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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2473/94

of 13 October 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

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

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

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 10 and 11 October 1994 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

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

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

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

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

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

Article 2

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

HAS ADOPTED THIS REGULATION :

Article 1

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

Article 3

This Regulation shall enter into force on 14 October 1994.

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

Done at Brussels, 13 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)

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

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

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

(a) Lebanon : ECU 0,60 per 100 kg ;

(b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

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

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

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

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

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

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)

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

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

COMMISSION REGULATION (EC) No 2474/94**of 13 October 1994****fixing the import levies on white sugar and raw sugar**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EC) No 1957/94⁽⁵⁾, as last amended by Regulation (EC) No 2470/94⁽⁶⁾;

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 12 October 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 14 October 1994.

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

Done at Brussels, 13 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 88.

⁽⁶⁾ OJ No L 263, 13. 10. 1994, p. 20.

ANNEX

to the Commission Regulation of 13 October 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	33,53 ⁽¹⁾
1701 11 90	33,53 ⁽¹⁾
1701 12 10	33,53 ⁽¹⁾
1701 12 90	33,53 ⁽¹⁾
1701 91 00	40,67
1701 99 10	40,67
1701 99 90	40,67 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

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

COMMISSION REGULATION (EC) No 2475/94

of 13 October 1994

amending Regulation (EEC) No 2911/90 laying down detailed rules of application for aid for the production of certain varieties of grapes for drying

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 1490/94 ⁽²⁾, and in particular Article 6 (6) thereof,

Whereas, in accordance with Regulation (EEC) No 426/86, the system of aid for the production of dried grapes has been replaced *in toto*, as from the 1994/95 wine year, by a system of aid for the cultivation of grapes for drying; whereas the necessary inferences should be drawn as regards the detailed rules of application laid down by Commission Regulation (EEC) No 2911/90 ⁽³⁾, as last amended by Regulation (EEC) No 1445/93 ⁽⁴⁾;

Whereas, given not only the discontinuation of the system of production aid, but also the experience gained, and the fact that two rates of aid are fixed for sultanas, new requirements must be laid down, in particular as regards the retention of a quantity, the definition of areas, and the conduct of controls;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2911/90 is hereby amended as follows:

1. Article 2 is replaced by the following:

'Article 2

The aid shall be granted in respect of areas meeting the following conditions:

- (a) they must be fully cultivated and harvested and normal cultivation work must have been carried out on them;
- (b) at least 90 % of the fresh grapes produced must have been dried and a quantity thereof must have been retained in accordance with national provisions;
- (c) they must have a yield at least equal to a threshold fixed every year by the Commission.

However, the Member States shall be authorized, with the agreement of the Commission, to allow areas which, by virtue of officially recognized natural disasters, have a yield equal to at least 50 % of that threshold, to qualify for the aid;

- (d) they must have been covered by a cultivation declaration and an aid application in accordance with Article 3 and 3a respectively;

2. Article 3 is amended as follows:

- (a) paragraph 1 is replaced by the following:

'1. By 30 April each year in respect of the following marketing year, cultivation declarations shall be submitted by producers to the competent authority designated by the Member State on whose territory the areas are located.

However, Member States which have created a complete register of areas cultivated and qualifying for the cultivation aid may:

- restrict the declaration requirement to newly eligible producers and to producers having changes in the previous situation to declare; and
- authorize other producers to replace the cultivation declaration by a statement in their aid applications as provided for in Article 3a to the effect that there is no change as compared with the previous situation.'

- (b) paragraph 2 is amended as follows:

- (i) in the introductory part, 'Applications for aid' is replaced by 'Cultivation declarations';

- (ii) point (c) is replaced by the following:

- '(c) the grape variety used and, in the case of sultanas, a statement as to whether the vineyard is affected by phylloxera or has been replanted in the last five years';

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 161, 29. 6. 1994, p. 13.

⁽³⁾ OJ No L 278, 10. 10. 1990, p. 35.

⁽⁴⁾ OJ No L 142, 12. 6. 1993, p. 27.

3. the following Article 3a is inserted:

'Article 3a

1. Aid applications shall be submitted by producers to the competent authority referred to in Article 3 (1) by no later than 30 November of the year of production of the grapes intended for drying.

2. Applications shall include at least the following:

- the surname, forenames and address of the applicant,
- the quantity of dried grapes produced, the areas on which the grapes were harvested in accordance with the cultivation declaration, and the yield obtained,
- the quantity of grapes sold fresh and a statement to the effect that this quantity does not exceed 10 % of the quantity harvested.

Aid applications for the 1994/95 marketing year shall also give the details referred to in Article 3 (2) (c).';

4. Article 6 is amended as follows:

(a) paragraph 1 is replaced by the following:

'1. Member States shall verify, by surveys and on-the-spot checks, the accuracy of the information provided in support of aid applications, in particular as regards:

- the areas declared as areas for the production of grapes for drying,
- the actual drying of at least 90 % of the fresh grapes harvested on such areas,
- the retention of a quantity under effective conditions,

and, in the case of sultanas:

- a declaration of the areas affected by phylloxera, areas replanted and other areas.

with a view to controls, the Member State shall cross-check the information provided by producers with the data in the vineyard register and with the information collected during the implementation of replanting programmes to combat phylloxera.';

(b) paragraph 4 is replaced by the following:

'4. Producer Member States shall notify the Commission by 15 December 1990 at the latest of the national provisions adopted on verification of applications, in particular to prevent aid being granted more than once on the same vines, and on checks.

By 15 December 1994 at the latest they shall forward the additional national provisions adopted to:

- verify the breakdown of areas into areas affected by phylloxera or replanted in the last five years, and other areas,
- check the use made of the grapes produced and the accuracy of the yields declared,
- implement a system of retention of a quantity and the percentages to be retained,
- penalize failures to comply with these arrangements.';

5. Article 9 is replaced by the following:

'Article 9

Each producer Member State shall notify the Commission every year not later than:

- (a) 30 June, in respect of the following harvest, of the areas covered by cultivation declarations broken down by variety and, in the case of sultanas, broken down into areas affected by phylloxera or replanted in the last five years, and other areas;
- (b) 31 January, in respect of the marketing year in progress, of the areas covered by aid applications, broken down as set out in point (a), and the declared production, broken down by product;
- (c) 15 May, in respect of the marketing year in progress, of the areas in respect of which aid has actually been paid and the production from such areas, broken down in accordance with point (a).'

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, 13 October 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2476/94

of 13 October 1994

limiting the period of validity of advance fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products ⁽¹⁾, and in particular Article 8 (3) thereof,

Whereas, under the GATT Agreement, the budgetary expenditure for goods not covered by Annex II must be reduced by 36 % in six years; whereas that reduction must be applied, for the first time, over annual budgetary exercises, beginning on 16 October 1995 and expiring on 15 October of the following year;

Whereas it appears necessary to quantify the expenditure for every budgetary year; whereas in order to ensure this quantification, steps must be taken to make certain that certificates issued under the current arrangements are used under those arrangements; whereas, to that end, the period of validity of certificates issued under the current arrangements should be limited to 15 October 1995; whereas 14 and 15 October 1995 are not working days, the period of validity of certificates issued under the current agreements has to be limited to 13 October 1995;

Whereas Article 4 of Commission Regulation (EC) No 1223/94 of 30 May 1994 laying down special detailed rules for the application of the system of advance-fixing certificates for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty ⁽²⁾, establishes the duration of validity for advance fixing certificates; whereas this Regulation will have to take account of the GATT Agreement;

Whereas the use of one of the arrangements referred to in Articles 4 and 5 of Council Regulation (EEC) No 565/80 ⁽³⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁴⁾, may result in an extension of the period of validity of licences; whereas it should be laid down that products placed under one of those arrangements must be withdrawn from that arrangement not later than 13 October 1995; whereas that constitutes a derogation from the provisions fixing the period during which products may be placed under one of those arrangements;

Whereas the measure provided for in this Regulation is taken to ensure a harmonious transition between the

current arrangements and the GATT arrangements; whereas this measure does not prejudice the method which will be used for administration of the GATT Agreement; whereas, in this context, measures will be taken as quickly as possible in order to avoid disturbances in trade;

Whereas the measures provided in this Regulation are in accordance with the opinion of the Management Committee on horizontal questions concerning trade in processed agricultural products not listed in Annex II,

HAS ADOPTED THIS REGULATION:

Article 1

The advance fixing certificates requested pursuant to Regulation (EC) No 1223/94 whose period of validity following the application of Article 4 of this Regulation, goes beyond 15 October 1995 shall be limited to 13 October 1995.

Article 2

Products which on 13 October 1995 are covered by one of the arrangements referred to in Articles 4 and 5 of Regulation (EEC) No 565/80, shall be the subject, on that date, of the export declaration, within the meaning of Article 30 of Commission Regulation (EEC) No 3665/87 ⁽⁵⁾.

Article 3

To avoid disturbances in trade, other measures that are necessary to take account of the particular circumstances relating to products exported in the form of goods not covered by Annex II to the Treaty, shall be taken as necessary in accordance with the procedure laid down in Article 16 of Regulation (EC) No 3448/93.

Article 4

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

It shall apply to licences and certificates applied for from the date of its entry into force.

⁽¹⁾ OJ No L 318, 20. 12. 1993, p. 18.

⁽²⁾ OJ No L 136, 31. 5. 1994, p. 33.

⁽³⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁵⁾ OJ No L 351, 14. 12. 1987, p. 1.

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

Done at Brussels, 13 October 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION REGULATION (EC) No 2477/94**of 13 October 1994****opening a standing invitation to tender for the export of 300 000 tonnes of barley
held by the French intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Commission 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 procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas 300 000 tonnes of barley, held by the French intervention agency, should be put up for sale for export;

Whereas special rules must be laid down to ensure that the operations are properly carried out and monitored;

Whereas to that end the Member States must provide for all additional measures compatible with the provisions in force to ensure that the operation takes place smoothly and that the Commission is kept informed;

Whereas the monitoring arrangements should accordingly be supplemented by the possibility of a sample being taken in the presence of both parties;

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

HAS ADOPTED THIS REGULATION:

Article 1

The French intervention agency may, on the conditions laid down in Regulation (EEC) No 2131/93, open a standing invitation to tender for the export of 300 000 tonnes of barley held by it, to be exported to all third countries.

⁽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.

Article 2

The regions in which the 300 000 tonnes of barley are stored are stated in Annex I to this Regulation.

Article 3

The export licences shall be valid from their date of issue, within the meaning of Article 9 of Regulation (EEC) No 2131/93, until the end of the third month following.

Tenders submitted in response to this invitation to tender may not be accompanied by applications for export certificates pursuant to Article 44 of Commission Regulation (EEC) No 3719/88 ⁽⁵⁾.

Article 4

1. Notwithstanding Article 7 (1) of Regulation (EEC) No 2131/93 the time limit for submission of tenders under the first partial invitation to tender shall expire on 20 October 1994 at 9 a.m. (Brussels time).

2. The time limit for submission of tenders under the subsequent partial invitations to tender shall expire each Thursday at 9 a.m. (Brussels time).

3. The last partial invitation to tender shall expire on 22 December 1994 at 9 a.m. (Brussels time).

4. The tenders shall be lodged with the French intervention agency.

Article 5

The French intervention agency shall notify the Commission of the tenders received not later than two hours after expiry of the time limit for the submission thereof. Notification shall be given as specified in the table in Annex II to this Regulation, to the telex or telefax numbers in Annex III.

Article 6

1. Before the lot awarded is removed, the intervention agency and the successful tenderer shall take a reference sample in accordance with the method laid down in Commission Regulation (EEC) No 689/92 ⁽⁶⁾ and shall analyse that sample.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 74, 20. 3. 1992, p. 18.

(a) Where the final results of the analysis of the sample indicate a difference between the quality of the barley to be removed and the quality as described in the notice of invitation to tender, which nevertheless remains within a limit of up to :

- 2 kg/hl for the specific weight, which must not however be less than 60 kg/hl,
- one percentage point for the moisture content,
- half a percentage point for the impurities referred to in points B.2 and B.4 of the Annex to Regulation (EEC) No 689/92,
- half a percentage point for the impurities referred to in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains however remaining unchanged, the following provisions shall apply :

(i) the intervention agency shall, that same day, inform the Commission thereof in accordance with Annex III, as well as the storer and the successful tenderer ;

(ii) the successful tenderer may :

- either agree to take over the lot with its characteristics as established,
- or refuse to take over the lot in question. In that case the successful tenderer shall, that same day, inform the intervention agency and the Commission thereof in accordance with Annex IV.

Once these formalities have been completed, he shall be immediately released from all his obligations relating to the lot in question, including the securities.

The lot in question shall then be put up for sale again under a future invitation to tender at the quality established.

(b) Where the final results of the analysis of the sample indicate that the quality is below the limits laid down in (a) above :

- the intervention agency shall, that same day, inform the Commission thereof in accordance with Annex III, as well as the storer and the successful tenderer,
- the successful tenderer shall give official notice, that same day, to the intervention agency of the impossibility of taking over the lot in question and shall inform the Commission thereof, that same day, in accordance with Annex IV. Once these formalities have been completed, he shall be immediately released from all his obligations relating to the lot in question, including the securities.

2. All risks shall be borne by the successful tenderer from the time of removal.

Article 7

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, 13 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

(tonnes)	
Place of storage	Quantity
Amiens	45 000
Châlons-sur-Marne	61 000
Dijon	12 000
Lille	13 000
Nancy	34 000
Orléans	50 000
Paris	22 000
Poitiers	8 000
Rouen	55 000

ANNEX II

Standing invitation to tender for the export of 300 000 tonnes of barley held by the French intervention agency

(Regulation (EC) No 2477/94)

1	2	3	4	5	6	7
Tender No	Consignment No	Quantity (tonnes)	Offer price (ECU/tonne) ⁽¹⁾	Price increases (+) or reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

(¹) This price includes the increases or reductions relating to the lot to which the tender refers.

ANNEX III

The only numbers to use to call Brussels are (DG VI-C-1):

- telex : 22037 AGREC B
22070 AGREC B (Greek characters)
- telefax : — 295 01 32
— 296 10 97
— 295 25 15.

*ANNEX IV***Communication of refusal of lots under the standing invitation to tender for the export of
300 000 tonnes of barley held by the French intervention agency**

Article 6 of Regulation (EC) No 2477/94

— Name of successful tenderer :

— Date of award of contract :

— Date of refusal of lot by successful tenderer :

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			— Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not barley of unimpaired quality — Other

COMMISSION REGULATION (EC) No 2478/94

of 13 October 1994

fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1574/93⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 (1) of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EC) No 2296/94⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75;

Whereas, in accordance with the second subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed;

Whereas a specific rate of refund should be fixed for eggs in shell, exported in the form of egg albumin, taking into account the difference between the prices of such eggs on the Community market and on the world market;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 152, 24. 6. 1993, p. 1.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 174, 8. 7. 1994, p. 14.

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75, are hereby fixed as shown in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 15 October 1994.

⁽⁵⁾ 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, 13 October 1994.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 13 October 1994 fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	Rate of refund (ECU/100 kg)
0407 00	Birds' eggs, in shell, fresh, preserved or cooked :	
	— Of poultry :	
0407 00 30	— — Other :	
	a) On exportation of ovalbumin of CN code 3502 10	17,00
	b) On exportation of other goods	10,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter :	
	— Egg yolks :	
0408 11	— — Dried :	
ex 0408 11 80	— — — Suitable for human consumption : not sweetened	47,00
0408 19	— — Other :	
	— — — Suitable for human consumption :	
ex 0408 19 81	— — — — Liquid : not sweetened	21,00
ex 0408 19 89	— — — — Frozen : not sweetened	22,00
	— Other :	
0408 91	— — Dried :	
ex 0408 91 80	— — — Suitable for human consumption : not sweetened	46,00
0408 99	— — Other :	
ex 0408 99 80	— — — Suitable for human consumption : not sweetened	10,00

COMMISSION REGULATION (EC) No 2479/94**of 13 October 1994****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1866/94⁽²⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EC) No 1938/94⁽⁵⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 12

October 1994, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 October 1994.

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

Done at Brussels, 13 October 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 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 39.

ANNEX

to the Commission Regulation of 13 October 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	1,07	0	0
0712 90 19	0	1,07	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	13,73
1001 90 99	0	0	0	13,73
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	1,07	0	0
1005 90 00	0	1,07	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	19,21
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 10	1st period 11	2nd period 12	3rd period 1	4th period 2
1107 10 11	0	0	0	24,44	24,44
1107 10 19	0	0	0	18,26	18,26
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EC) No 2480/94
of 13 October 1994
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1880/94 ⁽²⁾, and in particular Article 14 (8) thereof,

Whereas the import levies on milk and milk products were fixed by Commission Regulation (EC) No 1924/94 ⁽³⁾, as last amended by Regulation (EC) No 2342/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1924/94 to the prices

known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 16 October 1994.

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

Done at Brussels, 13 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 21.

⁽³⁾ OJ No L 198, 30. 7. 1994, p. 6.

⁽⁴⁾ OJ No L 254, 30. 9. 1994, p. 38.

ANNEX

to the Commission Regulation of 13 October 1994 fixing the import levies on milk and milk products

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

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0401 10 10		16,94	0403 10 16	(¹)	2,0812/kg + 27,48
0401 10 90		15,73	0403 10 22		25,42
0401 20 11		23,01	0403 10 24		30,12
0401 20 19		21,80	0403 10 26		72,27
0401 20 91		27,71	0403 10 32	(¹)	0,1938/kg + 26,27
0401 20 99		26,50	0403 10 34	(¹)	0,2408/kg + 26,27
0401 30 11		69,86	0403 10 36	(¹)	0,6623/kg + 26,27
0401 30 19		68,65	0403 90 11		120,04
0401 30 31		133,37	0403 90 13		179,31
0401 30 39		132,16	0403 90 19		215,37
0401 30 91		222,79	0403 90 31	(¹)	1,1279/kg + 27,48
0401 30 99		221,58	0403 90 33	(¹)	1,7206/kg + 27,48
0402 10 11	(⁴)	120,04	0403 90 39	(¹)	2,0812/kg + 27,48
0402 10 19	(²) (⁴)	112,79	0403 90 51		25,42
0402 10 91	(¹) (⁴)	1,1279/kg + 27,48	0403 90 53		30,12
0402 10 99	(¹) (⁴)	1,1279/kg + 20,23	0403 90 59		72,27
0402 21 11	(⁴)	179,31	0403 90 61	(¹)	0,1938/kg + 26,27
0402 21 17	(⁴)	172,06	0403 90 63	(¹)	0,2408/kg + 26,27
0402 21 19	(³) (⁴)	172,06	0403 90 69	(¹)	0,6623/kg + 26,27
0402 21 91	(³) (⁴)	215,37	0404 10 02		28,08
0402 21 99	(³) (⁴)	208,12	0404 10 04		179,31
0402 29 11	(¹) (³) (⁴)	1,7206/kg + 27,48	0404 10 06		215,37
0402 29 15	(¹) (⁴)	1,7206/kg + 27,48	0404 10 12		120,04
0402 29 19	(¹) (⁴)	1,7206/kg + 20,23	0404 10 14		179,31
0402 29 91	(¹) (⁴)	2,0812/kg + 27,48	0404 10 16		215,37
0402 29 99	(¹) (⁴)	2,0812/kg + 20,23	0404 10 26	(¹)	0,2808/kg + 20,23
0402 91 11	(⁴)	36,74	0404 10 28	(¹)	1,7206/kg + 27,48
0402 91 19	(⁴)	36,74	0404 10 32	(¹)	2,0812/kg + 27,48
0402 91 31	(⁴)	45,93	0404 10 34	(¹)	1,1279/kg + 27,48
0402 91 39	(⁴)	45,93	0404 10 36	(¹)	1,7206/kg + 27,48
0402 91 51	(⁴)	133,37	0404 10 38	(¹)	2,0812/kg + 27,48
0402 91 59	(⁴)	132,16	0404 10 48	(²)	0,2808/kg
0402 91 91	(⁴)	222,79	0404 10 52	(²)	1,7206/kg + 6,04
0402 91 99	(⁴)	221,58	0404 10 54	(²)	2,0812/kg + 6,04
0402 99 11	(⁴)	53,76	0404 10 56	(²)	1,1279/kg + 6,04
0402 99 19	(⁴)	53,76	0404 10 58	(²)	1,7206/kg + 6,04
0402 99 31	(¹) (⁴)	1,2974/kg + 23,86	0404 10 62	(²)	2,0812/kg + 6,04
0402 99 39	(¹) (⁴)	1,2974/kg + 22,65	0404 10 72	(²)	0,2808/kg + 20,23
0402 99 91	(¹) (⁴)	2,1916/kg + 23,86	0404 10 74	(²)	1,7206/kg + 26,27
0402 99 99	(¹) (⁴)	2,1916/kg + 22,65	0404 10 76	(²)	2,0812/kg + 26,27
0403 10 02		120,04	0404 10 78	(²)	1,1279/kg + 26,27
0403 10 04		179,31	0404 10 82	(²)	1,7206/kg + 26,27
0403 10 06		215,37	0404 10 84	(²)	2,0812/kg + 26,27
0403 10 12	(¹)	1,1279/kg + 27,48	0404 90 11		120,04
0403 10 14	(¹)	1,7206/kg + 27,48	0404 90 13		179,31

CN code	Note ⁽¹⁾	Import levy	CN code	Note ⁽¹⁾	Import levy
0404 90 19		215,37	0406 90 31	⁽³⁾ ⁽⁴⁾	163,04
0404 90 31		120,04	0406 90 33	⁽³⁾ ⁽⁴⁾	163,04
0404 90 33		179,31	0406 90 35	⁽³⁾ ⁽⁴⁾	163,04
0404 90 39		215,37	0406 90 37	⁽³⁾ ⁽⁴⁾	163,04
0404 90 51	⁽¹⁾	1,1279/kg + 27,48	0406 90 39	⁽³⁾ ⁽⁴⁾	163,04
0404 90 53	⁽¹⁾ ⁽³⁾	1,7206/kg + 27,48	0406 90 50	⁽³⁾ ⁽⁴⁾	163,04
0404 90 59	⁽¹⁾	2,0812/kg + 27,48	0406 90 61	⁽³⁾ ⁽⁴⁾	374,11
0404 90 91	⁽¹⁾	1,1279/kg + 27,48	0406 90 63	⁽³⁾ ⁽⁴⁾	374,11
0404 90 93	⁽¹⁾ ⁽³⁾	1,7206/kg + 27,48	0406 90 69	⁽³⁾ ⁽⁴⁾	374,11
0404 90 99	⁽¹⁾	2,0812/kg + 27,48	0406 90 73	⁽³⁾ ⁽⁴⁾	163,04
0405 00 11	⁽³⁾	229,39	0406 90 75	⁽³⁾ ⁽⁴⁾	163,04
0405 00 19	⁽³⁾	229,39	0406 90 76	⁽³⁾ ⁽⁴⁾	163,04
0405 00 90		279,86	0406 90 78	⁽³⁾ ⁽⁴⁾	163,04
0406 10 20	⁽³⁾ ⁽⁴⁾	204,33	0406 90 79	⁽³⁾ ⁽⁴⁾	163,04
0406 10 80	⁽³⁾ ⁽⁴⁾	259,76	0406 90 81	⁽³⁾ ⁽⁴⁾	163,04
0406 20 10	⁽³⁾ ⁽⁴⁾	374,11	0406 90 82	⁽³⁾ ⁽⁴⁾	163,04
0406 20 90	⁽³⁾ ⁽⁴⁾	374,11	0406 90 84	⁽³⁾ ⁽⁴⁾	163,04
0406 30 10	⁽³⁾ ⁽⁴⁾	164,97	0406 90 85	⁽³⁾ ⁽⁴⁾	163,04
0406 30 31	⁽³⁾ ⁽⁴⁾	153,99	0406 90 86	⁽³⁾ ⁽⁴⁾	163,04
0406 30 39	⁽³⁾ ⁽⁴⁾	164,97	0406 90 87	⁽³⁾ ⁽⁴⁾	163,04
0406 30 90	⁽³⁾ ⁽⁴⁾	261,69	0406 90 88	⁽³⁾ ⁽⁴⁾	163,04
0406 40 10	⁽³⁾ ⁽⁴⁾	146,78	0406 90 93	⁽³⁾ ⁽⁴⁾	204,33
0406 40 50	⁽³⁾ ⁽⁴⁾	146,78	0406 90 99	⁽³⁾ ⁽⁴⁾	259,76
0406 40 90	⁽³⁾ ⁽⁴⁾	146,78	1702 10 10		63,33
0406 90 11	⁽³⁾ ⁽⁴⁾	210,16	1702 10 90		63,33
0406 90 13	⁽³⁾ ⁽⁴⁾	147,76	2106 90 51		63,33
0406 90 15	⁽³⁾ ⁽⁴⁾	147,76	2309 10 15		87,01
0406 90 17	⁽³⁾ ⁽⁴⁾	147,76	2309 10 19		112,95
0406 90 19	⁽³⁾ ⁽⁴⁾	374,11	2309 10 39		105,41
0406 90 21	⁽³⁾ ⁽⁴⁾	210,16	2309 10 59		86,01
0406 90 23	⁽³⁾ ⁽⁴⁾	163,04	2309 10 70		112,95
0406 90 25	⁽³⁾ ⁽⁴⁾	163,04	2309 90 35		87,01
0406 90 27	⁽³⁾ ⁽⁴⁾	163,04	2309 90 39		112,95
0406 90 29	⁽³⁾ ⁽⁴⁾	163,04	2309 90 49		105,41
			2309 90 59		86,01
			2309 90 70		112,95

⁽¹⁾ The levy on 100 kg of product falling within this code is equal to the sum of the following:

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

⁽²⁾ The levy on 100 kg of product falling within this code is equal to:

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

⁽³⁾ Products falling within this code and imported from a third country

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

⁽⁴⁾ The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.

⁽⁵⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 2481/94

of 13 October 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 ⁽¹⁾, as last amended by Regulation (EC) No 1866/94 ⁽²⁾, 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 ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾;

Whereas export possibilities exist for a quantity of 80 000 tonnes of soft wheat to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 ⁽⁵⁾, as last amended by Regulation (EC) No 1755/94 ⁽⁶⁾, 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 ⁽⁷⁾, as amended by Regulation (EC) No 3528/93 ⁽⁸⁾, 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 ⁽⁹⁾, as amended by Regulation (EC) No 547/94 ⁽¹⁰⁾;

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 ⁽¹¹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

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 14 October 1994.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 183, 19. 7. 1994, p. 7.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽¹¹⁾ 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, 13 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 13 October 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	25,00
1001 10 00 400	01	0	1101 00 00 130	01	24,00
1001 90 91 000	—	—	1101 00 00 150	01	22,00
1001 90 99 000	03	13,00	1101 00 00 170	01	21,00
	04	38,50 ^(*)	1101 00 00 180	01	20,00
	02	10,00	1101 00 00 190	—	—
1002 00 00 000	03	13,00	1101 00 00 900	—	—
	02	10,00	1102 10 00 500	01	50,00
1003 00 10 000	—	—	1102 10 00 700	—	—
1003 00 90 000	03	37,00	1102 10 00 900	—	—
	02	10,00	1103 11 10 200	01	0 ⁽³⁾
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	0 ⁽³⁾
1005 90 00 000	03	48,00	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 Ivory Coast.

⁽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.

^(*) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 80 000 tonnes of soft wheat destined for the Ivory Coast.

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 2482/94
of 13 October 1994
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1869/94 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 17 of Regulation (EEC) No 1418/76 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 within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

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

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁶⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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 a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least 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 ⁽⁷⁾, as amended by Regulation (EC) No 3528/93 ⁽⁸⁾, 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 ⁽⁹⁾, as amended by Regulation (EC) No 547/94 ⁽¹⁰⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93 ⁽¹¹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 183, 19. 7. 1994, p. 7.

⁽⁶⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽¹¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ADOPTED THIS REGULATION :

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 1

Article 2

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

This Regulation shall enter into force on 14 October 1994.

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

Done at Brussels, 13 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 13 October 1994 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	195,00	1006 30 63 900	01	244,00
	05	195,00		04	244,00
1006 20 13 000	01	195,00		05	244,00
	05	195,00	1006 30 65 100	01	244,00
1006 20 15 000	01	195,00		02	250,00
	05	195,00		03	255,00
1006 20 17 000	—	—		04	244,00
1006 20 92 000	01	195,00		05	244,00
	05	195,00	1006 30 65 900	01	244,00
1006 20 94 000	01	195,00		04	244,00
	05	195,00		05	244,00
1006 20 96 000	01	195,00	1006 30 67 100	—	—
	05	195,00	1006 30 67 900	—	—
1006 20 98 000	—	—	1006 30 92 100	01	244,00
1006 30 21 000	01	195,00		02	250,00
	05	195,00		03	255,00
1006 30 23 000	01	195,00		04	244,00
	05	195,00		05	244,00
1006 30 25 000	01	195,00	1006 30 92 900	01	244,00
	05	195,00		04	244,00
1006 30 27 000	—	—		05	244,00
1006 30 42 000	01	195,00	1006 30 94 100	01	244,00
	05	195,00		02	250,00
1006 30 44 000	01	195,00		03	255,00
	05	195,00		04	244,00
1006 30 46 000	01	195,00		05	244,00
	05	195,00	1006 30 94 900	01	244,00
1006 30 48 000	—	—		04	244,00
1006 30 61 100	01	244,00		05	244,00
	02	250,00	1006 30 96 100	01	244,00
	03	255,00		02	250,00
	04	244,00		03	255,00
	05	244,00		04	244,00
1006 30 61 900	01	244,00		05	244,00
	04	244,00	1006 30 96 900	01	244,00
	05	244,00		04	244,00
1006 30 63 100	01	244,00		05	244,00
	02	250,00	1006 30 98 100	—	—
	03	255,00	1006 30 98 900	—	—
	04	244,00	1006 40 00 000	—	—
	05	244,00			

(1) The destinations are identified as follows:

01 Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, V, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87,

05 Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of 4 000 tonnes of white rice destined for Austria.

(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.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 2145/92.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 11 July 1994

on the conclusion of an Agreement in the form of an exchange of letters between the European Community and the Republic of Poland setting up a tariff quota for imports into the Community of certain industrial products originating in Poland

(94/669/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 in conjunction with Article 228 (2) thereof,

Having regard to the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part,

Having regard to the proposal from the Commission,

Whereas the Agreement in the form of an exchange of letters referred to in this Decision should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Agreement in the form of an exchange of letters between the European Community and the Republic of

Poland setting up a tariff quota for imports into the Community of certain industrial products originating in Poland is hereby approved on behalf of the Community.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorized to sign the Agreement in order to bind the Community.

Done at Brussels, 11 July 1994.

For the Council

The President

Th. WAIGEL

AGREEMENT

in the form of an exchange of letters between the European Community and the Republic of Poland setting up a tariff quota for imports into the Community of certain industrial products originating in Poland

A. Letter from the Community

Brussels, 29 September 1994

Sir,

It was agreed between the European Community and the Republic of Poland that products originating in Poland and classified under code 7013 99 90 of the combined nomenclature would benefit from the suspension of import duty within the limit of a new Community tariff quota of ECU 1,13 million for 1994.

It is understood that these products may also benefit from the existing tariff quota for code 7013 of the combined nomenclature set up under the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part.

This Agreement in the form of an exchange of letters must be approved by the Contracting Parties in accordance with their respective procedures.

I should be obliged if you would confirm that the Republic of Poland is in agreement with the above.

Please accept, Sir, the assurance of my highest consideration.

*On behalf of
the Council of the European Union*

A handwritten signature in black ink, consisting of a large, stylized 'V' or 'W' shape followed by a horizontal line and a small hook at the end.

B. *Letter from the Republic of Poland*

Brussels, 29 September 1994

Sir,

I have the honour to acknowledge receipt of your letter of today's date which reads as follows :

'It was agreed between the European Community and the Republic of Poland that products originating in Poland and classified under code 7013 99 90 of the combined nomenclature would benefit from the suspension of import duty within the limit of a new Community tariff quota of ECU 1,13 million for 1994.

It is understood that these products may also benefit from the existing tariff quota for code 7013 of the combined nomenclature set up under the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part.

This Agreement in the form of an exchange of letters must be approved by the Contracting Parties in accordance with their respective procedures.

I should be obliged if you would confirm that the Republic of Poland is in agreement with the above.'

I am able to confirm that the Republic of Poland is in agreement with the contents of this letter.

Please accept, Sir, the assurance of my highest consideration.

*For
the Republic of Poland*

John

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 2286/94 of 21 September 1994 imposing a provisional anti-dumping duty on imports of tungsten ores and concentrates, tungstic oxide, tungstic acid, tungsten carbide and fused tungsten carbide originating in the People's Republic of China

(Official Journal of the European Communities No L 248 of 23 September 1994)

On page 10 in Article 1 (1) (b), second line :

for: '... CN code 2825 90 40 ...',

read: '... CN code ex 2825 90 40 (Taric codes : 2825 90 40*10 ; 2825 90 40*20) ...',

On the contents page of *Official Journal of the European Communities* No L 200 of 3 August 1994, the title of Commission Regulation (EC) No 1990/94 reads as follows :

‘★ Commission Regulation (EC) No 1990/94 of 26 July 1994 adopting the implementing provisions for the rules laid down in the first paragraph of Article 8 of Council Decision 92/272/EEC on the dissemination and exploitation of knowledge resulting from the specific programmes of research and technological development of the Community

4’