Directive 92/118/EEC⁽²⁾, and in particular Annex II, Chapter II, paragraph 6 (c) thereof,

Whereas it is necessary to define the maximum particle size and the minimum time and temperature to be applied in other systems, in order to ensure that such systems are running in accordance with procedures have been validated scientifically ;

Whereas paragraph 6 (a) of Annex II, Chapter II of Directive 90/667/EEC requires that high-risk material must be heated to a core temperature of at least 113° C for 20 minutes at a pressure of 3 bar after the particle size of the raw material has been reduced to at least 50 mm ;

Whereas these minimum standards should be considered to be provisional and may need to be amended in the light of the final results of the study and future scientific information, in order to ensure that all authorized processes lead to satisfactory inactivation of the agents ;

Whereas, however, paragraph 6 (c) of Annex II, Chapter II of the said Directive, provides for approval of alternative systems of heat treatment ; whereas therefore Commission Decision 92/562/EEC of 17 November 1992 on the approval of alternative heat treatment systems for processing high-risk material⁽³⁾ has been adopted ;

Whereas Member States must ensure that processing plants are individually checked to ensure that the minimum requirements are met ;

Whereas, however, no particle size or time and temperature parameters were defined for the approved systems ; whereas, furthermore, no such parameters have been defined for the processing of low-risk material ;

Whereas Member States which already require maximum particle sizes and times and temperatures in excess of these minimum levels should continue to apply their original requirements ;

Whereas, as a result of a scientific study into the physical parameters which must be applied in order to inactivate the agents of scrapie and bovine spongiform encephalopathy (BSE), it is now possible to identify certain processes in the rendering industry which do not inactivate those agents ; whereas it is possible provisionally to identify the

Whereas certain specific animal products are not considered to present a risk in respect of BSE, because they are known not to be infective as a result of scientific tests ; whereas those products are covered by Directive 92/118/EEC, and in particular Annex 1, Chapters 1, 3, 4, 5, 7, 9 and 10 thereof ;

Whereas those products may be exempted from the requirements of this Decision ;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

⁽¹⁾ OJ No L 363, 27. 12. 1990, p. 51.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 359, 9. 12. 1992, p. 23.

HAS ADOPTED THIS DECISION :

Article 1

1. This Decision shall apply to the processing of animal waste within the scope of Council Directive 90/667/EEC where that waste is derived from ruminant tissues.

2. This Decision shall not apply to the production and processing of :

- (i) pet food containing only low risk material within the meaning of Directive 90/667/EEC,
- (ii) gelatin,
- (iii) hides and skins,

- (iv) glands and organs for pharmaceutical use,
- (v) blood and blood products,
- (vi) milk,
- (vii) lards and reduced fats,
- (viii) casings.

Article 2

1. Subject to the exclusions listed in Article 1 (2), Member States shall not authorize the processing of animal waste of ruminant origin by :

- the continuous vacuum added fat method as described in Chapter V of the Annex to Decision 92/562/EEC ;
- any other system which is not in compliance with the provisions of paragraph 2 of this Article or Annex II, Chapter II, paragraph 6 (a) of Directive 90/667/EEC.

2. Subject to the exclusions listed in Article 1 (2), Member States shall not authorize the processing of animal waste of ruminant origin by those systems described in Chapters I to IV, VI and VII of the Annex to Decision 92/562/EEC unless the following minimum conditions are achieved :

CHAPTER I (Batch / Atmospheric / Natural Fat)
150 mm particle size maximum

Temperature	>100°C	>110°C	>120°C
Time	125 min	120 min	50 min

CHAPTER II (Batch / Pressure / Natural Fat)
50 mm particle size maximum

Temperature	>100°C	>133°C
Time	25 min	20 min
Pressure (Absolute)		3 bar

CHAPTER III (Continuous / Atmospheric / Natural Fat)
30 mm particle size maximum

Temperature	>100°C	>110°C	>120°C
Time	95 min	55 min	13 min

CHAPTER IV AND VI (Continuous / Atmospheric / Added Fat and continuous / pressure / added fat)
30 mm particle size maximum

Temperature	>100°C	>110°C	>120°C	>130°C
Time	16 min	13 min	8 min	3 min

CHAPTER VII (Continuous / Atmospheric / Defatted)
20 mm particle size maximum

Temperature	>80°C	>100°C
Time	120 min	60 min

The above should be preceded by coagulation at >80°C for 30 - 60 minutes.

The above temperature/time requirements may run concurrently.

3. Member States shall only authorize plants if they have been shown by methods laid down in the Annex to be operating in accordance with the conditions set out in paragraph 2.

4. Member States which already require conditions for the processing of animal waste of ruminant origin which exceed those provided for in paragraph 2 shall maintain their existing requirements.

5. Notwithstanding the provisions of paragraph 1, Member States may authorize the processing of animal waste of ruminant origin by a process mentioned in that paragraph if such process is preceded or followed by one of the processes described in paragraph 2.

Article 3

The provisions of this Decision shall apply from 1 January 1995, except for Article 2 (1), which shall apply with effect from the ninetieth day following notification of this Decision.

Within 30 days of the notification of this Decision, Member States shall take all necessary measures to ensure that material which does not comply with this Decision and which has been obtained by methods mentioned in Article 2 (1) is used in a way which avoids the risk of transmitting spongiform encephalopathies.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 27 June 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX***PROCEDURES FOR THE VALIDATION OF PLANTS FOR THE PROCESSING OF
ANIMAL WASTE OF RUMINANT ORIGIN USING METHODS DESCRIBED IN THE
ANNEX OF DECISION 92/562/EEC****1. Temperature — continuous and batch systems**

Temperature monitoring devices shall be situated regularly throughout the equipment in order to record temperature at different stages in the process. Records should be kept and calibrations completed at regular intervals.

2. Pressure (Chapter II only)

Pressure monitoring devices shall be installed in order to record pressure at stages in the process. Records shall be kept and calibrations completed at regular intervals.

3. Particle size — all systems

This shall be monitored regularly and corrected when wear or damage to breaking equipment is noted, that could allow larger particles than defined to enter the process.

4. For continuous systems (Chapter III — VII), a residence time test shall be completed under normal operating conditions. Such markers as Manganese dioxide (MnO₂) should be introduced into the continuous systems, (at time zero). Samples of products leaving the process shall be taken to monitor the recovery of the insoluble marker. Samples shall be taken from time zero until a time when the majority of marker is expected to have passed throughout the system.

EUROPEAN ECONOMIC AREA

EFTA SURVEILLANCE AUTHORITY

EFTA SURVEILLANCE AUTHORITY DECISION

No 48/94/COL

of 8 June 1994

**concerning additional guarantees relating to transmissible gastroenteritis for
pigs destined to EFTA States or regions free of the disease**

THE EFTA SURVEILLANCE AUTHORITY,

Having regard to the Agreement on the European Economic Area, as adjusted by the Protocol Adjusting the Agreement on the European Economic Area, in particular Article 17 and Protocol 1 (4) (d) thereof,

Having regard to the Act referred to in Point 1 of Chapter I of Annex I to the Agreement on the European Economic Area on animal health problems affecting intra-Community trade in bovine animals and swine (Council Directive 64/432/EEC; hereinafter referred to as the Cattle and Swine Act), and in particular Article 10 thereof,

Having regard to the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, as adjusted by the Protocol Adjusting the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice, and in particular 5 (2) (d) and Protocol 1, Article 1 (c) thereof,

Whereas Finland considers, as stated in a letter dated 28 December 1993, its territory to be free from transmissible gastroenteritis (TGE) and have submitted supporting documentation to the EFTA Surveillance Authority as provided for in Article 10 (1) of the Cattle and Swine Act;

Whereas it is appropriate to define certain additional guarantees to protect the disease status in Finland;

Whereas the authorities of Finland apply for national movement of pigs for breeding and production rules at least equivalent to those foreseen by the present Decision;

Whereas the additional guarantees provided for in the present Decision must not be requested from EFTA States

and EC Member States or regions thereof which are themselves regarded as free from TGE;

Whereas the measures provided for in this Decision are in accordance with the opinion of the EFTA Veterinary Committee assisting the EFTA Surveillance Authority,

HAS ADOPTED THIS DECISION:

1. Pigs intended for breeding coming from other EFTA States or EC Member States or regions thereof and destined for EFTA States or regions thereof where vaccination for TGE is not permitted, listed in Annex I, must fulfil the following conditions:
 - 1.1. either
 - 1.1.1. TGE must be compulsorily notifiable in the EFTA State and the EC Member State of origin;
 - 1.1.2. no clinical, pathological or serological evidence of TGE must have been recorded in the herd of origin for the past 12 months;
 - 1.1.3. no vaccine for TGE shall have been used on the herd of origin for the past 12 months;
 - 1.1.4. the pigs must have been held in isolation in accommodation approved by the competent authority such that no direct or indirect contact with other pigs shall have been possible for at least 30 days prior to movement;
 - 1.1.5. the pigs must not have been vaccinated;

- 1.1.6. the pigs must have been subjected to a serological test for the presence of TGE virus antibodies taken at least 21 days after entry into isolation, with negative results. All animals in isolation must also have given negative results to this test;
- 1.1.7. the pigs must have remained on the herd of origin since birth or the pigs must have remained in the consigning herd for three months and in others of equivalent status since birth;
- 1.1.8. the pigs must not come into contact with pigs which do not fulfil the conditions set out in Points 1.1.1-1.1.7 during transport from the site of origin to the farm of destination.
- 1.2. or
 - 1.2.1. fulfil the conditions set out in Points 1.1.2-1.1.8;
 - 1.2.2. if the number of pigs, tested in accordance with Point 1.1.6, is less than 25 the herd of origin shall have been tested in accordance with Annex II with negative result within 30 days before the movement.
2. Pigs intended for production coming from other EFTA States or EC Member States or regions thereof and destined for EFTA States or regions thereof where vaccination for TGE is not permitted, listed in Annex I, must fulfil the following conditions:
 - 2.1. either
 - 2.1.1. TGE must be compulsorily notifiable in the EFTA State or the EC Member State of origin;
 - 2.1.2. no clinical, pathological or serological evidence of TGE must have been recorded in the herd of origin for the past 12 months;
 - 2.1.3. the pigs must not have been vaccinated;
 - 2.1.4. no pre-movement testing shall be necessary if the herd of origin is part of an official monitoring programme where at least 15 % of the breeding animals (or 25 animals, whichever is the greater) are tested over the course of each year. Such testing shall be split into at least three approximately equal divisions, each being separated by at least two months; movement into such herds shall only be from herds of equivalent or superior status and no clinical case of TGE shall have been recorded within 2 km of the herd of origin for the previous 60 days.
 - 2.1.5. if the herd of origin is not part of a monitoring programme referred to in Point 2.1.4 the pigs to be moved shall have been tested for the presence of TGE virus antibodies with a serological test in accordance with Annex II. The pigs to be moved shall have been segregated from the herd of origin prior to the test. The animals shall have been tested within 10 days prior to movement and with a negative result.
 - 2.1.6. the pigs must have remained in the herd of origin since birth or the pigs must have remained in the herd of origin for three months and in herds of equivalent status since birth;
 - 2.1.7. the pigs must not come into contact with pigs which do not fulfil the conditions set out in Points 2.1.1-2.1.6 during transport from the site of origin to the farm of destination.
- 2.2. or
 - 2.2.1. fulfil the conditions set out in Points 2.1.2-2.1.4 and 2.1.6-2.1.7;
 - 2.2.2. no vaccine for TGE has been used on the herd of origin for the past 12 months;
 - 2.2.3. the last test to be done in accordance with Point 2.2.4 shall have been done during 60 days prior to the movement;
 - 2.2.4. if the herd of origin is not part of a monitoring programme referred to in Point 2.1.4 the herd of origin and the pigs to be moved shall have been tested for the presence of TGE virus antibodies with a serological test in accordance with Annex III. The pigs to be moved shall have been segregated from the herd of origin prior to the test. The animals shall have been tested within 10 days prior to movement and with a negative result.
3. The animals referred to in Point 2 shall be transported directly to the farm of destination and shall remain there until slaughter unless otherwise authorized by the competent authority in the EFTA State of destination. The competent authority of the EFTA State of destination may require that the pigs go directly to slaughter.

4. Pigs intended for slaughter coming from other EFTA States or EC Member States or regions thereof and destined for EFTA States or regions thereof, listed in Annex I, must fulfil the following conditions :

4.1. the pigs must be transported directly to the slaughterhouse of destination ;

4.2. the pigs have not been vaccinated ;

4.3. no clinical, pathological or serological evidence of TGE must have been recorded in the herd of origin for the past three months ;

4.4. the pigs must have remained in the herd of origin for the previous 60 days or since birth ;

4.5. the pigs must not come into contact with pigs which do not fulfil the conditions set out in Points 4.1-4.4 during transport from the site of origin to the slaughterhouse.

5. The health certificate referred to as Model III in Annex F to the Cattle and Swine Act must be supplemented by the following for pigs destined for an EFTA State or region thereof listed in Annex I and coming from an EFTA State or EC Member State or region thereof :

'pigs in accordance with EFTA Surveillance Authority Decision No 48/94/COL of 8 June 1994 concerning transmissible gastroenteritis.'

6. The conditions laid down in Points 1 to 5 shall not apply to the introduction of pigs into an EFTA

State or region thereof, listed in Annex I, from an EFTA State or EC Member State or region thereof, which under Article 10 of the Cattle and Swine Act has been granted additional guarantees corresponding to those provided for in this Decision.

7. An EFTA State, listed in Annex I, shall submit annual reports on the monitoring and findings concerning TGE. This report shall be submitted to the EFTA Surveillance Authority at the latest by 1 April, the following year.

8. This Decision shall enter into force 1 July 1994.

9. This Decision is addressed to the EFTA States.

10. This Decision shall be authentic in the English language.

Done at Brussels, 8 June 1994.

For the EFTA Surveillance Authority

Pekka SÄILÄ

College Member

*ANNEX I***Regions free of transmissible gastroenteritis which do not permit vaccination**

Finland: All regions

*ANNEX II***Number of animals to be tested**

Population	Number of animals to be tested
under 25	All
25-100	25
100 or more	30

The testing shall include animals from all ages and compartments.

*ANNEX III***Number of animals to be tested**

Number of animals to be moved	Number of animals in the herd of origin to be tested out of those not to be moved	Number of animals to be tested out of those to be moved
1-24	See Annex II	All
Alternative I ⁽¹⁾ 25 or more	See Annex II	15 %, but at least 25 animals
Alternative II ⁽¹⁾ 25 or more	None	All

⁽¹⁾ When more than 24 pigs are to be moved alternative I or II may be applied.

The testing shall include animals from all ages and compartments.