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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2263/94

of 20 September 1994

amending Regulation (EC) No 2117/94 and increasing to 289 858 tonnes the amount of cereals held by the Spanish intervention agency for which a standing invitation to tender for resale on the internal market has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EC) No 1866/94 ⁽²⁾, and in particular Article 5 thereof,

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

Whereas Commission Regulation (EC) No 2117/94 ⁽⁵⁾, opened a standing invitation to tender for the resale on the internal market of 189 858 tonnes of cereals held by the Spanish intervention agency;

Whereas in the present situation on the market the quantity of maize held by the Spanish intervention agency put up for sale on the internal market of the Community should be increased to 289 858 tonnes;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 2117/94 'of 100 000 tonnes of barley' is replaced by 'of 200 000 tonnes of barley'.

Article 2

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

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

Done at Brussels, 20 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 224, 30. 8. 1994, p. 7.

COMMISSION REGULATION (EC) No 2264/94**of 20 September 1994****amending Regulation (EEC) No 2604/90, relating to detailed rules for the application of Council Regulation (EEC) No 1200/90 on the improvement of Community production of apples**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1200/90 of 7 May 1990 on the improvement of the Community production of apples ⁽¹⁾, as last amended by Regulation (EC) No 1890/94 ⁽²⁾, and in particular Article 6 thereof,

Whereas Regulation (EEC) No 1200/90 provides that, for the 1994/95 marketing year, orchards may be grubbed up in part; whereas the detailed rules for the application of this scheme as laid down in Commission Regulation (EEC) No 2604/90 of 7 September 1990 ⁽³⁾ should be amended accordingly, in particular so as to set a higher grubbing-up premium where the whole orchard is grubbed up;

Whereas Member States may decide, for reasons set out in Article 1 of Regulation (EEC) No 1200/90, not to apply that Regulation in part or all of their territory; whereas the Member States concerned should inform the Commission of their decisions in this regard;

Whereas Regulation (EEC) No 2604/90 should be adapted to take account of experience gained;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2604/90 is amended as follows:

1. Article 1 is amended as follows:

(a) paragraph 2 is replaced by the following:

'2. The grubbing-up premium shall be granted for grubbing-up of orchards within the meaning of Article 2 (2) of Regulation (EEC) No 1200/90 of an area of one hectare or more in one or more parcels. In the event of partial grubbing-up during the 1994/95 marketing year, the premium shall be granted for the grubbing-up of one hectare or more.'

(b) the following paragraph 3 is added:

'3. The grubbing-up must relate to whole parcels or, where necessary to satisfy the requirements of the second sentence of paragraph 2, a continuous part of one parcel.'

2. the following paragraph is added to Article 2:

'However, for the 1994/95 marketing year, that amount shall be ECU 5 000 per hectare where the whole of the orchard is grubbed up.'

3. Article 3 is amended as follows:

(a) in the first paragraph, '1 December 1992' is replaced by '1 December 1994';

(b) the second paragraph is replaced by the following:

'Applications shall be accompanied:

— by a written undertaking by the applicant to refrain for a period of 15 years, first from planting any apple trees on the areas of his holding affected by the grubbing-up operation, and second, from extending the other areas of his holding planted with apple trees,

— under the conditions laid down by national law, by the written consent to the grubbing-up operation of the owner or owners of the parcels planted with apple trees; such consent of the owner or owners shall involve an undertaking by the same, in the event of the sale, leasing or transfer by any other method of such parcels, to secure from any new grower the undertaking referred to in the first indent for the period referred to therein.'

4. Article 7 is amended as follows:

(a) '30 June' is replaced by '31 July';

(b) the following sentence is added:

'In addition, Member States taking advantage of Article 1 (2) of Regulation (EEC) No 1200/90 shall immediately inform the Commission thereof and shall notify the Commission of the parts of their territory involved and of the relevant laws or regulations.'

Article 2

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

⁽¹⁾ OJ No L 119, 11. 5. 1990, p. 63.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 41.

⁽³⁾ OJ No L 245, 8. 9. 1990, p. 23.

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

Done at Brussels, 20 September 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2265/94

of 20 September 1994

laying down certain, additional detailed rules for the application of the supplementary trade mechanism (STM) to trade in fruit and vegetables between Spain and the Community as constituted on 31 December 1985 as regards certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 3818/92⁽²⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89⁽³⁾, as amended by Regulation (EEC) No 3831/92⁽⁴⁾, establishes the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector from 1 January 1990; whereas tomatoes, artichokes and melons are included in the list;

Whereas Commission Regulation (EEC) No 3944/89⁽⁵⁾, as last amended by Regulation (EEC) No 3308/91⁽⁶⁾, lays down detailed rules for applying the supplementary trade mechanism, hereinafter called the 'STM', to fresh fruit and vegetables;

Whereas Commission Regulation (EC) No 1374/94⁽⁷⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 25 September 1994 for the above products; whereas in view of expected exports from Spain to the rest of the Community, with the exception of Portugal, and of the Community market situation, a period I should be fixed for the products in question excepting tomatoes; whereas, on the basis of the abovementioned criteria a period II should be determined for tomatoes from 3 October until 6 November 1994; whereas indicative ceilings should be determined pursuant to Article 3 of Regulation (EEC) No 3210/89 for short periods given the sensitivity of this product;

Whereas it should be stipulated that the provisions of Regulation (EEC) No 3944/89 relating to statistical monitoring, to the use of exit documents for Spanish consignments and to the various communications from the Member States apply in order to ensure that the STM operates;

Whereas the need for accurate information justifies communication on the statistical monitoring of trade at more frequent intervals;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For artichokes and melons falling within the CN codes listed in the Annex hereto the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in that Annex.
2. For tomatoes falling within CN codes 0702 00 10 and 0702 00 90:
 - the indicative ceilings provided for in Article 83 (1) of the Act of Accession, and
 - the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in the Annex hereto.

Article 2

1. For consignments from Spain to the rest of the Community market, with the exception of Portugal, of the products referred to in Article 1, the provisions of Regulation (EEC) No 3944/89, with the exception of Articles 5 and 7 thereof, shall apply.

However, the notification provided for in Article 2 (2) of that Regulation shall be made each Tuesday at the latest in respect of quantities consigned during the preceding week.

2. The notification provided for in the first paragraph of Article 9 of Regulation (EEC) No 3944/89 for products mentioned in Article 1 (2) subject to a period II or to a period III shall be forwarded to the Commission on Tuesday each week at the latest in respect of the preceding week.

During the application of a period I, those notifications shall be made once a month, on the fifth day of each month at the latest in respect of data from the preceding month; where appropriate, that notification shall bear the word 'nil'.

Article 3

This Regulation shall enter into force on 26 September 1994.

(¹) OJ No L 312, 27. 10. 1989, p. 6.
(²) OJ No L 387, 31. 12. 1992, p. 15.
(³) OJ No L 86, 31. 3. 1989, p. 35.
(⁴) OJ No L 387, 31. 12. 1992, p. 47.
(⁵) OJ No L 379, 28. 12. 1989, p. 20.
(⁶) OJ No L 313, 14. 11. 1991, p. 13.
(⁷) OJ No L 151, 17. 6. 1994, p. 11.

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

Done at Brussels, 20 September 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89 and the ceilings provided for in Article 83 of the Act of Accession

Period from 26 September to 6 November 1994

Description of product	CN code	Period
Artichokes	0709 10 00	I
Melons	0807 10 90	I

Description of product	CN code	Indicative ceiling (tonnes)	Period
Tomatoes	0702 00 10 and 0702 00 90	26. 9. — 2. 10. 1994 : —	I
		3. 10. — 9. 10. 1994 : 14 100	II
		10. 10. — 16. 10. 1994 : 17 500	II
		17. 10. — 23. 10. 1994 : 18 400	II
		24. 10. — 30. 10. 1994 : 18 800	II
		31. 10. — 6. 11. 1994 : 21 300	II

COMMISSION REGULATION (EC) No 2266/94

of 20 September 1994

on the free supply to Georgia, Armenia and Azerbaijan of common wheat flour
pursuant to Council Regulation (EC) No 1999/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan⁽¹⁾, and in particular Article 4 thereof,

Whereas, Commission Regulation (EC) No 2065/94⁽²⁾, established the detailed rules applicable to the free supply of agricultural products not available from intervention stocks but belonging to the same group of products provided for by Regulation (EC) No 1999/94; whereas, it is appropriate to open a tendering procedure for the supply of 15 000 tonnes of common wheat flour intended for Georgia, Armenia and Azerbaijan;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products as a single action, by which the whole of the supply should be awarded to a single tenderer;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby initiated for the supply costs of 15 000 tonnes (net) of common wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Article 2 (1) and (2) thereof.

2. The supply costs shall relate to the take-over of the flour fob, stored on the boat in one of the ports referred to in Article 2 (2) and transport by the appropriate means of transport to the places of destination and within the time limits indicated in Annex I.

3. The flour will be made available for loading with effect from the following dates:

- 5 000 tonnes with effect from 21 October 1994,
- 5 000 tonnes with effect from 28 October 1994,
- 5 000 tonnes with effect from 4 November 1994.

Article 2

1. In accordance with Article 4 of Regulation (EC) No 2065/94 the offers shall be presented to the following address:

Commission of the European Communities,
Division VI/G.2 (Office 10/05),
Rue de la Loi 120,
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 28 September 1994 at 12.00 (Brussels time).

2. The offer shall relate to the supply of the total of the quantities referred to in Article 1 (3).

By derogation from Article 6 (1) (d) (1) of Regulation (EC) No 2065/94 the offer must specify the total amounts in ecus required for the total supply, and the amount in ecus per tonne offered for each destination, from each of the following ports:

- Rouen,
- Ghent,
- Rotterdam,
- Venice (Porto Marghera).

3. By derogation from the amount referred to in Article 6 (1) (f) of Regulation (EC) No 2065/94 the tendering security is fixed at ECU 20 per tonne of flour.

4. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 280 per tonne of flour, to be lodged in national currency.

5. The securities referred to in paragraphs 3 and 4 shall be lodged in favour of the Commission of the European Communities.

Article 3

The take-over certificate referred to in Article 10 (1) (a) of Regulation (EC) No 2065/94 shall be established at the

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 213, 18. 8. 1994, p. 3.

places and by the authorities referred to in Annex II, on the basis of the model in Annex III.

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2065/94, the intervention agency of the Member State in which the port of take-over is situated shall

deliver a certificate certifying the total removal of the quantities for each destination, upon completion of that operation.

Article 5

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, 20 September 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Lot: 5 000 tonnes of common wheat flour destined for Georgia.

Delivery stage:

Poti or Batumi (goods not unloaded).

Final delivery date at the port: 29 November 1994.

5 000 tonnes of common wheat flour destined for Armenia.

Delivery stage:

Airum via the ports of Poti or Batumi (goods not unloaded).

Final delivery date at the port: 22 November 1994.

5 000 tonnes of common wheat flour destined for Azerbaijan.

Delivery stage:

Pbieuk-Kesik via the ports of Poti or Batumi (goods not unloaded).

Final delivery date at the port: 15 November 1994.

ANNEX II

(a) Place of take-over in Georgia

1. Port of Poti or Batumi — goods not unloaded.

However, the take-over certificate may only be issued following unloading and quantitative and qualitative control of the goods.

2. Authority entitled to deliver the take-over certificate :

Gossudarstvenaya Corporatziya Chleboproductov,
Ul. Didi Cheivani No 6,
Tbilisi,
Mr Anzar Burdjanadze,
tel. : (78832) 99 86 98,
fax : (78832) 99 67 40.

(b) Place of take-over in Armenia :

1. Airum — goods not unloaded.

The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.

2. Authority entitled to deliver the take-over certificate :

Ministry of Food and Provision,
375010 Yerevan,
Dom Pravitelstva,
Ploshchad Respubliki 1,
Mr Stepanian, Deputy Minister,
tel. : (78852) 52 03 21.

(c) Place of take-over in Azerbaijan :

1. Pbieuk-Kesik — goods not unloaded.

The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.

2. Authority entitled to deliver the take-over certificate :

Azintrade,
Baku, center,
Dom Pravitelstva, 1st Floor,
tel. : (78922) 93 19 80/93 97 13.

ANNEX III

PART A

FLOUR

Take-over certificate at the port of Poti/Batumi

I, the undersigned
(name/first name/position)

acting on behalf of

certify that the following goods have been taken over :

Product :	Flour
Packaging :	Big Bag
Total quantity in tonnes (net) : (gross) :	
Number of Big Bags	
Place and date of take-over :	
Name of boat :	
Name and address of transport company :	

Name/address of monitoring agency :

.....

.....

Name and signature of its on-the-spot representative :

.....

.....

Observations or remarks :
.....
.....
.....
.....

Signature and stamp
of the Georgian authorities

.....

Signature or stamp
of the authorities

.....

PART B

FLOUR

Take-over certificate on the arrival of the rail-wagons

I, the undersigned
(name/first name/position)

acting on behalf of

certify that the goods indicated below have been taken over :

Type of product : common wheat flour

Place and date of take-over :

Numbers of rail-wagons		Numbers of seals	
Departure	Arrival (signature)	Departure	Arrival (signature)
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

Name and address of the transport company :

Name and address of the monitoring agency :

Observations and remarks :
.....

Representative of monitoring agency Name, signature and stamp	Name, signature and stamp of the beneficiary
.....	
.....	

COMMISSION REGULATION (EC) No 2267/94**of 20 September 1994****on the free supply of flour to the people of Georgia, Armenia and Azerbaijan
pursuant to Council Regulation (EC) No 1999/94**

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

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan⁽¹⁾, and in particular Article 4 thereof,

Whereas, Commission Regulation (EC) No 2065/94 of 16 August 1994⁽²⁾, laying down detailed rules for the free supply of agricultural products held in intervention stocks to Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan pursuant to Council Regulation (EC) No 1999/94, provides that the tenders for the free supply of processed products shall relate to the quantity of basic product to be taken from intervention stocks as payment for the supply, and where applicable, as payment for the costs of processing, packaging and marking;

Whereas, it is appropriate to open a tendering procedure for the supply of 15 000 tonnes of common wheat flour;

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

HAS ADOPTED THIS REGULATION:

Article 1

A tendering procedure is hereby initiated for the supply costs of 15 000 tonnes (net) of common wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Article 2 (1) and (3) thereof.

Article 2

The supply shall include:

(a) delivery of the product specified in Annex I— free on board, stowed on the boat in one of the following ports:

- Rouen,
- Ghent,
- Rotterdam,
- Venice (Porto Marghera);

(b) the packaging and marking of the product in accordance with the instructions set out in Annex I.

The goods must be made available for loading on board ship at the following dates:

- 5 000 tonnes with effect from 21 October 1994,
- 5 000 tonnes with effect from 28 October 1994,
- 5 000 tonnes with effect from 4 November 1994.

Article 3

1. In accordance with Article 4 of Regulation (EC) No 2065/94 the offers shall be presented to the following address:

Commission of the European Communities,
Division VI/G.2 (Office 10/05),
Rue de la Loi 120,
B-1049 Brussels.

The closing date for the lodgement of tenders shall be 28 September 1994 at 12.00 (Brussels time).

2. The offer of the tenderer shall indicate the quantity of common wheat, to be taken over from the intervention stocks referred to in Annex II, as payment for the supply, necessary to cover all costs of the supply as specified in Article 2 to the delivery stage laid down.

The offer shall be expressed in tonnes of common wheat (net weight) to be exchanged for a tonne of finished product (net weight).

3. By derogation from the amount referred to at Article 6 (1) (f) of Regulation (EC) No 2065/94 the tendering security is fixed at ECU 20 per tonne of common wheat flour.

4. The security referred to at Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 280 per tonne of common wheat flour, to be lodged in national currency.

5. The securities referred to in paragraphs 3 and 4 shall be lodged in favour of the Commission of the European Communities.

Article 4

The take-over certificate referred to in Article 10 (1) (b) of Regulation (EC) No 2065/94 shall be established on the basis of the model in Annex III.

Article 5

By derogation from Article 11 (1) of Regulation (EC) No 2065/94 all of the controls referred to in the said paragraph shall be carried out by the intervention agency of the Member State in which the port of loading is situated.

Article 6

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

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 213, 18. 8. 1994, p. 3.

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

Done at Brussels, 20 September 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

1. *Product to be supplied*: common wheat flour
2. *Characteristics and quality of the goods*⁽¹⁾: see OJ No C 114, 29. 4. 1991 (under II.B (1) (a))
3. *Total quantity*: 15 000 tonnes
4. *Number of lots*: one lot of 15 000 tonnes to be delivered to one port only
5. *Packaging*⁽²⁾: in new mixed jute/polypropylene sacks containing 50 kg net. See OJ No C 114, 29. 4. 1991 (under II.B (2) (c))

These sacks will be packaged in new polypropylene 'Slings/Big Bags', closed on top, at the rate of 20 sacks per 'Big Bag'. The 'Big Bags' will be sealed under the responsibility of the successful tenderer
6. *Marking*:
 - (a) European flag: see OJ No C 114, 29. 4. 1991 (Annexes I and II)
 - (b) the following inscription on each sack:
 'ПШЕНИЧНАЯ МУКА - ПОСТАВКА ЕВРОПЕЙСКОГО СОЮЗА'.
 in letters of at least 5 cm
7. *Stage of supply*: FOB stowed

⁽¹⁾ The successful tenderer shall deliver to the transporter a certificate from an official entity, certifying that for the product to be delivered, the standards applicable, relative to nuclear radiation, in the Member State concerned have not been exceeded.

The radioactivity certificate must indicate the caesium -134 and -137 and iodine -131 levels.

⁽²⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

ANNEX II

<i>Places of storage</i>	<i>Quantity (in tonnes)</i>
DLG Holsted-Brørup Ladelundsvej 32 DK-6670 Holsted	6 568,420
DLG Brørup Kragelund Afd. Hamburggårdsvej DK-6622 Bække	9 767,800
Korn og Foderstofforretning Emmelev A/S Hus B, Lager A Norupvej 68 DK-5450 Otterup	9 015,870
A/S KFK Bevtoft Savværksvej 10 DK-6541 Bevtoft	5 000,479

The characteristics of the lots shall be supplied to the successful tenderer by the Danish intervention agency.

Address of the intervention agency:

Landbrugsministeriet,
EF-Direktoratet,
Nyropsgade 26,
DK-1602 København V,
tel.: (45) 33 92 70 00,
fax: (45) 33 92 69 48.

ANNEX III

Take-over certificate

I, the undersigned
(name/first name/position)

acting on behalf of

certify the following goods have been taken over :

Product :		
Packaging :		
Number	of sacks :	
	of 'Big Bags' :	
Total quantity in tonnes net : gross :		
Place and date of take-over :		
Name of boat :		

Name/address of monitoring agency :

.....

.....

Name and signature of its on-the-spot representative :

.....

.....

Observations or remarks :

.....

.....

.....

.....

Signature and stamp
of transporter

.....

COMMISSION REGULATION (EC) No 2268/94

of 20 September 1994

fixing the agricultural conversion rates

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

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⁽¹⁾, as last amended by Regulation (EC) No 3528/93⁽²⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 2082/94⁽³⁾;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that the agricultural conversion rate for a floating currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels; whereas, notwithstanding that Article 4, Article 4a of that Regulation applies until 31 December 1994;

Whereas the representative market rates are determined on the basis of reference periods established in accordance with Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽⁴⁾, as amended by Regulation (EC) No 547/94⁽⁵⁾;

Whereas, as a consequence of the exchange rates recorded during the reference period 11 to 20 September 1994, it is necessary on the one hand to fix the limits referred to in paragraphs 1 and 3 of Article 4a of Regulation (EEC) No 3813/92 at + 3,448 and - 1,552 and on the other hand to fix a new agricultural conversion rate for the Greek drachma;

Whereas Article 15 (3) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance shall be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the

operative event applicable for the currency concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

— Table A, where the latter rate is higher than the rate fixed in advance,

or

— Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EC) No 2082/94 is hereby repealed.

Article 4

This Regulation shall enter into force on 21 September 1994.

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

Done at Brussels, 20 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 215, 20. 8. 1994, p. 7.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 69, 12. 3. 1994, p. 1.

*ANNEX I***Agricultural conversion rates**

ECU 1 =	49,3070	Belgian and Luxembourg francs
	9,34812	Danish kroner
	2,35418	German marks
	349,469	Greek drachmas
	192,319	Spanish pesetas
	7,98191	French francs
	0,976426	Irish punt
	2 339,97	Italian lire
	2,65256	Dutch guilders
	239,331	Portuguese escudos
	0,953575	Pound sterling

*ANNEX II***Agricultural conversion rates fixed in advance and adjusted**

Table A			Table B		
ECU 1 =	47,4106	Belgian and Luxembourg francs	ECU 1 =	51,3615	Belgian and Luxembourg francs
	8,98858	Danish kroner		9,73763	Danish kroner
	2,26363	German marks		2,45227	German marks
	336,028	Greek drachmas		364,030	Greek drachmas
	184,922	Spanish pesetas		200,332	Spanish pesetas
	7,67491	French francs		8,31449	French francs
	0,938871	Irish punt		1,01711	Irish punt
	2 249,97	Italian lire		2 437,47	Italian lire
	2,55054	Dutch guilders		2,76308	Dutch guilders
	230,126	Portuguese escudos		249,303	Portuguese escudos
	0,916899	Pound sterling		0,993307	Pound sterling

COMMISSION REGULATION (EC) No 2269/94**of 20 September 1994****introducing a countervailing charge on certain varieties of plum originating in Turkey**

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⁽¹⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EC) No 2180/94⁽³⁾, introduced a countervailing charge on certain varieties of plum originating in Turkey;

Whereas for these varieties of plum originating in Turkey there were no prices for six consecutive working days;

whereas the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of certain varieties of plum originating in Turkey can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2180/94 is hereby repealed.

Article 2

This Regulation shall enter into force on 21 September 1994.

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

Done at Brussels, 20 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 233, 7. 9. 1994, p. 13.

COMMISSION REGULATION (EC) No 2270/94

of 20 September 1994

on the issuing of licences for traditional imports of bananas originating in the
ACP States for the fourth quarter of 1994

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Regulation (EEC) No 404/93 of
13 February 1993 on the common organization of the
market in bananas ⁽¹⁾, amended by Regulation (EC) No
3518/93 ⁽²⁾,

Having regard to Commission Regulation (EEC) No
1442/93 of 10 June 1993 laying down detailed rules for
the application of the arrangements for importing
bananas into the Community ⁽³⁾, as last amended by
Regulation (EC) No 1299/94 ⁽⁴⁾, and in particular Article
16 (1) and (2) thereof,

Whereas Article 16 (2) of Regulation (EEC) No 1442/93
provides that where the quantities of bananas originating
in one and the same ACP State listed in the Annex to
Regulation (EEC) No 404/93 for which import licences
are applied for exceed the indicative quantity fixed for the
period in question, the Commission is to set a single
reduction percentage to all licence applications
mentioning that country of origin;

Whereas Commission Regulation (EC) No 2161/94 ⁽⁵⁾
fixes quantities for imports of bananas into the Commu-
nity for the fourth quarter of 1994 for imports originating
in the ACP States under the traditional quantities
imported;

Whereas, for Cameroon, the quantities requested for tradi-
tional imports of ACP bananas during the second quarter

of 1994 are higher than the quantities fixed by Regulation
(EC) No 2161/94; whereas, as a result, a single reduction
percentage should be fixed for each application indicating
this country or origin pursuant to Article 16 (2) of
Regulation (EEC) No 1442/93;

Whereas this Regulation should take effect without delay
in order to allow licences to be issued as quickly as
possible,

HAS ADOPTED THIS REGULATION:

Article 1

For the fourth quarter of 1994, as regards licence applica-
tions for traditional imports of bananas originating in the
ACP States, import licences shall be issued:

- for the quantity indicated in the licence application,
multiplied by a reduction coefficient of 0,598944 for
applications indicating the origin Cameroon,
- in the case of applications indicating other origins, for
the quantities indicated in the application.

Article 2

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

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

Done at Brussels, 20 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 15.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 141, 4. 6. 1994, p. 38.

⁽⁵⁾ OJ No L 230, 3. 9. 1994, p. 1.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 August 1994

on the extension to non-members of certain rules adopted by two associations of producers' organizations in the fishery and aquaculture products sector

(Only the French text is authentic)

(94/618/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, hereinafter called the basic Regulation, as last amended by Regulation (EEC) No 1891/93⁽²⁾, and in particular Article 5 (2) thereof,

Whereas the French authorities notified the Commission on 28 July 1994 of their intention to extend to non-members the rules adopted by two associations of producers' organizations in the area for which they are representative;

Whereas the entire production of French longfinned tuna vessels is marketed through port-based producers' organizations of which they are members and which themselves belong to one or other national association; whereas these associations are therefore representative in the areas and as regards the species concerned;

Whereas the withdrawal prices which are the subject of the request for extension of the rules abide by the Community withdrawal prices and are already applied by the producers' organizations concerned; whereas the members of other producer organizations are obliged,

pursuant to Article 2 (3) of Commission Regulation (EEC) No 3902/92 of 23 December 1992 setting detailed rules for granting financial compensation on certain fishery products⁽³⁾, to apply a withdrawal price which is at least equal to that applied by the recognized producers' organizations in the landing area; whereas, in order to prevent excessive forced withdrawals, other producers who are not members of a producers' organization and who land fish in the area in question should be obliged to apply the same prices;

Whereas the rules notified are in accordance with Community law and in particular with the basic Regulation and with Commission Regulation (EEC) No 3190/82 of 29 November 1982 laying down detailed rules for the extension of certain rules adopted by producers' organizations in the fisheries sector to non-members⁽⁴⁾; whereas the rules now notified may therefore be extended as proposed,

HAS ADOPTED THIS DECISION:

Article 1

Certain rules adopted by the following associations of producers' organizations in the fishery and aquaculture products sector may be made binding on non-members of those organizations.

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 172, 15. 7. 1993, p. 1.

⁽³⁾ OJ No L 392, 31. 12. 1992, p. 35.

⁽⁴⁾ OJ No L 338, 30. 11. 1982, p. 11.

— ANOP

Association nationale des organisations de producteurs,
Nouvelle créée, bureau n° 9,
F-29900 Concarneau.

Article 3

This Decision is addressed to the French Republic.

— Feodopa

Fédération nationale des organisations de producteurs
de la pêche artisanale,
24, rue du Rocher,
F-75008 Paris.

Done at Brussels, 24 August 1994.

These rules are listed in the Annex to this Decision.

Article 2

This Decision shall apply from the date of its publication
in the *Official Journal of the European Communities* for
a period which expires on 31 December 1994.

For the Commission

Karel VAN MIERT

Member of the Commission

*ANNEX***1. Areas covered by this measure**

All ports in France.

2. Production and marketing rules

The following withdrawal prices apply to longfinned tuna (*Thunnus alalunga*):

— gutted, head on, quality E, sizes 1 and 2:	FF 16,00/kilo,
— gutted, head on, quality A, sizes 1 and 2:	FF 14,00/kilo,
— gutted, head on, quality B, sizes 1 and 2:	FF 7,30/kilo,
— whole, qualities E and A, size 1:	FF 12,70/kilo,
— whole, qualities E and A, size 2:	FF 12,00/kilo.

COMMISSION DECISION**of 24 August 1994**

amending the information contained in the list in the Annex to Commission Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community

(94/619/EC)

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

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources⁽¹⁾, as last amended by Regulation (EEC) No 3919/92⁽²⁾,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community⁽³⁾, as last amended by Regulation (EC) No 3410/93⁽⁴⁾, and in particular Article 3 thereof,

Whereas authorities of the Member States concerned have applied for the information in the list provided for in Article 9 (3) (b) of Regulation (EEC) No 3094/86 to be amended; whereas the said authorities have provided all the information supporting their applications pursuant to Article 3 of Regulation (EEC) No 55/87; whereas it has been found that the information complies with the requi-

rements and whereas, therefore, the information in the list annexed to the Regulation should be amended,

HAS ADOPTED THIS DECISION:

Article 1

The information in the list annexed to Regulation (EEC) No 55/87 is amended as shown in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 August 1994.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 397, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 8, 10. 1. 1987, p. 1.

⁽⁴⁾ OJ No L 310, 14. 12. 1993, p. 27.

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

Matrícula y folio	Nombre del barco	Indicativo de llamada de radio	Puerto base	Potencia del motor (kW)
Havnekendings-bogstaver og -nummer	Fartøjets navn	Radio-kaldesignal	Registreringshavn	Maskin-effekt (kW)
Äußere Identifizierungskennbuchstaben und -nummern	Name des Schiffes	Rufzeichen	Registrierhafen	Motorstärke (kW)
Εξωτερικά στοιχεία και αριθμοί αναγνώρισης	Όνομα σκάφους	Αριθμός κλήσης ασυρμάτου	Λιμένας νηολόγησης	Ισχύς κινητήρος (kW)
External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
Numéro d'immatriculation lettres + chiffres	Nom du bateau	Indicatif d'appel radio	Port d'attache	Puissance motrice (kW)
Identificazione esterna lettere + numeri	Nome del peschereccio	Indicativo di chiamata	Porto di immatricolazione	Potenza motrice (kW)
Op de romp aangebrachte identificatieletters en -cijfers	Naam van het vaartuig	Roepletters	Haven van registratie	Motorvermogen (kW)
Identificação externa letras + números	Nome do navio	Indicativo de chamada	Porto de registo	Potência motriz (kW)
1	2	3	4	5

A. Datos que se retiran de la lista — Oplysninger, der skal slettes i listen — Aus der Liste herauszunehmende Angaben — Στοιχεία που διαγράφονται από τον κατάλογο — Information to be deleted from the list — Renseignements à retirer de la liste — Dati da togliere dall'elenco — Inlichtingen te schrappen uit de lijst — Informações a retirar da lista

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUTSLAND / ALEMANHA

DOR 4	Saphir	DFAX	Dorum	216
GRE 23	Merlan	DJHL	Greetsiel	184
SPI 4	Seehund	DERF	Spieka	184

B. Datos que se añaden a la lista — Oplysninger, der skal anføres i listen — In die Liste hinzuzufügende Angaben — Στοιχεία που προστίθενται στον κατάλογο — Information to be added to the list — Renseignements à ajouter à la liste — Dati da aggiungere all'elenco — Inlichtingen toe te voegen aan de lijst — Informações a aditar à lista

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUTSLAND / ALEMANHA

CUX 10	Aldebaran	DJGW	Cuxhaven	132
CUX 11	Seehund	DERF	Cuxhaven	184
CUX 14	Saphir	DFAX	Cuxhaven	216
GRE 23	Merlan	DJHL	Greetsiel	183

COMMISSION DECISION**of 24 August 1994**

amending the information contained in the list in the Annex to Commission Regulation (EC) No 3438/93 establishing, for 1994, the list of vessels exceeding eight metres length overall and permitted to fish for sole within certain areas of the Community using beam trawls whose aggregate length exceeds nine metres

(94/620/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources ⁽¹⁾, as last amended by Regulation (EEC) No 3919/92 ⁽²⁾,

Having regard to Commission Regulation (EEC) No 3554/90 of 10 December 1990 adopting provisions for the establishment of the list of vessels exceeding eight metres overall which are permitted to fish for sole within certain areas of the Community using beam trawls of an aggregate length exceeding nine metres ⁽³⁾, as last amended by Regulation (EC) No 3407/93 ⁽⁴⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EC) No 3438/93 ⁽⁵⁾ establishes, for 1994, the list of vessels exceeding eight metres overall which are permitted to fish for sole within certain areas of the Community using beam trawls of an aggregate length exceeding nine metres as provided in Article 9 (3) (c) of Regulation (EEC) No 3094/86;

Whereas the authorities of the Member States concerned have applied for the information in the list provided for in Article 9 (3) (c) of Regulation (EEC) No 3094/86 to be

amended; whereas the said authorities have provided all the information supporting their applications pursuant to Article 2 of Regulation (EEC) No 3554/90; whereas it has been found that the information complies with the requirements; whereas, therefore, the information in the list annexed to the Regulation should be amended,

HAS ADOPTED THIS DECISION:

Article 1

The information in the list annexed to Regulation (EC) No 3438/93 is amended as shown in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 24 August 1994.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 397, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 346, 11. 12. 1990, p. 11.

⁽⁴⁾ OJ No L 310, 14. 12. 1993, p. 19.

⁽⁵⁾ OJ No L 314, 16. 12. 1993, p. 17.

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

Matrícula y folio	Nombre del barco	Indicativo de llamada de radio	Puerto base	Potencia del motor (kW)
Havnekendings-bogstaver og -nummer	Fartøjets navn	Radio-kaldesignal	Registreringshavn	Maskin-effekt (kW)
Äußere Identifizierungskennbuchstaben und -nummern	Name des Schiffes	Rufzeichen	Registrierhafen	Motorstärke (kW)
Εξωτερικά στοιχεία και αριθμοί αναγνώρισης	Όνομα σκάφους	Αριθμός κλήσης ασυρμάτου	Λιμένας νηολόγησης	Ισχύς κινητήρος (kW)
External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
Numéro d'immatriculation lettres + chiffres	Nom du bateau	Indicatif d'appel radio	Port d'attache	Puissance motrice (kW)
Identificazione esterna lettere + numeri	Nome del peschereccio	Indicativo di chiamata	Porto di immatricolazione	Potenza motrice (kW)
Op de romp aangebrachte identificatieletters en -cijfers	Naam van het vaartuig	Roepletters	Haven van registratie	Motorvermogen (kW)
Identificação externa letras + números	Nome do navio	Indicativo de chamada	Porto de registo	Potência motriz (kW)
1	2	3	4	5

A. Datos que se retiran de la lista — Oplysninger, der skal slettes i listen — Aus der Liste herauszunehmende Angaben — Στοιχεία που διαγράφονται από τον κατάλογο — Information to be deleted from the list — Renseignements à retirer de la liste — Dati da togliere dall'elenco — Inlichtingen te schrappen uit de lijst — Informações a retirar da lista

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUTSLAND / ALEMANHA

DOR 4	Saphir	DFAX	Dorum	216
GRE 23	Merlan	DJHL	Greetsiel	184
SPI 4	Seehund	DERF	Spieka	184

B. Datos que se añaden a la lista — Oplysninger, der skal anføres i listen — In die Liste hinzuzufügende Angaben — Στοιχεία που προστίθενται στον κατάλογο — Information to be added to the list — Renseignements à ajouter à la liste — Dati da aggiungere all'elenco — Inlichtingen toe te voegen aan de lijst — Informações a aditar à lista

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUTSLAND / ALEMANHA

CUX 10	Aldebaran	DJGW	Cuxhaven	132
CUX 11	Seehund	DERF	Cuxhaven	184
CUX 14	Saphir	DFAX	Cuxhaven	216
GRE 23	Merlan	DJHL	Greetsiel	183

COMMISSION DECISION

of 20 September 1994

concerning certain measures with regard to fishery products and bivalve molluscs originating in and coming from Albania

(Text with EEA relevance)

(94/621/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by Decision 92/438/EEC ⁽²⁾, and in particular Article 18 (1) thereof,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries ⁽³⁾, as last amended by Directive 92/118/EEC ⁽⁴⁾, and in particular Article 19 (1) thereof,

Whereas cases of cholera have been found in Albania;

Whereas the presence of cholera in Albania is likely to constitute a serious danger to public health; this requires the rapid adoption at Community level of the necessary protection measures with regard to fishery products and bivalve molluscs;

Whereas, in the absence of health guarantees from the Albanian authorities, it is necessary to prohibit imports of

fishery products and bivalve molluscs originating in or coming from Albania,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall prohibit the importation of fishery products and bivalve molluscs originating in or coming from Albania.

Article 2

Member States shall alter the measures they apply to imports in order to bring them into line with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision shall apply until 31 October 1994.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 20 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽²⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽³⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 62, 15. 3. 1993, p. 49.

COMMISSION DECISION

of 20 September 1994

adopting measures for the import of fruit and vegetables originating in or consigned from Albania

(Text with EEA relevance)

(94/622/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs⁽¹⁾, and in particular Article 10 thereof,

Whereas cases of cholera have been reported in Albania;

Whereas the presence of cholera in Albania may constitute a serious threat to public health in the Community; whereas it is necessary to adopt urgently protective measures at Community level concerning certain fruit and vegetables likely to present a risk of contamination;

Whereas, in the absence of sanitary guarantee from the Albanian authorities, it is necessary to suspect imports of certain fruit and vegetables originating in or consigned from Albania;

Whereas urgency has not permitted the consultation of Member States,

HAS ADOPTED THIS DECISION:

Article 1

Member States shall suspend imports of:

- fruit and vegetables covered by Council Regulation (EEC) No 1035/72⁽²⁾, as last amended by Regulation (EC) No 3669/93⁽³⁾, and Council Regulation (EEC) No 827/68⁽⁴⁾, as last amended by Regulation (EC) No 794/94⁽⁵⁾,
- processed fruit and vegetables products covered by Council Regulation (EEC) No 426/86⁽⁶⁾, as last amended by Regulation (EC) No 1490/94⁽⁷⁾,
- other fruit and vegetables falling within Chapters 7, 8 and 20 of the combined nomenclature and not covered by the abovementioned Regulations,

originating in, or consigned from Albania.

Article 2

Article 1 shall not apply to:

1. dried vegetables, dried leguminous vegetables, nuts and dried fruit falling within CN codes 0712, 0713, 0802 and 0813 respectively, and any fruit and vegetable dried to a_w value below 0,85;
2. all fruit and vegetables transported under normal conditions, including controlled temperature and moisture conditions when the journey time is at least 21 days;
3. fruit and vegetables and juices or pulps of these in hermetically sealed tins, jars and bottles heated for preservation to more than 70 °C throughout after sealing;
4. fruit and vegetables in tins, jars and bottles preserved in acid medium of pH below 4,5;
5. frozen fruit and vegetables previously heat-treated to more than 70 °C throughout and packaged under proper hygienic conditions in Albania.

Article 3

Member States shall amend the measures concerning imports necessary to comply with this Decision. They shall inform the Commission thereof.

Article 4

This Decision is applicable until 31 October 1994.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 20 September 1994.

For the Commission

Martin BANGEMANN

Member of the Commission⁽¹⁾ OJ No L 175, 19. 7. 1993, p. 1.⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1.⁽³⁾ OJ No L 338, 31. 12. 1993, p. 26.⁽⁴⁾ OJ No L 151, 30. 6. 1968, p. 16.⁽⁵⁾ OJ No L 92, 9. 4. 1994, p. 15.⁽⁶⁾ OJ No L 49, 27. 2. 1986, p. 1.⁽⁷⁾ OJ No L 161, 29. 6. 1994, p. 13.