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Legislation

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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1718/94

of 14 July 1994

fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 11 and 12 July 1994 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

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

Article 2

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 3

This Regulation shall enter into force on 15 July 1994.

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

Done at Brussels, 14 July 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)

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

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

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

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

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

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

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

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)

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

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

COMMISSION REGULATION (EC) No 1719/94

of 14 July 1994

amending Regulation (EEC) No 3886/92 as regards the detailed rules for the application of the premium schemes provided for in the beef and veal sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Commission Regulation (EC) No 1096/94⁽²⁾, and in particular Article 4e (5) thereof,

Whereas the experience gained in allocating rights from the national reserves has shown that the Member States were in certain cases in 1993 and 1994 constrained to make late allocation of such rights; whereas there is a risk that producers who acquired rights against payment and who subsequently also obtained, free of charge, rights from the national reserves in the same calendar year, may be penalized, in particular due to the fact that they have not been able to adapt their farms to the increased number of rights in time; whereas, as a result, those producers should be authorized to transfer and/or lease temporarily the rights they have acquired against payment in respect of 1993 and 1994;

Whereas Article 2 of Council Regulation (EEC) No 2078/92 of 30 June 1992 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside⁽³⁾, institutes an aid programme where producers undertake to reduce the proportion of cattle per forage area; whereas, therefore, within that framework and in order to achieve the objectives of the said Regulation, it was decided, as a general principle, that the national agri-environmental programmes approved by the Commission should stipulate as a condition that the use of suckler cow premium rights, freed in such a manner, should be suspended throughout the period of participation in the said programme; whereas, however, as an exceptional measure, use of the freed premium rights should be permitted in order to meet the needs of other agri-environmental aid measures where national extensification programmes so allow; whereas, furthermore, this amendment should not prejudice the principle of legitimate expectations as regards producers who, at the time of entry into force of this Regulation, had already notified their authorities of the transfer and/or temporary lease of their premium rights;

Whereas one of the objectives of Council Regulation (EEC) No 2079/92 of 30 June 1992 instituting a Commu-

nity aid scheme for early retirement from farming⁽⁴⁾ is to encourage the replacement of elderly farmers by farmers able to improve the economic viability of the remaining agricultural holdings; whereas Articles 33 and 34 of Commission Regulation (EEC) No 3886/92⁽⁵⁾, as last amended by Regulation (EC) No 1034/94⁽⁶⁾, provides for restrictions on the use of suckler cow premium rights which could be contrary to the objectives of Regulation (EEC) No 2079/92; whereas there is a risk that certain producers will not participate in early retirement programmes if their participation could eventually lead to the withdrawal of their rights to the suckler cow premium;

Whereas Regulation (EEC) No 3886/92 should therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3886/92 is amended as follows:

1. Article 32 (a) is replaced by the following:

'(a) he shall not be authorized to transfer the said rights and/or to lease them temporarily during the three following calendar years. However, and in respect of 1993 and 1994, this provision shall not apply to the rights obtained by means of a transfer and/or temporary lease during the calendar year in question before the notification of the allocation of rights from the national reserves relating to that same year.'

2. Article 33 is replaced by the following:

Article 33

Use of rights

Without prejudice to Article 32 and except:

— in the case of producers participating in an extensification programme recognized by the Commission,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 121, 12. 5. 1994, p. 9.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 85.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 91.

⁽⁵⁾ OJ No L 391, 31. 12. 1992, p. 20.

⁽⁶⁾ OJ No L 113, 4. 5. 1994, p. 1.

- in the case of producers participating in an early retirement scheme recognized by the Commission in which the transfer and/or temporary lease of rights is not obligatory, or
- in duly justified exceptional cases,

where producers have not made use of at least 50 % of their rights during each of two consecutive calendar years, the part not used during the last calendar year shall be transferred to the national reserve.'

3. In Article 34 (3), the final sentence is replaced by the following :

'However, for producers participating in early retirement programmes or who have, prior to the entry into force of Regulation (EC) No 1719/94 (amending Regulation), undertaken to participate in extensification programmes recognized by the Commission, Member States may provide for an extension of the total duration of the temporary lease on the basis of these programmes.

Producers who, subsequent to the entry into force of Regulation (EC) No 1719/94 (amending Regulation), undertake to participate in an extensification

programme in accordance with the measure referred to in Article 2 (1) (c) of Regulation (EEC) No 2078/92 shall not be authorized to temporarily lease and/or to transfer their suckler cow premium rights throughout the period of their participation. However, this prohibition shall not apply :

- in cases where the extensification programme permits the transfer and/or temporary lease of rights to producers whose participation in measures other than the extensification measure referred to in Article 2 of Regulation (EEC) No 2078/92 requires the acquisition of rights,
- to producers able to prove to the satisfaction of the competent authorities that, prior to the entry into force of Regulation (EC) No 1719/94, they had already notified those authorities of the transfer and/or temporary lease of premium rights in accordance with paragraph 2.'

Article 2

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

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

Done at Brussels, 14 July 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1720/94
of 14 July 1994

amending Regulation (EEC) No 3567/92 laying down detailed rules for the application of the individual limits, national reserves and transfer of rights in the sheepmeat and goatmeat sector

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 Commission Regulation (EC) No 1096/94⁽²⁾, and in particular Article 5a (4) thereof,

Whereas the experience gained in allocating rights from the national reserves has shown that the Member States were in certain cases in the 1993 and 1994 marketing years constrained to make late allocation of such rights; whereas there is a risk that producers who acquired rights against payment and who subsequently also obtained, free of charge, rights from the national reserves in the same marketing year, may be penalized, in particular due to the fact that they have not been able to adapt their farms to the increased number of rights in time; whereas, as a result, those producers should be authorized to transfer and/or lease temporarily the rights they have acquired against payment in respect of the 1993 and 1994 marketing years;

Whereas Article 2 of Council Regulation (EEC) No 2078/92 of 30 June 1992 on agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside⁽³⁾ institutes an aid programme where producers undertake to reduce the proportion of sheep per forage area; whereas, therefore, within that framework and in order to achieve the objectives of the said Regulation, it was decided, as a general principle, that the national agri-environmental programmes approved by the Commission should stipulate as a condition that the use of ewe and/or she-goat premiums, freed in such a manner, should be suspended throughout the period of participation in the said programme; whereas, however, as an exceptional measure, use of the freed premium rights should be permitted in order to meet the needs of the other agri-environmental aid measures where national extensification programmes so allow; whereas, furthermore, this amendment should not prejudice the principle

of legitimate expectations as regards producers who, at the time of entry into force of this Regulation, had already notified their authorities of the transfer and/or temporary lease of their premium rights;

Whereas one of the objectives of Council Regulation (EEC) No 2079/92 of 30 June 1992 instituting a Community aid scheme for early retirement from farming⁽⁴⁾ is to encourage the replacement of elderly farmers by farmers able to improve the economic viability of the remaining agricultural holdings; whereas Articles 6 (2) and 7 (4) of Commission Regulation (EEC) No 3567/92⁽⁵⁾, as last amended by Regulation (EC) No 826/94⁽⁶⁾, provides for restrictions on the use of ewe and/or she-goat premiums which could be contrary to the objectives of Regulation (EEC) No 2079/92; whereas there is a risk that certain producers will not participate in early retirement schemes if their participation could eventually lead to the withdrawal of their rights to the ewe and/or she-goat premium;

Whereas Regulation (EEC) No 3567/92 should therefore be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3567/92 is amended as follows:

1. Article 6 (1) (a) is replaced by the following:

'(a) he shall not be authorized to transfer and/or temporarily lease his rights during the three following marketing years. However, and in respect of the 1993 and 1994 marketing years, this provision shall not apply to rights obtained through transfer and/or temporary lease during the marketing year in question before notification of the allocation of rights from the national reserves relating to that same marketing year.'

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 121, 12. 5. 1994, p. 9.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 85.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 91.

⁽⁵⁾ OJ No L 362, 11. 12. 1992, p. 41.

⁽⁶⁾ OJ No L 95, 14. 4. 1994, p. 8.

2. Article 6 (2) is replaced by the following:

'2. Without prejudice to paragraph 1 and except:

- in the case of producers participating in an extensification programme recognized by the Commission,
- in the case of producers participating in an early retirement scheme recognized by the Commission in which the transfer and/or temporary lease of rights is not obligatory, or
- in duly justified exceptional cases,

where producers have not made use of at least 50 % of their rights during each of two consecutive marketing years, the part not used during the last marketing year shall be transferred to the national reserve.'

3. In Article 7 (4), the final sentence is replaced by the following:

'However, for producers participating in early retirement schemes or who have, prior to the entry into force of Regulation (EC) No 1720/94 (amending Regulation), undertaken to participate in extensification programmes recognized by the Commission, Member States may provide for an extension of the total duration of the temporary lease on the basis of such programmes.'

Producers who, subsequent to the entry into force of Regulation (EC) No 1720/94 (amending Regulation), undertake to participate in an extensification programme in accordance with the measure referred to in Article 2 (1) (c) of Regulation (EEC) No 2078/92 shall not be authorized to temporarily lease and/or to transfer their rights throughout the period of that participation. However, this provision shall not apply:

- in cases where the extensification programme permits the transfer and/or temporary lease of rights to producers whose participation in the measures other than the extensification measure referred to in Article 2 of Regulation (EEC) No 2078/92 requires the acquisition of rights,
- to producers able to prove to the satisfaction of the competent authorities that, prior to the entry into force of Regulation (EC) No 1720/94, they had already notified those authorities of the transfer and/or temporary lease of rights in accordance with paragraph 2.'

Article 2

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

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

Done at Brussels, 14 July 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1721/94

of 14 July 1994

amending Regulation (EEC) No 1558/91 laying down detailed rules for the application of the system of production aid for products processed from fruit and vegetables

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

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 549/94 ⁽²⁾, and in particular Article 3 thereof,

Whereas, in order to benefit from the system of production aid, the processor must pay to the producer for the raw material a price at least equal to the minimum price; whereas experience in the management of the system shows the need to provide for the application of more rigorous checks on payment of the minimum price;

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

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EEC) No 1558/91 ⁽³⁾ is hereby amended as follows:

1. The following paragraph is added to Article 6:

'7. Payment of the producer by the processor for the raw material may, without prejudice to the case

described in Article 14, paragraph 2 (B) be made only by bank or postal transfer.'

2. In Article 14:

(a) in paragraph 1, point (d) is replaced by the following:

'(d) a declaration in which the processor specifies that the finished products comply with the quality standards laid down by the Community.'

(b) in paragraph 2, points (a) and (b) are replaced by the following:

'(a) a copy of the transfer referred to in Article 6 (7), or

(b) in the case of supply commitments, a declaration by the producer that the processor paid him by transfer a price at least equal to the minimum price, or credited to him such a price. This declaration must specify the reference numbers of the contracts to which they relate.'

3. In Article 16 (2), point (b) is replaced by the following:

'(b) on the transfers referred to in Article 6 (7).'

Article 2

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

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

Done at Brussels, 14 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 69, 12. 3. 1994, p. 5.

⁽³⁾ OJ No L 144, 8. 6. 1991, p. 31.

COMMISSION REGULATION (EC) No 1722/94

of 14 July 1994

concerning Regulation (EC) No 1606/94 relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Community, on the one part and the Republic of Bulgaria and Romania on the other part

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 (EC) No 2193/93⁽²⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EC) No 1606/94 of 1 July 1994 amending Regulation (EC) No 335/94 relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Community and the Republic of Bulgaria and Romania⁽³⁾ specifies the quantity of common wheat originating in Romania which enjoy preferential access under the Interim Agreement concluded with that country;

Whereas the Commission must fix a single coefficient for reducing the quantities in the import licences applied for where these quantities exceed the quantities in the annual quota; whereas applications for import licences submitted

on 11 July 1994 for common wheat from Romania related to 20 000 tonnes and the maximum quantity that may be imported is 17 020 tonnes at a levy reduced by 60 %; whereas the corresponding percentage reductions for import licence applications submitted on 11 July 1994 should be fixed,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for licences for 'Romania' quota provided for in Regulation (EC) No 1606/94 at a levy reduced by 60 % for common wheat falling within CN code 1001 90 99 submitted on 11 July 1994 and forwarded to the Commission, shall be accepted for the tonnages indicated therein multiplied by a coefficient of 0,851.

Article 2

This Regulation shall enter into force on 15 July 1994.

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

Done at Brussels, 14 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 168, 2. 7. 1994, p. 13.

COMMISSION REGULATION (EC) No 1723/94

of 14 July 1994

suspending advance fixing of the export refunds for certain products processed from cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular the first subparagraph of Article 13 (7) thereof,

Whereas Article 13 (7) of Regulation (EEC) No 1766/92 provides that the provisions concerning advance fixing of the refund may be suspended if the market situation shows that the application of these provisions is causing or is likely to cause difficulties;

Whereas there is a danger that, if arrangements are adhered to, refunds could be fixed in advance in the short term for quantities considerably in excess of the quantities which might be expected under more normal conditions;

Whereas the above situation requires that application of the provisions concerning advance fixing of refunds for the product concerned be temporarily suspended;

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

Advance fixing of the export refund for products listed in the Annex is suspended from 15 July to 31 August 1994 inclusive.

Article 2

This Regulation shall enter into force on 15 July 1994.

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

Done at Brussels, 14 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.

ANNEX

to the Commission Regulation of 14 July 1994 suspending advance fixing of the export
refunds for certain products processed from cereals

CN code	Description
	The following products processed from cereals :
1702 30 } 1702 40 }	Glucose and glucose syrup
1702 90	Other, including invert sugar
2106 90	Food preparations not elsewhere specified or included

COMMISSION REGULATION (EC) No 1724/94
of 14 July 1994
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 230/94 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EC) No 1525/94 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1525/94 to the prices

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 referred to in Article 14 of Regulation (EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 July 1994.

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

Done at Brussels, 14 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 162, 30. 6. 1994, p. 59.

ANNEX

to the Commission Regulation of 14 July 1994 fixing the import levies on milk and milk products

(ECU/100 kg net weight, unless otherwise indicated)

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0401 10 10		17,30	0403 10 16	(°)	2,0835/kg + 26,22
0401 10 90		16,09	0403 10 22		25,83
0401 20 11		23,42	0403 10 24		30,49
0401 20 19		22,21	0403 10 26		72,96
0401 20 91		28,08	0403 10 32	(°)	0,1979/kg + 25,01
0401 20 99		26,87	0403 10 34	(°)	0,2445/kg + 25,01
0401 30 11		70,55	0403 10 36	(°)	0,6692/kg + 25,01
0401 30 19		69,34	0403 90 11		123,62
0401 30 31		134,48	0403 90 13		178,67
0401 30 39		133,27	0403 90 19		215,60
0401 30 91		224,39	0403 90 31	(°)	1,1637/kg + 26,22
0401 30 99		223,18	0403 90 33	(°)	1,7142/kg + 26,22
0402 10 11	(°)	123,62	0403 90 39	(°)	2,0835/kg + 26,22
0402 10 19	(°)(°)	116,37	0403 90 51		25,83
0402 10 91	(°)(°)	1,1637/kg + 26,22	0403 90 53		30,49
0402 10 99	(°)(°)	1,1637/kg + 18,97	0403 90 59		72,96
0402 21 11	(°)	178,67	0403 90 61	(°)	0,1979/kg + 25,01
0402 21 17	(°)	171,42	0403 90 63	(°)	0,2445/kg + 25,01
0402 21 19	(°)(°)	171,42	0403 90 69	(°)	0,6692/kg + 25,01
0402 21 91	(°)(°)	215,60	0404 10 02		23,77
0402 21 99	(°)(°)	208,35	0404 10 04		178,67
0402 29 11	(°)(°)(°)	1,7142/kg + 26,22	0404 10 06		215,60
0402 29 15	(°)(°)	1,7142/kg + 26,22	0404 10 12		123,62
0402 29 19	(°)(°)	1,7142/kg + 18,97	0404 10 14		178,67
0402 29 91	(°)(°)	2,0835/kg + 26,22	0404 10 16		215,60
0402 29 99	(°)(°)	2,0835/kg + 18,97	0404 10 26	(°)	0,2377/kg + 18,97
0402 91 11	(°)	39,39	0404 10 28	(°)	1,7142/kg + 26,22
0402 91 19	(°)	39,39	0404 10 32	(°)	2,0835/kg + 26,22
0402 91 31	(°)	49,24	0404 10 34	(°)	1,1637/kg + 26,22
0402 91 39	(°)	49,24	0404 10 36	(°)	1,7142/kg + 26,22
0402 91 51	(°)	134,48	0404 10 38	(°)	2,0835/kg + 26,22
0402 91 59	(°)	133,27	0404 10 48	(°)	0,2377/kg
0402 91 91	(°)	224,39	0404 10 52	(°)	1,7142/kg + 6,04
0402 91 99	(°)	223,18	0404 10 54	(°)	2,0835/kg + 6,04
0402 99 11	(°)	53,61	0404 10 56	(°)	1,1637/kg + 6,04
0402 99 19	(°)	53,61	0404 10 58	(°)	1,7142/kg + 6,04
0402 99 31	(°)(°)	1,3085/kg + 22,60	0404 10 62	(°)	2,0835/kg + 6,04
0402 99 39	(°)(°)	1,3085/kg + 21,39	0404 10 72	(°)	0,2377/kg + 18,97
0402 99 91	(°)(°)	2,2076/kg + 22,60	0404 10 74	(°)	1,7142/kg + 25,01
0402 99 99	(°)(°)	2,2076/kg + 21,39	0404 10 76	(°)	2,0835/kg + 25,01
0403 10 02		123,62	0404 10 78	(°)	1,1637/kg + 25,01
0403 10 04		178,67	0404 10 82	(°)	1,7142/kg + 25,01
0403 10 06		215,60	0404 10 84	(°)	2,0835/kg + 25,01
0403 10 12	(°)	1,1637/kg + 26,22	0404 90 11		123,62
0403 10 14	(°)	1,7142/kg + 26,22	0404 90 13		178,67

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0404 90 19		215,60	0406 90 31	(°) (°)	162,98
0404 90 31		123,62	0406 90 33	(°) (°)	162,98
0404 90 33		178,67	0406 90 35	(°) (°)	162,98
0404 90 39		215,60	0406 90 37	(°) (°)	162,98
0404 90 51	(°)	1,1637/kg + 26,22	0406 90 39	(°) (°)	162,98
0404 90 53	(°) (°)	1,7142/kg + 26,22	0406 90 50	(°) (°)	162,98
0404 90 59	(°)	2,0835/kg + 26,22	0406 90 61	(°) (°)	373,55
0404 90 91	(°)	1,1637/kg + 26,22	0406 90 63	(°) (°)	373,55
0404 90 93	(°) (°)	1,7142/kg + 26,22	0406 90 69	(°) (°)	373,55
0404 90 99	(°)	2,0835/kg + 26,22	0406 90 73	(°) (°)	162,98
0405 00 11	(°)	231,07	0406 90 75	(°) (°)	162,98
0405 00 19	(°)	231,07	0406 90 76	(°) (°)	162,98
0405 00 90		281,91	0406 90 78	(°) (°)	162,98
0406 10 20	(°) (°)	204,57	0406 90 79	(°) (°)	162,98
0406 10 80	(°) (°)	259,70	0406 90 81	(°) (°)	162,98
0406 20 10	(°) (°)	373,55	0406 90 82	(°) (°)	162,98
0406 20 90	(°) (°)	373,55	0406 90 84	(°) (°)	162,98
0406 30 10	(°) (°)	165,33	0406 90 85	(°) (°)	162,98
0406 30 31	(°) (°)	154,03	0406 90 86	(°) (°)	162,98
0406 30 39	(°) (°)	165,33	0406 90 87	(°) (°)	162,98
0406 30 90	(°) (°)	262,05	0406 90 88	(°) (°)	162,98
0406 40 10	(°) (°)	144,90	0406 90 93	(°) (°)	204,57
0406 40 50	(°) (°)	144,90	0406 90 99	(°) (°)	259,70
0406 40 90	(°) (°)	144,90	1702 10 10		67,41
0406 90 11	(°) (°)	216,68	1702 10 90		67,41
0406 90 13	(°) (°)	142,36	2106 90 51		67,41
0406 90 15	(°) (°)	142,36	2309 10 15		89,70
0406 90 17	(°) (°)	142,36	2309 10 19		116,46
0406 90 19	(°) (°)	373,55	2309 10 39		108,74
0406 90 21	(°) (°)	216,68	2309 10 59		88,84
0406 90 23	(°) (°)	162,98	2309 10 70		116,46
0406 90 25	(°) (°)	162,98	2309 90 35		89,70
0406 90 27	(°) (°)	162,98	2309 90 39		116,46
0406 90 29	(°) (°)	162,98	2309 90 49		108,74
			2309 90 59		88,84
			2309 90 70		116,46

(°) The levy on 100 kg of product falling within this code is equal to the sum of the following:

- (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product; and
- (b) the other amount indicated.

(°) The levy on 100 kg of product falling within this code is equal to:

- (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
- (b) the other amount indicated.

(°) Products falling within this code and imported from a third country

- for which an IMA 1 certificate, issued in accordance with Regulation (EEC) No 1767/82, is presented,
- for which an EUR 1 certificate, issued in accordance with amended Regulation (EEC) No 1316/93 for Sweden, amended Regulation (EEC) No 584/92 for Poland, the Czech and Slovak Republics and Hungary and Commission Regulation (EC) No 385/94 (OJ No L 50, 22. 2. 1994, p. 7) for Bulgaria and Romania, is presented,

shall be subject to the levies defined in the said Regulations, respectively.

(°) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.

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

COMMISSION REGULATION (EC) No 1725/94

of 14 July 1994

fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

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

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EC) No 3142/93⁽⁴⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain 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 Article 6 of Regulation (EC) No 3142/93 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 July 1994.

Article 2

This Regulation shall enter into force on 15 July 1994.

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

Done at Brussels, 14 July 1994.

For the Commission

René STEICHEN

Member of the Commission

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 281, 16. 11. 1993, p. 3.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 14 July 1994 fixing the maximum export refunds on olive oil for the 15th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

(ECU/100 kg)

Product code	Amount of refund (1)
1509 10 90 100	38,00
1509 10 90 900	58,00
1509 90 00 100	45,00
1509 90 00 900	—
1510 00 90 100	10,00
1510 00 90 900	—

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

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1726/94

of 14 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 13 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 15 July 1994.

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

Done at Brussels, 14 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 14 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	113,71 ⁽²⁾ ⁽³⁾
0712 90 19	113,71 ⁽²⁾ ⁽³⁾
1001 10 00	49,40 ⁽¹⁾ ⁽³⁾
1001 90 91	78,67
1001 90 99	78,67 ⁽²⁾
1002 00 00	103,32 ⁽⁶⁾
1003 00 10	101,30
1003 00 90	101,30 ⁽²⁾
1004 00 00	93,93
1005 10 90	113,71 ⁽²⁾ ⁽³⁾
1005 90 00	113,71 ⁽²⁾ ⁽³⁾
1007 00 90	117,12 ⁽⁴⁾
1008 10 00	26,16 ⁽²⁾
1008 20 00	36,17 ⁽⁴⁾ ⁽⁵⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	(⁷)
1008 90 90	0
1101 00 00	148,49 ⁽²⁾
1102 10 00	182,76
1103 11 10	111,54
1103 11 90	169,78
1107 10 11	150,91
1107 10 19	115,51
1107 10 91	191,19 ⁽¹⁰⁾
1107 10 99	145,61 ⁽²⁾
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 1727/94**of 14 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 13 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 15 July 1994.

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

Done at Brussels, 14 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 14 July 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	7	8	9	10
0709 90 60	0	0	1,02	0
0712 90 19	0	0	1,02	0
1001 10 00	0	0	0	2,72
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	1,02	0
1005 90 00	0	0	1,02	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	7	8	9	10	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 1728/94**of 14 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 1716/94⁽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 15 July 1994.

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

Done at Brussels, 14 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 180, 14. 7. 1994, p. 37.⁽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 14 July 1994 altering the import levies on products
processed from cereals and rice

(ECU/tonne)			(ECU/tonne)		
CN code	Import levies (7)		CN code	Import levies (7)	
	ACP	Third countries (other than ACP)		ACP	Third countries (other than ACP)
1102 30 00	120,00	123,02	1104 19 91	203,78	209,82
1102 90 30	168,61	174,65	1104 22 10 10 (3)	95,54	98,56
1103 12 00	168,61	174,65	1104 22 10 90 (4)	168,61	171,63
1103 14 00	120,00	123,02	1104 22 30	168,61	171,63
1103 29 30	168,61	174,65	1104 22 50	149,87	152,89
1103 29 50	120,00	123,02	1104 22 90	95,54	98,56
1104 12 10	95,54	98,56	1108 19 10	172,08	202,91
1104 12 90	187,34	193,38			

(3) Taric code: clipped oats.

(4) Taric code: CN code 1104 22 10, other than 'clipped oats'.

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

COMMISSION REGULATION (EC) No 1729/94
of 14 July 1994
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2666/93⁽⁵⁾, as last amended by Regulation (EC) No 1665/94⁽⁶⁾,

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 15 July 1994.

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

Done at Brussels, 14 July 1994.

For the Commission

René STEICHEN

Member of the Commission

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

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.
⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 4.
⁽⁶⁾ OJ No L 176, 9. 7. 1994, p. 10.

ANNEX

to the Commission Regulation of 14 July 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾)	Third countries (except ACP) (⁽³⁾)
1006 10 21	—	154,88	316,97
1006 10 23	—	158,42	324,05
1006 10 25	—	158,42	324,05
1006 10 27	243,04	158,42	324,05
1006 10 92	—	154,88	316,97
1006 10 94	—	158,42	324,05
1006 10 96	—	158,42	324,05
1006 10 98	243,04	158,42	324,05
1006 20 11	—	194,50	396,21
1006 20 13	—	198,93	405,06
1006 20 15	—	198,93	405,06
1006 20 17	303,80	198,93	405,06
1006 20 92	—	194,50	396,21
1006 20 94	—	198,93	405,06
1006 20 96	—	198,93	405,06
1006 20 98	303,80	198,93	405,06
1006 30 21	—	241,11	506,07
1006 30 23	—	299,27	622,32
1006 30 25	—	299,27	622,32
1006 30 27	466,74	299,27	622,32
1006 30 42	—	241,11	506,07
1006 30 44	—	299,27	622,32
1006 30 46	—	299,27	622,32
1006 30 48	466,74	299,27	622,32
1006 30 61	—	257,13	538,97
1006 30 63	—	321,21	667,13
1006 30 65	—	321,21	667,13
1006 30 67	500,35	321,21	667,13
1006 30 92	—	257,13	538,97
1006 30 94	—	321,21	667,13
1006 30 96	—	321,21	667,13
1006 30 98	500,35	321,21	667,13
1006 40 00	—	54,21	114,42

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 1730/94
of 14 July 1994

fixing the premiums to be added to the import levies on rice and broken rice

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

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2667/93 ⁽³⁾, as last amended by Regulation (EC) No 1666/94 ⁽⁴⁾;

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

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 2

This Regulation shall enter into force on 15 July 1994.

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

Done at Brussels, 14 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 245, 1. 10. 1993, p. 7.

⁽⁴⁾ OJ No L 176, 9. 7. 1994, p. 12.

ANNEX

to the Commission Regulation of 14 July 1994 fixing the premiums to be added to the import levies on rice and broken rice

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

COMMISSION REGULATION (EC) No 1731/94
of 14 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 last amended by Regulation (EC) No 1713/94 ⁽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 13 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 15 July 1994.

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

Done at Brussels, 14 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 180, 14. 7. 1994, p. 31.

*ANNEX***to the Commission Regulation of 14 July 1994 fixing the import levies on white sugar and raw sugar**

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	34,58 ⁽¹⁾
1701 11 90	34,58 ⁽¹⁾
1701 12 10	34,58 ⁽¹⁾
1701 12 90	34,58 ⁽¹⁾
1701 91 00	41,40
1701 99 10	41,40
1701 99 90	41,40 ⁽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 1732/94**of 14 July 1994****altering the export refunds on syrups and certain other sugar sector products
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 Article 19 (4) thereof,

Whereas the refunds on syrups and certain other sugar products were fixed by Regulation (EC) No 1578/94⁽³⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in amended Regulation (EC)

No 1578/94 to the information at present available to the Commission that the export refunds at present in force should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, as fixed in the Annex to Regulation (EC) No 1578/94 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 July 1994.

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

Done at Brussels, 14 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 166, 1. 7. 1994, p. 110.

ANNEX

to the Commission Regulation of 14 July 1994 altering the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	35,17 ⁽²⁾ ⁽³⁾
1702 60 10 000	35,17 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 000	0,3517 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	35,17 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3517 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3517 ⁽¹⁾ ⁽³⁾
1702 90 90 900	0,3517 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	35,17 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3517 ⁽¹⁾ ⁽³⁾

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

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

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

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92.

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

SEVENTEENTH COMMISSION DIRECTIVE 94/32/EC

of 29 June 1994

adapting to technical progress Annexes II, III, V, VI and VII of Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products⁽¹⁾, as last amended by Commission Directive 93/47/EEC⁽²⁾, and in particular Article 8 (2) thereof,

After consultation of the Scientific Committee on Cosmetology,

Whereas, on the basis of the latest scientific and technical research, certain provisionally permitted substances, preservatives and ultraviolet filters may be definitively permitted, whilst others must be definitively prohibited or be permitted for a further specified period;

Whereas in order to protect public health, it is necessary to prohibit the use of 2-Methyl-m-phenylenediamine;

Whereas, on the basis of the latest scientific and technical research, the use of strontium hydroxide may be permitted subject to certain restrictions and conditions and the obligatory inclusion of health warnings on the label;

Whereas, on the basis of the latest scientific and technical research, Polymer of N-[(2 and 4)-(2-oxoborn-3ylidene)methyl]benzyl]acrylamide may be used as ultraviolet filter in cosmetic products up to 30 June 1995 subject to certain restrictions and conditions;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Committee on the Adaptation to Technical Progress of the Directives on the Removal of Technical Barriers to Trade in the Cosmetic Products Sector,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 76/768/EEC is hereby amended as follows:

1. In Annex II, the following reference number is added:

'413. 2-Methyl-m-phenylenediamine';

2. In Annex III, Part 1:

(a) reference number 59 is replaced by the following:

a	b	c	d	e	f
'59	Talc: Hydrated magnesium silicate	(a) Powdery products intended to be used for children under three years of age (b) other products			Keep powder away from children's nose and mouth'

⁽¹⁾ OJ No L 262, 27. 9. 1976, p. 169.

⁽²⁾ OJ No L 203, 13. 8. 1993, p. 24.

(b) the following reference numbers are added :

a	b	c	d	e	f
'63	Strontium hydroxide	pH-regulator in depilatory products	3,5 % calculated as strontium, max. pH of 12,7		— Keep out of reach of children — Avoid contact with the eyes
64	Strontium peroxide	Rinse-off hair care preparations professional use	4,5 % calculated as strontium in the ready-for-use preparation	All products must meet the hydrogen peroxide release requirements	— Avoid contact with eyes — Rinse eyes immediately if product comes into contact with them — For professional use only — Wear suitable gloves'

3. In Annex III, Part 2 :

(a) reference number 1 is deleted ;

(b) '30. 6. 1994' in reference number 3 is replaced by '30. 6. 1995'.

4. In Annex V, reference number 5 is replaced by the following number :

'5. Strontium and its compounds, with the exception of strontium lactate, strontium nitrate and strontium polycarboxylate listed in Annex II, strontium sulphide, strontium chloride, strontium acetate, strontium hydroxide, strontium peroxide, under the conditions laid down in Annex III, Part 1 and of strontium lakes, pigments and salts of the colouring agents listed with the reference (3) in Annex IV, Part 1.'

5. In Annex VI, Part 1 :

(a) reference number 14 is replaced by the following number :

a	b	c	d	e
'14	Formic acid and its sodium salt (+)	0,5 % (expressed as acid)		

(b) the following reference numbers are added :

a	b	c	d	e
'48	Glutaraldehyde (Pentane-1,5-dial)	0,1 %	Prohibited in aerosols (sprays)	Contains glutaraldehyde (where glutaraldehyde concentration in the finished product exceeds 0,05 %)
49	5-Ethyl-3,7-dioxa-1-azabicyclo [3.3.0] octane	0,3 %	Prohibited in oral hygiene products and in products intended to come into contact with mucous membranes'	

6. In Annex VI, Part 2:

(a) reference numbers 26, 27 and 28 are deleted;

(b) reference number 21 is replaced by the following number:

a	b	c	d	e	f
'21	Benzylhemiformal	0,03 %	For rinse-off products only		30. 6. 1995'

(c) '30. 6. 1994' in reference numbers 2, 15, 16, 29 and 30 is replaced by '30. 6. 1995'.

7. In Annex VII, Part 1:

(a) reference number 7 is replaced by the following number:

a	b	c	d	e
'7	3,3'-(1,4-Phenylenedimethylene) bis (7,7-dimethyl-2-oxobicyclo-[2,2,1]hept-1-ylmethanesulfonic acid) and its salts	10 % (expressed as acid)		

(b) the following reference number is added:

a	b	c	d	e
'9	alpha-(2-Oxoborn-3-ylidene)-toluene-4-sulphonic acid and its salts	6 % (expressed as acid)		

8. In Annex VII, Part 2:

(a) reference numbers 24 and 28 are deleted;

(b) the following reference number is added:

a	b	c	d	e	f
'34	Polymer of N-[(2 and 4)-[2-oxoborn-3-ylidene)methyl]benzyl]acrylamide-	6 %			30. 6. 1995'

(c) '30. 6. 1994' in reference numbers 2, 5, 6, 12, 13, 17, 25, 26, 29, 32 and 33 is replaced by '30. 6. 1995'.

Article 2

1. The Member States shall take all the necessary measures to ensure that as from 1 July 1995 for the substances mentioned in Article 1, neither manufacturers nor importers established in the Community shall place on the market products which do not comply with the requirements of this Directive.

2. Member States shall take the necessary measures to ensure that the products referred to in paragraph 1 containing the substances mentioned in Article 1 shall not be sold or otherwise supplied to the final consumer after 30 June 1996 if they do not comply with the requirements of this Directive.

Article 3

1. Member States shall bring into force the laws, regulations and administrative provisions needed to comply with this Directive no later than 30 June 1995. They shall forthwith inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

2. Member States shall communicate to the Commission the provisions of national law which they adopt in the field governed by this Directive.

Article 4

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

Done at Brussels, 29 June 1994.

For the Commission
Christiane SCRIVENER
Member of the Commission

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 June 1994

laying down the criteria for classifying third countries and parts thereof with regard to avian influenza and Newcastle disease in relation to imports of fresh poultrymeat and amending Decision 93/342/EEC

(94/438/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in and imports from third countries of poultry and hatching eggs⁽¹⁾, as last amended by Directive 93/120/EC⁽²⁾, and in particular Article 22 (2) and (3) thereof,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat⁽³⁾, as last amended by Directive 93/121/EC⁽⁴⁾, and in particular Article 10 (2) and (3) thereof,

Whereas Commission Decision 93/342/EEC⁽⁵⁾, which laid down criteria for classifying third countries with regard to avian influenza and Newcastle disease in relation to imports of live poultry, hatching eggs and fresh poultrymeat, took into account the standards laid down in Council Directives 92/40/EEC⁽⁶⁾ and 92/66/EEC⁽⁷⁾;

Whereas, in accordance with Directive 93/121/EC, international standards on avian influenza and Newcastle disease are applied to imports of fresh poultrymeat;

Whereas, therefore, new criteria have to be established for classifying third countries with regard to avian influenza and Newcastle disease in relation to imports of fresh poultrymeat, and Decision 93/342/EEC has to be amended so as to restrict its application to imports of live poultry and hatching eggs;

Whereas it is necessary to prescribe the conditions under which regionalization of third countries with regard to avian influenza and Newcastle disease is possible;

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

HAS ADOPTED THIS DECISION:

Article 1

For the purpose of this Decision:

- (a) 'part of the territory' means a part of a third country of sufficient size, which is well defined geographically or administratively, taking into account the epizootiological situation;
- (b) 'emergency vaccination' means vaccination used as a means of controlling the disease following one or more outbreaks and carried out:

⁽¹⁾ OJ No L 303, 31. 10. 1990, p. 6.

⁽²⁾ OJ No L 340, 31. 12. 1993, p. 35.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 35.

⁽⁴⁾ OJ No L 340, 31. 12. 1993, p. 39.

⁽⁵⁾ OJ No L 137, 8. 6. 1993, p. 24.

⁽⁶⁾ OJ No L 167, 22. 6. 1992, p. 1.

⁽⁷⁾ OJ No L 260, 5. 9. 1992, p. 1.

- (i) against avian influenza using any vaccine containing avian influenza viruses of the same subtypes as those for which highly pathogenic viruses are known to exist (at the time of adoption, H5 and H7 subtypes);
- (ii) against Newcastle disease using vaccines prepared from a Newcastle disease virus master seed which shows a higher pathogenicity than lentogenic strains of the virus;
- (c) 'sanitary slaughter policy' means the application, in case of outbreaks of avian influenza or Newcastle disease of the measures provided for in Annex C to Decision 93/342/EEC;
- (d) 'commercial flock' means any flock consisting of at least 200 birds and any other flocks from which the poultry meat is liable to be exported to the Community.
- (j) in cases where vaccination against avian influenza and/or Newcastle disease is not forbidden, importation, production, testing and distribution of all batches of such vaccines must be officially controlled; this implies registration for which the competent authorities have to rely on a complete file containing data about efficacy and innocuity; for imported vaccines the competent authorities can rely on data checked by the competent authorities of the country where the vaccine is produced, whenever these checks have been carried out in conformity with internationally accepted standards;
- (k) it must communicate to the Commission the characteristics of each strain used for the production of vaccines against avian influenza or Newcastle disease.

Article 2

A third country is classified as free from avian influenza and Newcastle disease if it fulfils at least the following general requirements:

- (a) it must have a general animal health structure allowing adequate monitoring of poultry flocks;
- (b) it must have legislation which makes avian influenza and Newcastle disease, defined no less strictly than fowl plague (avian influenza) and Newcastle disease in the Zoosanitary Code of the Office international des epizooties, notifiable diseases for all species of poultry and for all birds kept in captivity throughout the country;
- (c) it must undertake to examine closely every suspected outbreak of these diseases;
- (d) it must submit samples of each avian influenza virus or paramyxovirus found in the event of a suspected outbreak to specific laboratory testing;
- (e) it must have at its disposal laboratory capacity in its own official laboratories or have arrangements with other national laboratories for rapid testing;
- (f) it must send a list of these laboratories, as well as a description of the methods used for the diagnosis and pathotyping of avian influenza and Newcastle disease to the Commission and allow checking of them by experts from the Community;
- (g) for each initial outbreak it must send virus isolates to the EC reference laboratory in Weybridge (Addlestone, United Kingdom);
- (h) it must notify to the Commission, within 24 hours after confirmation, of initial outbreaks in each previously free part of its territory;
- (i) it must send to the Commission, at least monthly in the event of subsequent outbreaks in the same part of the territory, a report on the disease situation;

Article 3

1. Without prejudice to the general requirements laid down in Article 2, a third country is classified as free from avian influenza if:

- (a) no outbreaks of that disease have occurred in poultry on its territory for at least 36 months;
- and
- (b) no vaccinations against avian influenza viruses of the same subtypes as those for which highly pathogenic viruses are known to exist (currently, H5 and H7 subtypes) have been carried out for at least 12 months.

2. Where a sanitary slaughter policy is practised to control the disease and without prejudice to paragraph 1 (b), the period of 36 months mentioned in paragraph 1 (a) is reduced to:

- (a) six months if no emergency vaccination has been carried out;
- (b) 12 months if emergency vaccination has been carried out, provided that at least 12 months have elapsed after the official cessation of this emergency vaccination.

Article 4

1. Without prejudice to the general requirements laid down in Article 2, a third country is classified as free from Newcastle disease for the first time if:

- (a) no outbreaks of the disease have occurred in poultry on its territory for at least 36 months;
- and

(b) no vaccinations against Newcastle disease using vaccines prepared from a Newcastle disease virus master seed which shows a higher pathogenicity than lentogenic strains of the virus have been carried out for at least 12 months.

2. Where a sanitary slaughter policy is practised to control the disease, and without prejudice to paragraph 1 (b), the period of 36 months mentioned in paragraph 1 (a) is reduced to:

(a) six months if no emergency vaccination has been carried out;

(b) 12 months if emergency vaccination has been carried out, provided that at least 12 months have elapsed after the official cessation of this emergency vaccination.

3. By way of derogation from paragraphs 1 (a) and 2 (a), a third country is classified as free from Newcastle disease if the criteria set out in paragraphs 1 or 2 are met only in the case of commercial flocks or if it allows the use of vaccines prepared from a Newcastle disease virus master seed which shows a higher pathogenicity than lentogenic strains of the virus.

In this case the third country concerned will be authorized to send fresh poultrymeat to the Community if the additional guarantees laid down in the Annex are included in the accompanying animal health certificate.

Article 5

The provisions of Article 10 (1) of Directive 91/494/EEC and of Articles 3 and 4 apply *mutatis mutandis* to parts of the territory which comply with the requirements laid down therein, provided that satisfactory guarantees have been given as to:

- movement restrictions *vis-à-vis* other parts of the territory which are not free from avian influenza and/or Newcastle disease,
- serological screening when necessary,
- other possible measures.

Article 6

Decision 93/342/EEC is amended as follows:

1. the title is replaced by the following:

'Commission Decision of 12 May 1993 laying down the criteria for classifying third countries with regard to avian influenza and Newcastle disease in relation to imports of live poultry and hatching eggs';

2. Article 1 (f) is replaced by the following:

'(f) "Part of the territory" means a part of a third country of sufficient size, which is well defined geographically or administratively, taking into account the epizootiological situation.';

3. in Article 2, points (f) to (i) are replaced by the following:

'(f) it must send a list of these laboratories, as well as a description of the methods used for diagnosis and pathotyping of avian influenza and Newcastle disease to the Commission and allow checking of them by experts from the Community;

(g) for each primary outbreak it must send virus isolates to the EC reference laboratory in Weybridge (Addlestone, United Kingdom);

(h) it must notify to the Commission, within 24 hours after confirmation, of initial outbreaks in each previously free part of its territory;

(i) it must send to the Commission, at least monthly in the event of subsequent outbreaks in the same part of the territory, a report on the disease situation';

4. Article 4 (3) is deleted;

5. in the second subparagraph of Article 4 (4), 'or fresh poultrymeat' and 'or Annex F' are deleted;

6. a new Article 4a is inserted:

Article 4a

The provisions of Article 22 (1) of Directive 90/539/EEC and of Articles 3 and 4 of this Decision apply *mutatis mutandis* to parts of the territory which comply with the requirements laid down therein, provided that satisfactory guarantees have been given as to:

- movement restrictions *vis-à-vis* other parts of the territory which are not free from avian influenza and/or Newcastle disease,
- serological screening when necessary,
- other possible measures.';

7. Annexes D and F are deleted;

8. Annex E is replaced by the following :

ANNEX E

ADDITIONAL GUARANTEES TO BE INCLUDED IN THE ANIMAL HEALTH CERTIFICATE FOR IMPORT OF LIVE POULTRY OR HATCHING EGGS INTO THE COMMUNITY FROM THIRD COUNTRIES WHERE ARTICLE 4 (4) OF DECISION 93/342/EEC APPLIES

Although the use of vaccines against Newcastle disease which do not fulfil the specific criteria of Annex B, heading 2 of Decision 93/342/EEC is not prohibited in (°), the :

- live poultry (°),
- breeding poultry from which the hatching eggs (°) / day-old chicks (°) are derived :
 - (a) have not been vaccinated for at least 12 months with such vaccines ;
and
 - (b) originate from a flock which has undergone, no earlier than 14 days preceding consignment or collecting of hatching eggs, on the basis of a random sample of cloacal swabs of at least 60 birds of each flock concerned, a virus isolation test for Newcastle disease, carried out in an official laboratory, in which no avian paramyxoviruses with an Intracerebral Pathogenicity Index (ICPI) of more than 0,4 have been found ;
and
 - (c) have not been in contact during the last 60 days before consignment or collecting of hatching eggs, with poultry which do not fulfil the guarantees mentioned respectively under (a) and (b) ;
and
 - (d) have been isolated under official surveillance on the holding of origin during the 14-day period mentioned in (b) ;
and

when it concerns export of day-old chicks, the hatching eggs from which they hatched have not been in contact in the hatchery or during transport with eggs or poultry which do not fulfil the abovementioned guarantees.

(°) Name of the country of origin.

(°) Delete where not applicable.

Article 7

This Decision shall apply from 1 July 1994.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 7 June 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX***ADDITIONAL GUARANTEES TO BE INCLUDED IN THE ANIMAL HEALTH CERTIFICATE
FOR IMPORT OF FRESH POULTRY MEAT INTO THE COMMUNITY FROM THIRD COUN-
TRIES WHERE ARTICLE 4 (3) OF DECISION 94/438/EC APPLIES**

The commercial slaughter poultry flock from which the meat is issued :

- (a) has not been vaccinated with vaccines prepared from a Newcastle disease virus master seed which shows a higher pathogenicity than lentogenic strains of the virus ;
and
 - (b) has undergone at slaughter, on the basis of an at random sample of cloacal swabs of at least 60 birds of each flock concerned, a virus isolation test for Newcastle disease, carried out in an official laboratory, in which no avian paramyxoviruses with an Intracerebral Pathogenicity Index (ICPI) of more than 0,4 have been found ;
and
 - (c) has not been in contact during the period of 30 days preceding slaughter with poultry which do not fulfil the guarantees mentioned under (a) and (b).
-

COMMISSION DECISION
of 15 June 1994
on amendment of Annex II of Council Directive 92/44/EEC
(94/439/EC)

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

Having regard to Council Directive 92/44/EEC of 5 June 1992 on the application of open network provision (ONP) to leased lines⁽¹⁾, and in particular Article 7 (3) thereof,

Whereas Council Directive 90/387/EEC of 28 June 1990 on the establishment of the internal market for telecommunications services through the implementation of open network provision⁽²⁾ in its Annex III calls for the adoption of a directive on the application of ONP to leased lines and sets up the ONP Committee to assist the Commission in the implementation of that directive;

Whereas Article 7 (3) of Directive 92/44/EEC provides for the modification of its Annex II in order to adapt it to new technical developments and to changes in market demand, taking into account the state of development of national networks;

Whereas the European Telecommunications Standards Institute (ETSI) has adopted European Telecommunications Standards (ETSS) for 2048 kbit/s unstructured and 64 kbit/s leased lines, developed on the basis of a standardization mandate issued by the Commission;

Whereas a transition period up to 31 December 1996 is appropriate before provision by telecommunications organizations of leased lines according to these ETSS becomes mandatory on the basis of Article 7 (1) of Directive 92/44/EEC; whereas during that period telecommunications organizations may provide leased lines in accordance with these ETSS as part of the minimum set instead of the corresponding CCITT recommendations included in Annex II of Directive 92/44/EEC;

Whereas there is no requirement for telecommunications organizations to withdraw any existing leased lines offerings either during or after this transition period; whereas in accordance with Article 7 (4) of Directive

92/44/EEC, the provision of other leased lines beyond the minimum set of leased lines in Annex II to that Directive shall not impede the provision of this minimum set of leased lines;

Whereas, in accordance with Article 7 (3) of Directive 92/44/EEC, the Commission has submitted the draft Decision for an opinion of the ONP Committee, under the procedure provided for in Article 10 of Directive 90/387/EEC;

Whereas the amendment to Annex II of Directive 92/44/EEC adopted in this Decision is in accordance with the opinion of the ONP Committee delivered on 27 April 1994,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Directive 92/44/EEC is replaced by the Annex to this Decision.

Article 2

Member States shall take the necessary measures to comply with this Decision within two months of the date of its publication in the *Official Journal of the European Communities*.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 15 June 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 165, 19. 6. 1992, p. 27.

⁽²⁾ OJ No L 192, 24. 7. 1990, p. 1.

ANNEX

ANNEX II

DEFINITION OF A MINIMUM SET OF LEASED LINES WITH HARMONIZED TECHNICAL CHARACTERISTICS, IN ACCORDANCE WITH ARTICLE 7

Leased line type	Technical characteristics ⁽¹⁾	
	Interface presentation specification	Connection characteristics and performance specifications
Ordinary quality voice bandwidth	2 or 4 wire analogue	ITU-T M.1040
Special quality voice bandwidth	2 or 4 wire analogue	ITU-T M.1020/M.1025
64 kbit/s digital ⁽²⁾	ETS 300 288 ⁽³⁾	ETS 300 289 ⁽⁴⁾
2 048 kbit/s digital unstructured ⁽⁵⁾	ETS 300 246 ⁽⁶⁾	ETS 300 247 ⁽⁷⁾
2 048 kbit/s digital structured	ITU-T G.703 and G.704 (excluding section 5) ⁽⁸⁾	Relevant ITU-T G.800 series recommendations In-service monitoring ⁽⁹⁾

⁽¹⁾ The ITU-T recommendations referenced refer to the 1988 version. ETSI has been requested to carry out further work on standards for leased lines.

⁽²⁾ The attachment requirements for terminal equipment to be connected to these leased lines are described in Common Technical Regulation 14 (CTR 14).

⁽³⁾ Until 31 December 1996 leased lines may be provided in accordance with ITU-T G.703 instead of ETS 300 288. For an interim period extending beyond 31 December 1996, leased lines may be provided using other interfaces, based on X 21 or X 21 bis, instead of ETS 300 288.

⁽⁴⁾ Until 31 December 1996 leased lines may be provided in accordance with relevant ITU-T G.800 series recommendations of ETS 300 289.

⁽⁵⁾ The attachment requirements for terminal equipment to be connected to these leased lines are described in CTR 12.

⁽⁶⁾ Until 31 December 1996 leased lines may be provided in accordance with ITU-T G.703 instead of ETS 300 246.

⁽⁷⁾ Until 31 December 1996 leased lines may be provided in accordance with relevant ITU-T G.800 series recommendations instead of ETS 300 247.

⁽⁸⁾ With cyclic redundancy checking in accordance with ITU-T G.706.

⁽⁹⁾ In-service monitoring can facilitate improved maintenance by the telecommunications organization.

For the types of leased lines listed above, the specifications referred to also define the network termination points (NTPs), in accordance with the definition given in Article 2 of Directive 90/387/EEC.

CORRIGENDA**Corrigendum to Commission Regulation (EEC) No 2551/93 of 10 August 1993 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff**

(Official Journal of the European Communities No L 241 of 27 September 1993)

On page 164 in the first line of Additional note 3.B (a):

for: '... 2204 21 11 to 2204 21 90 and 2204 29 11 to ...',

read: '... 2204 21 21 to 2204 21 90 and 2204 29 21 to ...'.

On page 165 in the first line of Additional note 8:

for: '... 2204 21 11 to 2204 21 58 and 2204 29 11 to 2204 29 48 ...',

read: '... 2204 21 21, 2204 21 23, 2204 21 31, 2204 21 33, 2204 29 21, 2204 29 23, 2204 29 31 and 2204 29 33, ...'.

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

(Official Journal of the European Communities No L 157 of 24 June 1994)

On page 9 in the Title, in the third paragraph and in the first line of Article 1:

for: '... Regulation (EEC) No 1748/93 ...',

read: '... Regulation (EEC) No 1784/93 ...'.

Corrigendum to Commission Regulation (EC) No 1717/94 of 13 July 1994 concerning Regulation (EC) No 121/94 relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Community and the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic

(Official Journal of the European Communities No L 180 of 14 July 1994)

On page 39, in the third line of Articles 2 and 3:

for: '... CN code 1003 00 99 ...',

read: '... CN code 1003 00 90 ...'.
