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## Legislation

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## I

*(Acts whose publication is obligatory)*

## COMMISSION REGULATION (EC) No 2191/94

of 8 September 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 3179/93 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 1900/92 <sup>(4)</sup>, 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 <sup>(5)</sup>, as last amended by Regulation (EEC) No 1901/92 <sup>(6)</sup>, 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 <sup>(7)</sup>, as last amended by Regulation (EEC) No 413/86 <sup>(8)</sup>, 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 <sup>(9)</sup>, as last amended by Regulation (EEC) No 1902/92 <sup>(10)</sup>, 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 <sup>(11)</sup>,

Whereas by Regulation (EEC) No 3131/78 <sup>(12)</sup>, 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 <sup>(13)</sup> 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 <sup>(14)</sup>, 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 5 and 6 September 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

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

<sup>(2)</sup> OJ No L 285, 20. 11. 1993, p. 9.

<sup>(3)</sup> OJ No L 169, 28. 6. 1976, p. 24.

<sup>(4)</sup> OJ No L 192, 11. 7. 1992, p. 1.

<sup>(5)</sup> OJ No L 169, 28. 6. 1976, p. 43.

<sup>(6)</sup> OJ No L 192, 11. 7. 1992, p. 2.

<sup>(7)</sup> OJ No L 169, 28. 6. 1976, p. 9.

<sup>(8)</sup> OJ No L 48, 26. 2. 1986, p. 1.

<sup>(9)</sup> OJ No L 142, 9. 6. 1977, p. 10.

<sup>(10)</sup> OJ No L 192, 11. 7. 1992, p. 3.

<sup>(11)</sup> OJ No L 181, 21. 7. 1977, p. 4.

<sup>(12)</sup> OJ No L 370, 30. 12. 1978, p. 60.

<sup>(13)</sup> OJ No L 331, 28. 11. 1978, p. 6.

<sup>(14)</sup> 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 9 September 1994.

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

Done at Brussels, 8 September 1994.

*For the Commission*

René STEICHEN

*Member of the Commission*

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## ANNEX I

Minimum import levies on olive oil <sup>(1)</sup>

*(ECU/100 kg)*

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

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

<sup>(2)</sup> 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.

<sup>(3)</sup> 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.

<sup>(4)</sup> 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 <sup>(1)</sup>

*(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                 |

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

## COMMISSION REGULATION (EC) No 2192/94

of 7 September 1994

re-establishing the levying of customs duties on certain industrial products originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries <sup>(1)</sup>, extended for 1994 by Regulation (EC) No 3668/93 <sup>(2)</sup>, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded from 1 July to 31 December 1994 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of the products of the order Nos and origins indicated in the table below, the individual ceiling is fixed at the levels indicated in that table; whereas that ceiling was reached, on the date indicated below, by charges of imports into the Community of the products in question:

| Order No | Origin | Ceiling (ECU) | Date        |
|----------|--------|---------------|-------------|
| 10.0480  | China  | 2 414 500     | 20. 8. 1994 |

Whereas, it is appropriate to re-establish the levying of customs duties for the products in question,

HAS ADOPTED THIS REGULATION:

*Article 1*

As from 12 September 1994, the levying of customs duties, suspended from 1 July to 31 December 1994, pursuant to Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the products indicated in the table below:

| Order No | CN code    | Description                                                    | Origin |
|----------|------------|----------------------------------------------------------------|--------|
| 10.0480  | 3923 21 00 | Sacks and bags (including cones):<br>— Of polymers of ethylene | China  |

<sup>(1)</sup> OJ No L 370, 31. 12. 1990, p. 1.

<sup>(2)</sup> OJ No L 338, 31. 12. 1993, p. 22.

*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, 7 September 1994.

*For the Commission*

Christiane SCRIVENER

*Member of the Commission*

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## COMMISSION REGULATION (EC) No 2193/94

of 8 September 1994

amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code<sup>(1)</sup>, and in particular Article 249 thereof,

Whereas, in order to ensure equality of treatment for the persons concerned, it is desirable to make it clear that under Commission Regulation (EEC) No 2454/93<sup>(2)</sup>, as last amended by Regulation (EC) No 1500/94<sup>(3)</sup>, goods may in some cases be released for free circulation, following temporary storage, using the local clearance procedure; whereas a clear distinction should be made between the various possible situations; whereas the obligations entailed by the local clearance procedure should be matched to those situations;

Whereas Regulation (EEC) No 2454/93 contains provisions concerning the stamp and the destination of the various sheets of the consignment note CIM for goods imported from third countries by rail;

Whereas it is desirable to amend these provisions to cover the case where such goods are placed under a customs procedure in the course of their journey and forwarded to the Member State of destination under the cover of the original consignment note CIM;

Whereas it is desirable to specify the means of identification provided for under the inward processing procedure and to provide expressly for a documentary check as a means of verifying that the compensating products have been obtained from the import goods;

Whereas Community inward processing rules have been conceived in such a way as to decentralize, as far as possible, the different aspects relating to the arrangements; whereas they provide *inter alia* that an authorization may be issued only where the essential interests of Community producers are not adversely affected (the economic conditions); whereas the rules further provide a number of specific situations where the economic condi-

tions are considered to be satisfied; whereas, in certain circumstances, although the economic conditions may be considered by the customs authorities with which the application was lodged to be formally satisfied, use of the procedure could nevertheless in practice adversely affect the competitive position of Community producers;

Whereas provisions should be adopted ensuring compliance with the economic conditions in cases where an application has been submitted for inward processing operations, in such a way that an equitable balance can be struck between the interests of the Community producers and those of the processors concerned; whereas a mandatory consultation procedure should be established for this purpose;

Whereas, in order to facilitate access to the procedure, it is desirable to raise the value limits under which the economic conditions can be considered to be satisfied; whereas it is also desirable to amend Annex 75 to Regulation (EEC) No 2454/93 by taking into account the degree of sensitivity of economic sectors;

Whereas, for economic reasons, it is desirable to insert specific provisions concerning inward processing operations in the sector of pasta products;

Whereas, in the interests of verification and in order to take full advantage of the Single Market for inward processing operations using a single authorization provided for in Article 556 (2) of Regulation (EEC) No 2454/93, provision should be made for a document to be used for operations in which the import goods are imported before export of the compensating products obtained from the equivalent goods;

Whereas it should be made clear, however, that use of such information sheet will be compulsory only where no other satisfactory verification arrangements have been jointly agreed by the authorities concerned prior to the issuing of the authorization;

Whereas it is desirable to specify the intervals at which the economic conditions must be reviewed;

Whereas the rules currently in force provide that import goods and compensating products which are subject to the inward processing procedure qualify for relief under the end-use arrangements;

<sup>(1)</sup> OJ No L 302, 19. 10. 1992, p. 1.

<sup>(2)</sup> OJ No L 253, 11. 10. 1993, p. 1.

<sup>(3)</sup> OJ No L 162, 30. 6. 1994, p. 1.

Whereas the nature of the goods or products in the civil aviation sector placed under the inward processing procedure, the number of consignments involved, the substantial simplifications under other import procedures and economic reasons resulting from international competition in this sector make it necessary to reduce the administrative costs incurred by Community traders using the inward processing procedure, whilst ensuring that simplification does not give rise to abuses or irregularities;

Whereas, for practical reasons, discharge of the inward processing procedure should therefore be simplified, subject to certain conditions;

Whereas, in this respect, provision may be made for the inward processing procedure to be considered discharged once the goods or products concerned have been used for the first time, on condition that the records kept by the holder for commercial purposes permit reliable verification of the application and correct operation of the procedure;

Whereas account should be taken of the fact that traders in this sector generally keep commercial records which enable goods placed under the procedure to be matched with the products which discharge it;

Whereas it is necessary that Community goods exported directly from the customs territory through a free zone are systematically presented and declared for export, in order to prevent the evasion of export verification measures on sensitive goods;

Whereas the provisions governing the export of Community goods should apply to goods exported through a free zone;

Whereas systematic declaration and presentation is not necessary for non-Community goods which are not unloaded or which are transhipped in a free zone;

Whereas the postponement of the mandatory use of box 26 of the Single Administrative Document (SAD) until 1 January 1996 would enable Member States to introduce that measure in a more satisfactory way, in particular taking into account the need to adapt customs data processing systems;

Whereas the use of box 26 should remain optional for transit purposes, for entry for the customs warehousing procedure and for re-exportation of goods from a customs warehouse;

Whereas it is desirable, for practical reasons, to change the models of the application for authorization and of the use of the inward processing procedure;

Whereas certain standard rates of yield should be adapted as a result of technical improvements in order to align them with the coefficients used to calculate export refunds when similar Community goods are processed;

Whereas Regulation (EEC) No 2454/93 establishes the list of goods which may be placed under the procedure for processing under customs control; whereas for economic reasons it appears appropriate to add a point 14 to the list contained in Annex 87;

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

HAS ADOPTED THIS REGULATION:

#### *Article 1*

Regulation (EEC) No 2454/93 is amended as follows:

1. Article 266 is amended as follows:

— Paragraph 1 is replaced by the following:

‘1. To enable the customs authorities to satisfy themselves as to the proper conduct of operations, the holder of the authorization referred to in Article 263 shall:

(a) in the cases referred to in the first and third indents of Article 263:

(i) where the goods are released for free circulation upon their arrival at the place designated for that purpose:

— duly notify the customs authorities of such arrival in the form and the manner specified by them, for the purpose of obtaining release of the goods, and

— enter the goods in his records;

(ii) where release for free circulation is preceded by temporary storage of the goods within the meaning of Article 50 of the Code at the same place, before expiry of the time-limit set under Article 49 of the Code:

- duly notify the customs authorities, in the form and the manner specified by them, of his desire to have the goods released for free circulation, for the purpose of obtaining release of the goods, and

- enter the goods in his records;

(b) in the cases referred to in the second indent of Article 263:

- duly notify the customs authorities, in the form and the manner specified by them, of his desire to have the goods released for free circulation, for the purpose of obtaining release of the goods, and

- enter the goods in his records.

The notification referred to in the first indent shall not be required where the goods to be released for free circulation have already been placed under the customs warehousing procedure in a type D warehouse;

(c) in the cases referred to in the fourth indent of Article 263, upon arrival of the goods at the place designated for that purpose:

- enter the goods in his records;

(d) make available to the customs authorities, from the time of the entry in the records referred to in points (a), (b) and (c), all documents, the production of which is required for the application of the provisions governing release for free circulation.'

— Paragraph 2 (a) is replaced by the following:

- '(a) permit the notification referred to in points (a) and (b) of paragraph 1 to be effected as soon as the arrival of the goods becomes imminent;'

— The following paragraph 3 is added:

'3. The entry in the records referred to in points (a), (b) and (c) of paragraph 1 may be replaced by any other formality offering similar guarantees stipulated by the customs authorities. The entry shall indicate the date on which it is made and the particulars necessary for identification of the goods.'

2. In Article 423, paragraph 2 is replaced by the following:

'2. The customs office for the station of destination shall act as the office of destination. The formalities

referred to in Article 421 shall be carried out at the office of destination.

3. Where the goods are released for free circulation or placed under another customs procedure at an intermediate station, the customs office for this station shall act as the office of destination. This customs office shall stamp sheets 2 and 3 and the supplementary copy of sheet 3 forwarded by the railway company and endorse them with one of the following indications:

- Cleared
- Dédouané
- Verzollt
- Sdoganato
- Vrijgemaakt
- Toldbehandlet
- Εκτελωνισμένο
- Despachado de aduana
- Desalfandegado

This office shall return sheets 2 and 3, without delay, to the railway company after having stamped them and retained the supplementary copy of sheet 3.

4. The procedure referred to in paragraph 3 shall not apply to products subject to *ex* duty as defined in Article 3 (1) and Article 5 (1) of Council Directive 92/12/EEC (\*).

5. In the case referred to in paragraph 3 the competent customs authorities for the office of destination may request *a posteriori* verification of the endorsements made by the competent customs authorities for the intermediate station on sheets 2 and 3.

(\*) OJ No L 76, 23. 3. 1992, p. 1.'

3. The following paragraph 4 is added to Article 551:

'4. For the purposes of Article 117 (b) of the Code, the customs authorities shall stipulate the means of identifying the import goods in the compensating products or shall take the necessary measures to verify that the conditions laid down for the proper conduct of operations under the equivalent compensation system are satisfied.

The customs authorities shall make use in particular of following means, as appropriate:

- (a) the indication or description of special marks or manufacturers' numbers;
- (b) the affixing of plumbs, seals, clip-marks or other distinctive marks;

- (c) the taking of samples, illustrations or technical descriptions ;
- (d) the carrying out of analyses ;
- (e) the examination of stock records or other supporting documents relating to the transaction under consideration which show clearly that the compensating products have been manufactured from the import goods.'

4. Article 552 (1) is amended as follows :

- The introductory phrase is replaced by the following :

'Without prejudice to Article 553 (4), the economic conditions laid down in Article 117 (c) of the Code shall be considered satisfied *inter alia* where :'

- Point (a) (v) is replaced by the following :

'(v) operations in which the value of each type of goods, by eight-digit CN code, imported under the authorization does not exceed ECU 300 000 per applicant and per calendar year, irrespective of the number of operators carrying out the processing operations.

However, the value limit for goods and products listed in Annex 75 shall be ECU 150 000.

The said value shall be the customs value of the goods estimated on the basis of the particulars known and the documents presented at the time when the application is lodged.

This sub-point may be waived in respect of particular import goods in accordance with the Committee procedure (code 6400) ;'

- The following sub-point (vi) is added to point (a) :

'(vi) processing of durum wheat falling within CN code 1001 10 90 to produce pasta falling within CN codes 1902 11 00 and 1902 19 (code 6203) ;'

5. The following paragraph 4 is added to Article 553 :

'4. Where the facts lead the customs authorities or the Commission to consider that, even in one of the situations referred to in Article 552 (1), use of the procedure might adversely affect the essential interests of Community producers, the following procedure shall apply.

The customs authorities shall send the application and supporting documents to the Commission without delay.

When the Commission receives the consultation file it shall send an immediate acknowledgement to the Member State concerned and shall inform the other Member States.

Where a new authorization is issued or an existing authorization is renewed in respect of goods of the kind involved in the consultation, the customs authorities shall inform the applicant that a consultation procedure has been initiated and notify him of the possible consequences.

Where the Commission, having examined a case submitted to it for its appraisal, considers that use of the procedure might adversely affect the essential interests of Community producers, it shall submit a draft Decision to the Committee without delay. The Committee shall adopt its Decision in accordance with the procedure referred to in Article 249 of the Code.

The said Decision shall be notified to the Member States, which shall take account of it in the issuing of new authorizations. If the Commission's decision is likely to affect authorizations issued previously and for which the economic conditions are considered not to be satisfied, or to be no longer satisfied, Articles 8, 9 and 10 of the Code shall apply.'

6. In Article 556, the following paragraphs 4 to 8 are added :

'4. Except when other satisfactory verification arrangements have been jointly agreed by the customs authorities by means of the consultation procedure which must take place prior to the single authorization referred to in paragraph 2, information sheet INF 9, consisting a form corresponding to the specimen and indications set out in Annex 75 A, shall be used where import goods are imported before export of the compensating products obtained from the equivalent goods.

5. Information sheet INF 9 shall comprise an original and three copies which shall be presented together at the customs office where the entry formalities are carried out.

Information sheet INF 9 shall be made out in respect of the quantity of compensating products corresponding to the quantity of import goods entered for the procedure. Where it is planned to export the goods in successive consignments, more than one INF 9 sheet may be made out.

6. Article 601 (3) shall apply *mutatis mutandis*.

7. Where the declaration entering the import goods for the procedure is presented at the office of entry for the procedure an INF 9 sheet shall be presented.

Where the office of entry for the procedure accepts the declaration entering the goods, it shall endorse box 9 of the INF 9 sheet, send copy 1 to the supervising customs office and return the original and the other copies to the declarant.

8. The export declaration in respect of the compensating products obtained from the equivalent goods shall be accompanied by the original copies 2 and 3 of the INF 9 sheet.

Where the customs office of discharge accepts the export declaration it shall indicate the quantity of compensating products exported and the date of acceptance. It shall send copy 3 to the supervising customs office without delay, return the original to the declarant and retain copy 2.'

7. Article 558 (1) is replaced by the following :

'1. The period of validity of the authorization shall be set by the customs authorities, having regard to the economic conditions and the specific needs of the applicant.

Where the period of validity exceeds two years, the conditions on the basis of which the authorization was issued shall be reviewed periodically at intervals specified in the authorization. The said intervals shall not exceed 24 months.'

8. The following is added to Article 577 (2) (d) :

'The supervising customs office shall allow the inward processing procedure to be discharged once goods or products in the civil aviation sector have been used for the first time in the prescribed manner, on condition that the inward processing records of the holder are such as to make it possible to verify reliably that the procedure is being correctly applied and operated.'

9. Article 580 (1) is replaced by the following :

'1. Without prejudice to Article 609, the release for free circulation of goods in the unaltered state or main compensating products shall be allowed where the person concerned is unable to assign those goods or products to a customs-approved treatment or use under which import duties would not be payable, subject to payment of compensatory interest in accordance with Article 589 (1).'

10. Article 603 is replaced by the following :

*'Article 603*

1. The import goods may be entered for the procedure at a customs office of entry other than that originally specified, where the change is allowed by the supervising customs office or by the customs office where the entry formalities are actually carried out, which in that event shall notify the change to the supervising customs office.

2. For operations carried out under Article 552 (1) (a) (vi), the name of the importer authorized to enter the import goods, to be given in box 2 of information sheet INF 5, may be filled in after the INF 5 sheet has been presented to the customs office where the export declaration is lodged. The information shall be given on the original and copies 2 and 3 of the INF 5 sheet before the declaration entering the import goods for the procedure is lodged.'

11. The first subparagraph of point (a) of Article 648 (1) is replaced by the following :

'(a) in respect of each authorization where the value of the import goods per operator and per calendar year exceeds the limits set in Article 552 (1) (a) (v), the particulars indicated in Annex 85 ; such particulars need not be communicated where the inward processing authorization has been issued on the basis of one of the economic conditions referred to by the following codes : 6106, 6107, 6201, 6202, 6203, 6301, 6302, 6303, 7004, 7005 and 7006.'

12. Article 820 is replaced by the following :

*'Article 820*

Particulars of the removal of goods from the places used for the activity shall be entered immediately in the stock records referred to in Article 807.'

13. Article 821 is replaced by the following :

*'Article 821*

In the case of the re-exportation of non-Community goods, which are not unloaded or which are transhipped within the meaning of Article 176 (2) of the Code, the notification referred to in Article 182 (3) of the Code shall not be required.'

14. Article 822 is deleted.

15. The second subparagraph of Article 835 (1) is deleted.

16. Annex 37 is amended in accordance with Annex 1 hereto.

17. In Annex 67/B, the specimen application for an authorization is replaced by Annex 2 hereto and the second page (economic grounds) is replaced by Annex 3 hereto.
18. In Annex 68/B, the specimen authorization is replaced by Annex 4 hereto.
19. Annex 75 is replaced by Annex 5 hereto.
20. Annex 75A which is set out in Annex 6 hereto is inserted.
21. Annex 77 is amended in accordance with Annex 7 hereto.
22. Point 2 of Annex 78 is replaced by the following :

‘2. Wheat

Equivalent compensation may not be used between common wheat falling within CN code 1001 90 99 harvested in the Community or durum

wheat falling within CN code 1001 10 90 harvested in the Community and imported wheat falling within the same codes harvested in a third country.

However :

- after consulting a group of experts composed of representatives of the Member States meeting as the Customs Code Committee (Section for Customs Procedures with Economic Impact) the Commission may approve derogations from the ban on equivalent compensation for the above products,
- equivalent compensation may be used between durum wheat falling within CN code 1001 10 90 meeting the conditions laid down in Article 9 of the Treaty and imported wheat falling within the same CN code, provided the equivalent compensation system is being used for the manufacture of pasta falling within CN codes 1902 11 00 or 1902 19.’

23. The following point 14 is added to Annex 87 :

| Order No | Column 1                                                                                                                                   | Column 2                                                                                                                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | Goods for which processing under customs control is authorized                                                                             | Processing which may be carried out                                                                                                                                                                                                                                                                 |
| ‘14      | <p>Gas oils with a sulphur content exceeding 0,2 % falling within CN code 2710 00 69</p> <p>Kerosene falling within CN code 2710 00 55</p> | <p>Mixture of the products in column 1 or a mixture of one and/or other of the products in column 1 with gas oil with a sulphur content not exceeding 0,2 % falling within CN code 2710 00 69 to obtain a gas oil with a sulphur content not exceeding 0,2 % falling within CN code 2710 00 69’</p> |

Article 2

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

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

Done at Brussels, 8 September 1994.

For the Commission  
Christiane SCRIVENER  
Member of the Commission

*ANNEX 1*

Annex 37 to Regulation (EEC) No 2454/93 is amended as follows :

1. In Title I, point B.2 (Particulars required — minimum list) :

delete '26' in the list of boxes mentioned under :

- (c) Transit,
- (f) (aa) Entry for the customs warehousing procedure for type A, B, C, E and F warehouses,
- (f) (bb) Entry for the customs warehousing procedure for type D warehouses,
- (f) Entry for the customs warehousing procedure for pre-financed goods.

2. In Title II, point A, the text concerning box 26 is replaced by the following :

'26. Mode of transport inland

Until 31 December 1995, box for optional use for the Member States. After this date, this box shall become compulsory for the Member States.

This box must not be completed where the export formalities are carried out at the point of exit from the Community.

Box for optional use by Member States in respect of Community transit and re-exportation of goods from a customs warehouse.

Using the appropriate Community codes, enter the mode of transport upon departure.'

3. In Title II, point C, the text concerning box 26 is replaced by the following :

'26. Mode of transport inland

Until 31 December 1995, box for optional use for the Member States. After this date, this box shall become compulsory for the Member States.

This box must not be completed where the import formalities are carried out at the point of entry into the Community.

Box for optional use by Member States in respect of entry of goods for the customs warehousing procedure.

Using the appropriate Community codes, enter the mode of transport upon arrival.'

---

ANNEX 2

ANNEX 67/B

MODEL APPLICATION FOR INWARD PROCESSING AUTHORIZATION

NB : The particulars should be supplied in the order indicated. Information relating to goods/products must be given for every type of goods/products concerned.

1. Name or business name and address :

- (a) of the applicant : .....
- .....
- .....
- (b) of the operator : .....
- .....
- .....

2. System applied for :

- ☐ suspension system
- ☐ drawback system

2A Type of authorization applied for :

- ☐ new authorization
- ☐ successive authorization (Article 557)
- ☐ single authorization (Article 555 (2) (b))
- ☐ renewal of existing authorization
- ☐ modification of existing authorization

3. Goods to be processed and grounds for application :

- (a) trade and/or technical description : .....
- .....
- (b) indication of combined nomenclature classification : .....
- .....
- (c) estimated quantity : .....
- (d) estimated value : .....
- (e) commercial quality : .....
- (f) technical characteristics : .....
- (g) origin : .....
- (h) economic grounds : .....

4. Compensating products and planned export operation :

- (a) trade and/or technical description : .....
- .....
- .....
- (b) indication of combined nomenclature classification : .....
- .....
- (c) main compensating product : .....
- .....
- (d) planned export operation : .....
- .....

5. **Special mode applied for :**

- ☐ Equivalent compensation — please state the following particulars :

Equivalent goods :

- (1) trade and/or technical description : .....
- .....
- (2) indication of combined nomenclature classification : .....
- .....
- (3) commercial quality : .....
- .....
- (4) technical characteristics : .....
- .....
- (5) whether at same or different stage of manufacture : .....
- .....

- ☐ Prior exportation (without triangular traffic) — please state the following particulars :

Importer authorized to enter goods for the procedure : .....

.....

- ☐ Triangular traffic — please state the following particulars :

Importer authorized to enter goods for the procedure : .....

.....

6. **Rate of yield :** .....

.....

.....

7. **Nature of processing operation :** .....

.....

.....

8. **Place where the processing operation is to be carried out :** .....

9. **Estimated time needed for :**

- (a) carrying out the processing operations and disposing of the compensating products (period for re-exportation) : .....
- .....
- (b) procurement and transport to the Community of non-Community goods : .....
- .....

10. **Suggested method of identification :** .....

.....

.....

11. **Suggested customs office :** .....

- (a) supervising customs office : .....
- .....
- (b) customs office of entry for the procedure : .....
- .....
- (c) customs office of discharge : .....
- .....

- 12. **Special control arrangements :** .....  
.....  
.....  
.....
  
- 13. **Special transfer arrangements :** .....  
.....  
.....  
.....
  
- 14. **Simplified procedures :** .....  
.....  
.....  
.....
  
- 15. **Intended duration of authorization :** .....
  
- 16. **Reference to authorizations issued :** .....
  - (a) in the preceding three years in respect of goods identical to those covered by this application : .....  
.....
  - (b) in respect of the goods to undergo processing : .....  
.....

Date : .....

Signature : .....

### Notes concerning the application

1. *Name or business name and address*: where the application is submitted on the applicant firm's headed notepaper, Section 1 (a) need not be completed provided this information is shown on the letter-head. Section 1 (b) must be completed where the applicant and the operator are not the same person.
2. *System applied for*: indicate with a cross ☒ whichever is applicable, taking into account Article 551.
- 2A. *Type of authorization applied for*: place a cross ☒ in the appropriate box or boxes.

Where the application is for the renewal or amendment of an existing authorization the holder needs to give the reference particulars of that authorization plus particulars of any changes to be made.

3. *Goods to be processed and grounds for application*:
  - (a) trade and/or technical description: the description should be sufficiently clear and detailed to enable a decision to be taken on the application, and in particular to decide in the light of information supplied whether the economic conditions can be considered fulfilled;
  - (b) indication of combined nomenclature classification: as this information is purely for indicative purposes, only the four-digit code need be given, unless the eight-digit classification is needed to enable an authorization to be issued and allow the processing operations to be properly administered. The eight-digit code must be given where the equivalent compensation system is to be used;
  - (c) estimated quantity: this information need not be entered where the code used to refer to the economic conditions is one of the following: 6201, 6301, 6302, 6303, 7004, 7005, 7006 in so far as it is not intended to use the equivalent compensation system;
  - (d) estimated value: this information need not be given where the quantity is not required (see (c)). Where a value is stated it should be the customs value of the goods estimated on the basis of known particulars and documents which have been presented;
  - (e) and (f) commercial quality and technical characteristics: this information must be given where it is planned to use the equivalent compensation system, with or without prior exportation (see Section 6).

This information is not obligatory if it concerns goods indicated in Annex 78;

  - (g) origin: indicate the country of origin;
  - (h) economic grounds: using the codes listed in the Annex to the application, indicate why the essential interests of Community producers are not affected.

4. *Compensating products and planned export operation*:
  - (a) trade or technical description: complete as 3 (a) for each compensating product obtained;
  - (b) indication of combined nomenclature classification: complete as 3 (b) for each compensating product obtained;
  - (c) main compensating product: state which of the compensating products is/are the main one(s);
  - (d) planned export operation: indicate and justify export opportunities for the compensating products.
5. *Special mode applied for*: place a cross in the appropriate box(es) and give the requisite particulars for each mode.

Where it is planned to use the equivalent compensation system, state the eight-digit CN code, commercial quality and technical characteristics of the equivalent goods to enable the customs authority to make the necessary comparison between import goods and equivalent goods and ascertain other particulars which may be needed if Article 570 (1) is applied.

Where it is planned to use the triangular traffic system or the prior exportation system if the goods are to be entered by a person other than the holder of the authorization, give:

- (1) The name or business name;
- (2) Address of the person authorized to enter the goods for the procedure.

6. *Rate of yield*: indicate the expected rate of yield or suggest how such rate should be established.

7. *Nature of processing operation* : describe the operations to be carried out on the import goods in order to produce the compensating products.
  8. *Place where the processing operation is to be carried out* : give the address of the place where the processing operation will be carried out.
  9. *Estimated time needed for* :
    - (a) carrying out the processing operations and disposing of the compensating products (period for re-exportation) : indicate the average time likely to be needed to process a given batch (expressed e.g. by unit or quantity) of the goods, and indicate the time likely to elapse between completion of the processing operations and export of the compensating products ;
    - (b) procurement and transport to the Community of non-Community goods : to be filled in only if it is planned to use the prior exportation system. Indicate the time required for procurement of the import goods and their transport to the Community.
  10. *Suggested method of identification* : indicate the most suitable methods of identifying the import goods incorporated in the compensating products (see Article 551 (4)).
  11. *Suggested customs offices* : state which of the possible customs offices would be suitable as :
    - (a) supervising customs office : supervision of procedure ;
    - (b) customs office of entry for the procedure : acceptance of declarations entering goods for the procedure ;
    - (c) customs office of discharge : acceptance of declarations assigning goods to a permitted customs-approved treatment or use.
  12. *Special control arrangements* : describe the proposed transfer arrangements for control of the procedure (e.g. use of the commercial records).
  13. *Special transfer arrangements* : describe the proposed transfer arrangements, referring where appropriate to the relevant Articles of the Regulation.
  14. *Simplified procedures* : state any proposed simplified procedures, referring to the relevant Articles of the Regulation.
  15. *Intended duration of authorization* : indicate the period during which it is planned to import goods for processing.
  16. *Reference to authorizations issued* :
    - (a) in the three preceding years in the case of goods identical to those covered by this authorization : give particulars of any known authorizations. Where none is known, state "none" ;
    - (b) in respect of the goods to undergo processing : state whether the goods are compensating products obtained under one or more earlier authorizations and if so, give reference particulars of the authorization(s) in question (successive authorizations : Article 557).
-

## ANNEX 3

|                                                                                                                                                                                              |                             |                              |      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------|------|
| (vi) processing of durum wheat of CN code 1001 10 90 to produce pasta of CN codes 1902 11 00 and 1902 19                                                                                     | <input type="checkbox"/> no | <input type="checkbox"/> yes | 6203 |
| (b) the goods are not produced in the Community                                                                                                                                              | <input type="checkbox"/> no | <input type="checkbox"/> yes | 6101 |
| (c) the goods are not produced in the Community in sufficient quantity <sup>(3)</sup>                                                                                                        | <input type="checkbox"/> no | <input type="checkbox"/> yes | 6102 |
| (d) Community producers cannot make the goods available to the applicant within a suitable time <sup>(3)</sup>                                                                               | <input type="checkbox"/> no | <input type="checkbox"/> yes | 6103 |
| (e) goods of the same kind are produced in the Community but cannot be used because :                                                                                                        |                             |                              |      |
| (i) their price makes the proposed commercial operation un-economic <sup>(4)</sup>                                                                                                           | <input type="checkbox"/> no | <input type="checkbox"/> yes | 6104 |
| (ii) they do not have the quality or characteristics needed to produce the required compensating products <sup>(5)</sup>                                                                     | <input type="checkbox"/> no | <input type="checkbox"/> yes | 6105 |
| (iii) they do not conform to the stated requirements of the non-Community purchaser of the compensating products <sup>(6)</sup>                                                              | <input type="checkbox"/> no | <input type="checkbox"/> yes | 6106 |
| (iv) the compensating products must be obtained from the import goods to comply with industrial and commercial property requirements                                                         | <input type="checkbox"/> no | <input type="checkbox"/> yes | 6107 |
| (f) within the period specified, the applicant :                                                                                                                                             |                             |                              |      |
| (i) gets 80 % of his total supplies for the stated period in the form of Community-produced goods comparable to the import goods, procured in the customs territory Community <sup>(8)</sup> | <input type="checkbox"/> no | <input type="checkbox"/> yes | 7001 |
| (ii) is seeking to guard against real supply problems where Community-produced goods account for less than 80 % of supplies <sup>(9)</sup>                                                   | <input type="checkbox"/> no | <input type="checkbox"/> yes | 7002 |
| (iii) has attempted to procure goods for processing in the Community but not found a Community producer <sup>(10)</sup>                                                                      | <input type="checkbox"/> no | <input type="checkbox"/> yes | 7003 |
| (iv) is building civil aircraft for delivery to airlines companies                                                                                                                           | <input type="checkbox"/> no | <input type="checkbox"/> yes | 7004 |
| (v) is carrying out repair, modification or conversion of civil aircraft                                                                                                                     | <input type="checkbox"/> no | <input type="checkbox"/> yes | 7005 |
| (vi) is building satellites or parts of satellites                                                                                                                                           | <input type="checkbox"/> no | <input type="checkbox"/> yes | 7006 |
| (g) further authorizations                                                                                                                                                                   | <input type="checkbox"/> no | <input type="checkbox"/> yes | 6303 |
| (h) other grounds <sup>(1)</sup>                                                                                                                                                             | <input type="checkbox"/> no | <input type="checkbox"/> yes | 8000 |
| 5. Comments'                                                                                                                                                                                 |                             |                              |      |

ANNEX 4

ANNEX 68/B

MODEL INWARD PROCESSING AUTHORIZATION

Reference to application .....

*NB* : The particulars should be supplied in the order indicated. The authorization must contain particulars of the application. Where information is supplied by reference to the application, the application shall constitute an integral part of the authorization. The same principle applies to any annexes, which shall also constitute an integral part of the authorization.

1. Name or business name and address :
- (a) of the holder of the authorization : .....

.....

(b) of the operator <sup>(1)</sup> : .....

.....
2. System authorized <sup>(2)</sup> :
- ☐ suspension system

☐ drawback system
3. Goods to be processed <sup>(3)</sup> :
- (a) trade and/or technical description : .....

.....

(b) indication or combined nomenclature classification : .....

.....

(c) estimated quantity : .....

(d) estimated value : .....

(e) commercial quality <sup>(4)</sup> : .....

.....

(f) technical characteristics <sup>(4)</sup> : .....

.....

.....
4. Compensating products <sup>(5)</sup> :
- (a) Trade and/or technical description : .....

.....

.....

(b) Indication of combined nomenclature classification : .....

.....

(c) Main compensating products : .....

5. **Special mode (\*) :**
- ☐ Equivalent compensation :
- Equivalent goods : .....
- (1) trade and/or technical description : .....
- .....
- (2) indication of combined nomenclature classification : .....
- .....
- (3) commercial quality : .....
- .....
- (4) technical characteristics : .....
- .....
- ☐ prior exportation (without triangular traffic)
- importer authorized to enter goods for the procedure : .....
- .....
- ☐ triangular traffic
- importer authorized to enter goods for the procedure : .....
- .....
6. **Rate of yield or method by which it is to be established (?) :** .....
- .....
- .....
7. **Nature of processing :** .....
- .....
- .....
8. **Place where processing operation is to be carried out :** .....
- .....
9. (a) **Time limit for re-exportation (6) :** .....
- .....
9. (b) **Time allowed for entering non-Community goods for the procedure (?) :** .....
- .....
10. **Approved method of identification :** .....
- .....
11. **Customs offices :** .....
- (a) supervising customs office : .....
- (b) customs office of entry for the procedure : .....
- (c) customs office of discharge : .....

- 12. **Special control arrangements <sup>(8)</sup>** :.....  
.....  
.....  
.....
- 13. **Special transfer arrangements <sup>(9)</sup>** :.....  
.....  
.....  
.....
- 14. **Simplified procedures <sup>(10)</sup>** :.....  
.....
- 15. **Period of validity <sup>(11)</sup>** : .....
- 16. **Date of review of economic conditions <sup>(12)</sup>** : .....

Date : .....

Signature : .....

**Footnotes to the authorization**

- (<sup>1</sup>) To be completed where the holder of the authorization and the operator are not the same.
  - (<sup>2</sup>) Place a cross in the appropriate box.
  - (<sup>3</sup>) Particulars to be supplied as necessary to enable customs offices to check on use of the authorization, with particular reference to approved or expected rates of yield and having regard in respect of quantity and value to the economic conditions cited. Quantity and value may be stated by reference to imports over a given period. Where reference is made to compensating products, distinguish between main and secondary compensating products.  
The information concerning commercial quality and technical characteristics are not obligatory if it concerns goods indicated in Annex 78.
  - (<sup>4</sup>) Place a cross in the appropriate box(es) and give the requisite particulars.  
The information concerning commercial quality and technical characteristics are not obligatory if it concerns goods indicated in Annex 78.
  - (<sup>5</sup>) Indicate the rate of yield or the means by which the supervising customs office is to establish such rate. Where the yield is that shown in the stock records of the holder of the authorization, enter "inward processing records".
  - (<sup>6</sup>) This refers to the time required to carry out the inward processing operations in respect of a given quantity of import goods and dispose of the compensating products.
  - (<sup>7</sup>) To be completed if the prior exportation system is to be used.
  - (<sup>8</sup>) Describe the special arrangements approved for supervision of the procedure, e.g. administrative cooperation, use of information sheets or other documents, routing of copies, etc.
  - (<sup>9</sup>) Describe the transfer arrangements approved, referring where appropriate to the relevant Articles of the Regulation.
  - (<sup>10</sup>) State any simplified procedures used, referring to the relevant Articles of the Regulation.
  - (<sup>11</sup>) Where the conditions justify the granting of an authorization for a period exceeding two years, the duration (or the words "unlimited duration"), to be entered in section 15, should be accompanied by the review clause provided for in section 16.
  - (<sup>12</sup>) The review of the economic conditions must take place within two years of the date of issue of the authorization.
-

## ANNEX 5

## ANNEX 75

Goods whose total value for the purpose of Article 552 (1) (a) (v) must not exceed  
ECU 150 000

| Chapter or code<br>of the combined nomencla-<br>ture | Description of goods/products                                                                                                                                                                                                                                                                                      |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chapters 1 to 24                                     | <ul style="list-style-type: none"><li>— Live animals; animal products</li><li>— Vegetable products</li><li>— Animal and vegetable fats and oils and their cleavage products;<br/>prepared edible fats; animal and vegetable waxes</li><li>— Prepared foodstuffs; beverages, spirits and vinegar; tobacco</li></ul> |
| Code 2814                                            | — Ammoniac, anhydrous or in aqueous solution                                                                                                                                                                                                                                                                       |
| Code 2836 20 00                                      | — Disodium carbonate                                                                                                                                                                                                                                                                                               |
| Chapter 31                                           | — Fertilizers                                                                                                                                                                                                                                                                                                      |
| Code 3817 10                                         | — Mixed alkylbenzenes                                                                                                                                                                                                                                                                                              |
| Chapters 50 to 63                                    | — Textiles and textile articles                                                                                                                                                                                                                                                                                    |
| Chapter 72                                           | — Articles of iron or steel                                                                                                                                                                                                                                                                                        |
| Code 8108 90                                         | — Titanium products.                                                                                                                                                                                                                                                                                               |



## EUROPEAN COMMUNITY

1. Holder of inward processing authorization

☐

Person to be contacted:

2. Person authorized to export the compensating products described in box 4

Person to be contacted:

**INF 9**

Original

INFORMATION SHEET

No A/000000

INWARD PROCESSING  
TRIANGULAR TRAFFIC  
IM/EX

3. Authorization issued

at

on

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

under No

and valid until

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

included

## USE OF THE INFORMATION SHEET

- A. The original and the three copies duly completed (boxes 1 to 8) must be lodged at the customs office of entry for the procedure in support of the declaration entering the import goods corresponding to the compensating products described in box 4. That office shall complete box 9, send copy No 1 to the customs office mentioned in box 7 and return the original and the other copies to the holder.
- B. The original and copies 2 and 3 must then be presented to the customs office of exit from the Community customs territory. That office shall complete box 10 and return the original and the two copies to the person who presented them.
- C. The original and copies 2 and 3 must be lodged at the customs office of discharge in support of the export declaration for the compensating products. That office shall complete boxes 10 to 13, return the original to the declarant, retain copy No 2 and send copy No 3 to the customs office mentioned in box 7.

4. Description of compensating products to be exported

5. CN code of compensating products

6. Net mass (kg)

7. Name and address of supervising customs office

8. Name and address of customs office from which the compensating products described in box 4 will be exported.

## INFORMATION TO BE SUPPLIED ON ENTRY FOR THE PROCEDURE

9. The declaration entering the import goods corresponding to the compensating products described in box 4 was accepted

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Last day for export:

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Identification measures taken to verify equivalence:

Customs office of entry for the procedure:

Stamp :

## INFORMATION TO BE SUPPLIED ON EXPORT

10. The declaration for export of the compensating products described in box 4 was accepted

on

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Remarks:

Customs office of discharge:

Stamp :

11. Net mass (kg)

12. Customs value

13. Currency

## NOTES

### A. General notes

1. Boxes 1 to 8 are to be filled in by the holder of the inward processing authorization.
2. The form must be filled in legibly and indelibly, preferably by typewriter. It must not contain any erasures or overwritten words. Corrections should be made by crossing out the wrong words and adding any necessary particulars. Corrections must be endorsed by the person filling in the sheet and by the customs authority which issued it.

### B. Special notes referring to the relevant box numbers :

1. Give the name or business name and full address (including the postal code, if any) and the name of the Member State.
2. In the case of a legal person the name of the person responsible should also be given.
4. Give the description of the compensating products in accordance with the terms of the authorization.

The quantity must be expressed in units of the metric system : kg net, litres, m<sup>2</sup>, etc.

13. National currencies are to be indicated as follows :

- BEF for Belgian francs,
- FRF for French francs,
- LUF for Luxembourg francs,
- DKK for Danish kroner,
- GBP for pounds sterling,
- ESP for Spanish pesetas,
- PTE for Portuguese escudos,
- DEM for German marks,
- ITL for Italian lire,
- NLG for Dutch guilders,
- IEP for Irish pounds,
- GRD for Greek drachmas.

## EUROPEAN COMMUNITY

1. Holder of inward processing authorization

☐

Person to be contacted:

2. Person authorized to export the compensating products described in box 4

Person to be contacted:

**INF 9**

Copy No 1

## INFORMATION SHEET

No A/000000

INWARD PROCESSING  
TRIANGULAR TRAFFIC  
IM/EX

3. Authorization issued

at

on

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

under No

and valid until

|     |       |      |          |  |  |
|-----|-------|------|----------|--|--|
|     |       |      |          |  |  |
| day | month | year | included |  |  |

## USE OF THE INFORMATION SHEET

- A. The original and the three copies duly completed (boxes 1 to 8) must be lodged at the customs office of entry for the procedure in support of the declaration entering the import goods corresponding to the compensating products described in box 4. That office shall complete box 9, send copy No 1 to the customs office mentioned in box 7 and return the original and the other copies to the holder.
- B. The original and copies 2 and 3 must then be presented to the customs office of exit from the Community customs territory. That office shall complete box 10 and return the original and the two copies to the person who presented them.
- C. The original and copies 2 and 3 must be lodged at the customs office of discharge in support of the export declaration for the compensating products. That office shall complete boxes 10 to 13, return the original to the declarant, retain copy No 2 and send copy No 3 to the customs office mentioned in box 7.

4. Description of compensating products to be exported

5. CN code of compensating products

6. Net mass (kg)

7. Name and address of supervising customs office

8. Name and address of customs office from which the compensating products described in box 4 will be exported.

## INFORMATION TO BE SUPPLIED ON ENTRY FOR THE PROCEDURE

9. The declaration entering the import goods corresponding to the compensating products described in box 4 was accepted

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Last day for export:

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Identification measures taken to verify equivalence:

Customs office of entry for the procedure:

Stamp :

## INFORMATION TO BE SUPPLIED ON EXPORT

10. The declaration for export of the compensating products described in box 4 was accepted

on

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Remarks:

Customs office of discharge:

11. Net mass (kg)

12. Customs value

13. Currency

Stamp :

## NOTES

### A. General notes

1. Boxes 1 to 8 are to be filled in by the holder of the inward processing authorization.
2. The form must be filled in legibly and indelibly, preferably by typewriter. It must not contain any erasures or overwritten words. Corrections should be made by crossing out the wrong words and adding any necessary particulars. Corrections must be endorsed by the person filling in the sheet and by the customs authority which issued it.

### B. Special notes referring to the relevant box numbers :

1. Give the name or business name and full address (including the postal code, if any) and the name of the Member State.
2. In the case of a legal person the name of the person responsible should also be given.
4. Give the description of the compensating products in accordance with the terms of the authorization.

The quantity must be expressed in units of the metric system : kg net, litres, m<sup>2</sup>, etc.

13. National currencies are to be indicated as follows :

- BEF for Belgian francs,
- FRF for French francs,
- LUF for Luxembourg francs,
- DKK for Danish kroner,
- GBP for pounds sterling,
- ESP for Spanish pesetas,
- PTE for Portuguese escudos,
- DEM for German marks,
- ITL for Italian lire,
- NLG for Dutch guilders,
- IEP for Irish pounds,
- GRD for Greek drachmas.

EUROPEAN COMMUNITY

1. Holder of inward processing authorization

☐

Person to be contacted:

2. Person authorized to export the compensating products described in box 4

Person to be contacted:

# INF 9

Copy No 2

INFORMATION SHEET

No A/000000

INWARD PROCESSING

TRIANGULAR TRAFFIC

IM/EX

3. Authorization issued

at

on 

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

under No

and valid until 

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

 included

USE OF THE INFORMATION SHEET

- A. The original and the three copies duly completed (boxes 1 to 8) must be lodged at the customs office of entry for the procedure in support of the declaration entering the import goods corresponding to the compensating products described in box 4. That office shall complete box 9, send copy No 1 to the customs office mentioned in box 7 and return the original and the other copies to the holder.
- B. The original and copies 2 and 3 must then be presented to the customs office of exit from the Community customs territory. That office shall complete box 10 and return the original and the two copies to the person who presented them.
- C. The original and copies 2 and 3 must be lodged at the customs office of discharge in support of the export declaration for the compensating products. That office shall complete boxes 10 to 13, return the original to the declarant, retain copy No 2 and send copy No 3 to the customs office mentioned in box 7.

|                                                        |                                                                                                                 |
|--------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|
| 4. Description of compensating products to be exported | 5. CN code of compensating products                                                                             |
|                                                        | 6. Net mass (kg)                                                                                                |
| 7. Name and address of supervising customs office      | 8. Name and address of customs office from which the compensating products described in box 4 will be exported. |

INFORMATION TO BE SUPPLIED ON ENTRY FOR THE PROCEDURE

9. The declaration entering the import goods corresponding to the compensating products described in box 4 was accepted

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Last day for export: 

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Identification measures taken to verify equivalence:

Customs office of entry for the procedure:

Stamp:

INFORMATION TO BE SUPPLIED ON EXPORT

|                                                                                             |                   |
|---------------------------------------------------------------------------------------------|-------------------|
| 10. The declaration for export of the compensating products described in box 4 was accepted | 11. Net mass (kg) |
|                                                                                             | 12. Customs value |
|                                                                                             | 13. Currency      |

on 

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Remarks:

Customs office of discharge:

Stamp:

## NOTES

### A. General notes

1. Boxes 1 to 8 are to be filled in by the holder of the inward processing authorization.
2. The form must be filled in legibly and indelibly, preferably by typewriter. It must not contain any erasures or overwritten words. Corrections should be made by crossing out the wrong words and adding any necessary particulars. Corrections must be endorsed by the person filling in the sheet and by the customs authority which issued it.

### B. Special notes referring to the relevant box numbers :

1. Give the name or business name and full address (including the postal code, if any) and the name of the Member State.
2. In the case of a legal person the name of the person responsible should also be given.
4. Give the description of the compensating products in accordance with the terms of the authorization.

The quantity must be expressed in units of the metric system : kg net, litres, m<sup>2</sup>, etc.

13. National currencies are to be indicated as follows :

- BEF for Belgian francs,
- FRF for French francs,
- LUF for Luxembourg francs,
- DKK for Danish kroner,
- GBP for pounds sterling,
- ESP for Spanish pesetas,
- PTE for Portuguese escudos,
- DEM for German marks,
- ITL for Italian lire,
- NLG for Dutch guilders,
- IEP for Irish pounds,
- GRD for Greek drachmas.

EUROPEAN COMMUNITY

1. Holder of inward processing authorization

☐

Person to be contacted:

2. Person authorized to export the compensating products described in box 4

Person to be contacted:

INF 9

Copy No 3

INFORMATION SHEET  
No A/000000  
INWARD PROCESSING  
TRIANGULAR TRAFFIC  
IM/EX

3. Authorization issued

at

on

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

under No

and valid until

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

included

USE OF THE INFORMATION SHEET

- A. The original and the three copies duly completed (boxes 1 to 8) must be lodged at the customs office of entry for the procedure in support of the declaration entering the import goods corresponding to the compensating products described in box 4. That office shall complete box 9, send copy No 1 to the customs office mentioned in box 7 and return the original and the other copies to the holder.
- B. The original and copies 2 and 3 must then be presented to the customs office of exit from the Community customs territory. That office shall complete box 10 and return the original and the two copies to the person who presented them.
- C. The original and copies 2 and 3 must be lodged at the customs office of discharge in support of the export declaration for the compensating products. That office shall complete boxes 10 to 13, return the original to the declarant, retain copy No 2 and send copy No 3 to the customs office mentioned in box 7.

4. Description of compensating products to be exported

5. CN code of compensating products

6. Net mass (kg)

7. Name and address of supervising customs office

8. Name and address of customs office from which the compensating products described in box 4 will be exported.

INFORMATION TO BE SUPPLIED ON ENTRY FOR THE PROCEDURE

9. The declaration entering the import goods corresponding to the compensating products described in box 4 was accepted

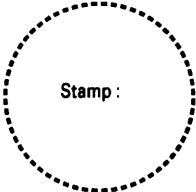
|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Last day for export:

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Identification measures taken to verify equivalence:

Customs office of entry for the procedure:



INFORMATION TO BE SUPPLIED ON EXPORT

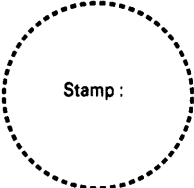
10. The declaration for export of the compensating products described in box 4 was accepted

on

|     |       |      |  |  |  |
|-----|-------|------|--|--|--|
|     |       |      |  |  |  |
| day | month | year |  |  |  |

Remarks:

Customs office of discharge:



11. Net mass (kg)

12. Customs value

13. Currency

#### 14. REQUEST FOR SUBSEQUENT VERIFICATION

The customs authority shown below requests that the authenticity of this information sheet and the accuracy of the information it contains be verified.

Place:

Date:

|     |       |      |  |  |
|-----|-------|------|--|--|
|     |       |      |  |  |
| Day | Month | Year |  |  |

Official stamp

Customs authority

Signature:

#### 15. RESULTS OF VERIFICATION

The verification carried out by the customs authority shown below confirms that this information sheet <sup>(1)</sup> was stamped by the customs authorities indicated and the information it contains

☐ is accurate

☐ gives rise to the remarks annexed hereto.

Place:

Date:

|     |       |      |  |  |
|-----|-------|------|--|--|
|     |       |      |  |  |
| Day | Month | Year |  |  |

Official stamp

Customs authority

Signature

(1) Place a cross ☒ in the appropriate box

### NOTES

#### A. General notes

- Boxes 1 to 8 are to be filled in by the holder of the inward processing authorization.
- The form must be filled in legibly and indelibly, preferably by typewriter. It must not contain any erasures or overwritten words. Corrections should be made by crossing out the wrong words and adding any necessary particulars. Corrections must be endorsed by the person filling in the sheet and by the customs authority which issued it.

#### B. Special notes referring to the relevant box numbers :

- Give the name or business name and full address (including the postal code, if any) and the name of the Member State.
- In the case of a legal person the name of the person responsible should also be given.
- Give the description of the compensating products in accordance with the terms of the authorization.

The quantity must be expressed in units of the metric system : kg net, litres, m<sup>3</sup>, etc.

#### 13. National currencies are to be indicated as follows :

- BEF for Belgian francs,
- FRF for French francs,
- LUF for Luxembourg francs,
- DKK for Danish kroner,
- GBP for pounds sterling,
- ESP for Spanish pesetas,
- PTE for Portuguese escudos,
- DEM for German marks,
- ITL for Italian lire,
- NLG for Dutch guilders,
- IEP for Irish pounds,
- GRD for Greek drachmas.

**PROVISIONS REGARDING INFORMATION SHEET INF 9**

1. The form for the INF 9 information sheet shall be printed on white paper without mechanical pulp, dressed for writing purposes and weighing between 40 and 65 g/m<sup>2</sup>.
  2. The form shall measure 210 × 297 mm.
  3. Member States shall be responsible for having the form printed. Each form shall bear an individual serial number.
  4. The form shall be printed in an official language of the European Communities designated by the customs authorities of the Member State issuing the sheet. Boxes 1 to 8 shall be filled in an official language of the European Communities designated by the customs authority of the Member State issuing the sheet. The customs authorities of the Member State which is to supply the information or make use of it may request that the information contained in the form presented to them be translated into the official language, or one of the official languages, of that Member State.
-

## ANNEX 7

Annex 77 is hereby amended as follows :

— Order numbers 21 to 26 shall be replaced by the following :

| Import goods |             | Numerical order | Compensating products |                                                                                                                                                                | Quantity of compensating products for each 100 kg of imported goods (kg) |
|--------------|-------------|-----------------|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| CN code      | Description |                 | Code                  | Description                                                                                                                                                    |                                                                          |
| (1)          |             | (2)             | (3)                   | (4)                                                                                                                                                            | (5)                                                                      |
| '1001 10 90  | Durum wheat | 21              | 1902 19 00            | (a) Pasta, containing no eggs and no common wheat flour or meal, with an ash content in the dry matter not exceeding 0,95 % by weight                          | 62,50                                                                    |
|              |             |                 | 1101 00 00            | (b) Flour                                                                                                                                                      | 13,70                                                                    |
|              |             |                 | ex 2302 30 10         | (c) Bran                                                                                                                                                       | 18,70                                                                    |
|              |             | 22              | 1902 19 00            | (a) Pasta, containing no eggs and no common wheat flour or meal, with an ash content in the dry matter of more than 0,95 % but not exceeding 1,10 % by weight  | 66,67                                                                    |
|              |             |                 | 1101 00 00            | (b) Flour                                                                                                                                                      | 8,00                                                                     |
|              |             |                 | ex 2302 30 10         | (c) Bran                                                                                                                                                       | 20,00                                                                    |
|              |             | 23              | 1902 19 00            | (a) Pasta, containing no eggs and no common wheat flour or meal, with an ash content in the dry matter of more than 1,10 % but not exceeding 1,30 % by weight  | 71,43                                                                    |
|              |             |                 | 1101 00 00            | (b) Flour                                                                                                                                                      | 3,92                                                                     |
|              |             |                 | ex 2302 30 10         | (c) Bran                                                                                                                                                       | 19,64                                                                    |
|              |             | 24              | 1902 19 00            | (a) Pasta, containing no eggs and no common wheat flour or meal, with an ash content in the dry matter of more than 1,30 % by weight                           | 79,36                                                                    |
|              |             |                 |                       | (b) Bran                                                                                                                                                       | 15,00                                                                    |
|              |             | 25              | 1902 11 00            | (a) Pasta, containing eggs but no common wheat flour or meal, with an ash content in the dry matter not exceeding 0,95 % by weight (?)                         | (?)                                                                      |
|              |             |                 | 1101 00 00            | (b) Flour                                                                                                                                                      | 13,70                                                                    |
|              |             |                 | ex 2302 30 10         | (c) Bran                                                                                                                                                       | 18,70                                                                    |
|              |             | 25.1            | 1902 11 00            | (a) Pasta, containing eggs but no common wheat flour or meal, with an ash content in the dry matter of more than 0,95 % but not exceeding 1,10 % by weight (?) | (?)                                                                      |
|              |             |                 | 1101 00 00            | (b) Flour                                                                                                                                                      | 8,00                                                                     |
|              |             |                 | ex 2302 30 10         | (c) Bran                                                                                                                                                       | 20,00                                                                    |

| Import goods           |             | Numerical order | Compensating products |                                                                                                                                                                           | Quantity of compensating products for each 100 kg of imported goods (kg) |
|------------------------|-------------|-----------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|
| CN code                | Description |                 | Code                  | Description                                                                                                                                                               |                                                                          |
| (1)                    |             | (2)             | (3)                   | (4)                                                                                                                                                                       | (5)                                                                      |
| 1001 10 90<br>(cont'd) |             | 25.2            | 1902 11 00            | (a) Pasta, containing eggs but no common wheat flour or meal, with an ash content in the dry matter of more than 1,10 % but not exceeding 1,30 % by weight <sup>(5)</sup> | <sup>(5)</sup>                                                           |
|                        |             |                 | 1101 00 00            | (b) Flour                                                                                                                                                                 | 3,92                                                                     |
|                        |             |                 | ex 2302 30 10         | (c) Bran                                                                                                                                                                  | 19,64                                                                    |
|                        |             | 26              | 1902 11 00            | (a) Pasta, containing eggs but no common wheat flour or meal, with an ash content in the dry matter of 1,30 % or more by weight 1,30 <sup>(5)</sup>                       | <sup>(5)</sup>                                                           |
|                        |             |                 | ex 2302 30 10         | (b) Bran                                                                                                                                                                  | 15,00'                                                                   |

— Footnote <sup>(5)</sup> is replaced by the following :

<sup>(5)</sup> The standard rate of yield to be applied is based on the number of eggs used per kg of pasta produced, using the following formula :

$$\text{— Numerical order 25 : } T = \frac{100}{160 - (X \times 1,6)} \times 100$$

$$\text{— Numerical order 25.1 : } T = \frac{100}{150 - (X \times 1,6)} \times 100$$

$$\text{— Numerical order 25.2 : } T = \frac{100}{140 - (X \times 1,6)} \times 100$$

$$\text{— Numerical order 26 : } T = \frac{100}{126 - (X \times 1,6)} \times 100.'$$

**COMMISSION REGULATION (EC) No 2194/94****of 8 September 1994****fixing the export refunds 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<sup>(1)</sup>, as last amended by Regulation (EC) No 1866/94<sup>(2)</sup>, and in particular the third subparagraph of Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation (EEC) No 1533/93 of 22 June 1993 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals<sup>(3)</sup>, amended by Regulation (EC) No 120/94<sup>(4)</sup>;

Whereas export possibilities exist for a quantity of 175 000 tonnes of hard wheat meal to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89<sup>(5)</sup>, as last amended by Regulation (EC) No 1755/94<sup>(6)</sup>, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EEC) No 1533/93;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(7)</sup>, as amended by Regulation (EC) No 3528/93<sup>(8)</sup>, 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<sup>(9)</sup>, as amended by Regulation (EC) No 547/94<sup>(10)</sup>;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93<sup>(11)</sup> 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 9 September 1994.

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 197, 30. 7. 1994, p. 1.

<sup>(3)</sup> OJ No L 151, 23. 6. 1993, p. 15.

<sup>(4)</sup> OJ No L 21, 26. 1. 1994, p. 1.

<sup>(5)</sup> OJ No L 94, 7. 4. 1989, p. 13.

<sup>(6)</sup> OJ No L 183, 19. 7. 1994, p. 7.

<sup>(7)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(8)</sup> OJ No L 320, 22. 12. 1993, p. 32.

<sup>(9)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(10)</sup> OJ No L 69, 12. 3. 1994, p. 1.

<sup>(11)</sup> OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 8 September 1994.

*For the Commission*

René STEICHEN

*Member of the Commission*

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## ANNEX

to the Commission Regulation of 8 September 1994 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

| (ECU/tonne)    |                 |                      | (ECU/tonne)    |                 |                      |
|----------------|-----------------|----------------------|----------------|-----------------|----------------------|
| Product code   | Destination (1) | Amount of refund (2) | Product code   | Destination (1) | Amount of refund (2) |
| 0709 90 60 000 | —               | —                    | 1007 00 90 000 | —               | —                    |
| 0712 90 19 000 | —               | —                    | 1008 20 00 000 | —               | —                    |
| 1001 10 00 200 | —               | —                    | 1101 00 00 100 | 01              | 40,00                |
| 1001 10 00 400 | 04              | 10,00                | 1101 00 00 130 | 01              | 38,00                |
|                | 02              | 5,00                 | 1101 00 00 150 | 01              | 35,00                |
| 1001 90 91 000 | —               | —                    | 1101 00 00 170 | 01              | 32,00                |
| 1001 90 99 000 | 03              | 25,00                | 1101 00 00 180 | 01              | 30,00                |
|                | 05              | 15,00                | 1101 00 00 190 | —               | —                    |
|                | 02              | 10,00                | 1101 00 00 900 | —               | —                    |
| 1002 00 00 000 | 03              | 25,00                | 1102 10 00 500 | 01              | 40,00                |
|                | 02              | 10,00                | 1102 10 00 700 | —               | —                    |
| 1003 00 10 000 | —               | —                    | 1102 10 00 900 | —               | —                    |
| 1003 00 90 000 | 03              | 45,00                | 1103 11 10 200 | 04              | 27,00 (3) (4)        |
|                | 02              | 10,00                |                | 02              | 17,00 (3) (5)        |
| 1004 00 00 200 | —               | —                    | 1103 11 10 400 | 01              | 0 (3)                |
| 1004 00 00 400 | —               | —                    | 1103 11 10 900 | —               | —                    |
| 1005 10 90 000 | —               | —                    | 1103 11 90 200 | 01              | 12,00 (3)            |
| 1005 90 00 000 | 03              | 40,00                | 1103 11 90 800 | —               | —                    |
|                | 02              | 0                    |                |                 |                      |

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 04 Algeria,
- 05 China.

(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.

(3) No refund is granted when this product contains compressed meal.

(4) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 135 000 tonnes of hard wheat meal destined for Algeria.

(5) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 40 000 tonnes of hard wheat meal destined for other third countries.

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

**COMMISSION REGULATION (EC) No 2195/94**  
**of 8 September 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 1869/94 <sup>(2)</sup>, 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 <sup>(3)</sup>, as last amended by Regulation (EEC) No 674/91 <sup>(4)</sup>, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 2147/94 <sup>(5)</sup>,

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 9 September 1994.

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

Done at Brussels, 8 September 1994.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 197, 30. 7. 1994, p. 7.

<sup>(3)</sup> OJ No L 80, 24. 3. 1987, p. 20.

<sup>(4)</sup> OJ No L 75, 21. 3. 1991, p. 29.

<sup>(5)</sup> OJ No L 228, 1. 9. 1994, p. 23.

## ANNEX

## to the Commission Regulation of 8 September 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

| CN code    | Levies (%)                                                      |                                                                             |                                                       |
|------------|-----------------------------------------------------------------|-----------------------------------------------------------------------------|-------------------------------------------------------|
|            | Arrangement<br>in Regulation (EEC)<br>No 3877/86 <sup>(1)</sup> | ACP<br>Bangladesh<br>( <sup>(1)</sup> )( <sup>(2)</sup> )( <sup>(3)</sup> ) | Third countries<br>(except ACP)<br>( <sup>(3)</sup> ) |
| 1006 10 21 | —                                                               | 143,71                                                                      | 294,62                                                |
| 1006 10 23 | —                                                               | 143,53                                                                      | 294,26                                                |
| 1006 10 25 | —                                                               | 143,53                                                                      | 294,26                                                |
| 1006 10 27 | 220,70                                                          | 143,53                                                                      | 294,26                                                |
| 1006 10 92 | —                                                               | 143,71                                                                      | 294,62                                                |
| 1006 10 94 | —                                                               | 143,53                                                                      | 294,26                                                |
| 1006 10 96 | —                                                               | 143,53                                                                      | 294,26                                                |
| 1006 10 98 | 220,70                                                          | 143,53                                                                      | 294,26                                                |
| 1006 20 11 | —                                                               | 180,53                                                                      | 368,27                                                |
| 1006 20 13 | —                                                               | 180,31                                                                      | 367,83                                                |
| 1006 20 15 | —                                                               | 180,31                                                                      | 367,83                                                |
| 1006 20 17 | 275,87                                                          | 180,31                                                                      | 367,83                                                |
| 1006 20 92 | —                                                               | 180,53                                                                      | 368,27                                                |
| 1006 20 94 | —                                                               | 180,31                                                                      | 367,83                                                |
| 1006 20 96 | —                                                               | 180,31                                                                      | 367,83                                                |
| 1006 20 98 | 275,87                                                          | 180,31                                                                      | 367,83                                                |
| 1006 30 21 | —                                                               | 224,10                                                                      | 472,05                                                |
| 1006 30 23 | —                                                               | 277,72                                                                      | 579,22                                                |
| 1006 30 25 | —                                                               | 277,72                                                                      | 579,22                                                |
| 1006 30 27 | 434,42                                                          | 277,72                                                                      | 579,22                                                |
| 1006 30 42 | —                                                               | 224,10                                                                      | 472,05                                                |
| 1006 30 44 | —                                                               | 277,72                                                                      | 579,22                                                |
| 1006 30 46 | —                                                               | 277,72                                                                      | 579,22                                                |
| 1006 30 48 | 434,42                                                          | 277,72                                                                      | 579,22                                                |
| 1006 30 61 | —                                                               | 239,02                                                                      | 502,74                                                |
| 1006 30 63 | —                                                               | 298,11                                                                      | 620,93                                                |
| 1006 30 65 | —                                                               | 298,11                                                                      | 620,93                                                |
| 1006 30 67 | 465,70                                                          | 298,11                                                                      | 620,93                                                |
| 1006 30 92 | —                                                               | 239,02                                                                      | 502,74                                                |
| 1006 30 94 | —                                                               | 298,11                                                                      | 620,93                                                |
| 1006 30 96 | —                                                               | 298,11                                                                      | 620,93                                                |
| 1006 30 98 | 465,70                                                          | 298,11                                                                      | 620,93                                                |
| 1006 40 00 | —                                                               | 57,27                                                                       | 120,54                                                |

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

(<sup>(2)</sup>) 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.

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

(<sup>(4)</sup>) 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.

(<sup>(5)</sup>) 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.

(<sup>(6)</sup>) 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 2196/94

of 8 September 1994

## introducing a countervailing charge on certain varieties of plum originating in Hungary

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EC) No 3669/93<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

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

Whereas Commission Regulation (EC) No 1324/94 of 8 June 1994 fixing for the 1994 marketing year the reference prices for plums<sup>(3)</sup> fixed the reference price for class I, group II at ECU 47,99 per 100 kilograms net for the month of September 1994;

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

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74<sup>(4)</sup>, as last amended by Regulation (EEC) No 249/93<sup>(5)</sup>, the prices to be taken

into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(6)</sup>, as amended by Regulation (EC) No 3528/93<sup>(7)</sup>, 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<sup>(8)</sup>, as amended by Regulation (EC) No 547/94<sup>(9)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

A countervailing charge of ECU 7,31 per 100 kilograms net is applied to plums (CN code 0809 40 11) of the following varieties: Altesse simple (common quetsche, Hauszwetschge), Reine-Claude d'Oullins (Oullins Gage), Sveskeblommer, Ruth Gerstetter, Ontario, Wangenheimer (early Wangenheim quetsche), Pershore (Yellow Egg), Mirabelle and Bosnische originating in Hungary.

*Article 2*

This Regulation shall enter into force on 10 September 1994.

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 338, 31. 12. 1993, p. 26.  
<sup>(3)</sup> OJ No L 144, 9. 6. 1994, p. 7.  
<sup>(4)</sup> OJ No L 220, 10. 8. 1974, p. 20.  
<sup>(5)</sup> OJ No L 28, 5. 2. 1993, p. 45.

<sup>(6)</sup> OJ No L 387, 31. 12. 1992, p. 1.  
<sup>(7)</sup> OJ No L 320, 22. 12. 1993, p. 32.  
<sup>(8)</sup> OJ No L 108, 1. 5. 1993, p. 106.  
<sup>(9)</sup> OJ No L 69, 12. 3. 1994, p. 1.

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

Done at Brussels, 8 September 1994.

*For the Commission*

René STEICHEN

*Member of the Commission*

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**COMMISSION REGULATION (EC) No 2197/94**  
**of 8 September 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 <sup>(1)</sup>, as last amended by Regulation (EC) No 133/94 <sup>(2)</sup>, 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 <sup>(3)</sup>, as amended by Regulation (EC) No 3528/93 <sup>(4)</sup>, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EC) No 1957/94 <sup>(5)</sup>, as last amended by Regulation (EC) No 2188/94 <sup>(6)</sup>;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1957/94 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 7 September 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 9 September 1994.

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

Done at Brussels, 8 September 1994.

*For the Commission*

René STEICHEN

*Member of the Commission*

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<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 22, 27. 1. 1994, p. 7.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 320, 22. 12. 1993, p. 32.

<sup>(5)</sup> OJ No L 198, 30. 7. 1994, p. 88.

<sup>(6)</sup> OJ No L 234, 8. 9. 1994, p. 9.

## ANNEX

**to the Commission Regulation of 8 September 1994 fixing the import levies on white sugar and raw sugar***(ECU/100 kg)*

| CN code    | Levy <sup>(2)</sup>  |
|------------|----------------------|
| 1701 11 10 | 33,25 <sup>(1)</sup> |
| 1701 11 90 | 33,25 <sup>(1)</sup> |
| 1701 12 10 | 33,25 <sup>(1)</sup> |
| 1701 12 90 | 33,25 <sup>(1)</sup> |
| 1701 91 00 | 40,00                |
| 1701 99 10 | 40,00                |
| 1701 99 90 | 40,00 <sup>(2)</sup> |

<sup>(1)</sup> 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).

<sup>(2)</sup> 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.

<sup>(3)</sup> No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.