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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 2674/94
of 31 October 1994**

imposing a definitive anti-dumping duty on imports of furazolidone originating in the People's Republic of China and collecting definitively the provisional duty imposed

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission after consultation within the Advisory Committee,

Whereas :

A. PROVISIONAL MEASURES

- (1) The Commission, by Regulation (EC) No 1648/94⁽²⁾, hereafter referred to as the 'provisional Regulation', imposed a provisional anti-dumping duty on imports into the Community of furazolidone originating in the People's Republic of China and falling within CN Code 2934 90 40.

B. SUBSEQUENT PROCEDURE

- (2) Subsequent to the imposition of the provisional anti-dumping duty, the interested parties who so requested were granted an opportunity to be heard by the Commission. They also made written submissions making known their views on the findings.
- (3) Upon request, parties were informed of the essential facts and considerations on the basis of which it was intended to recommend the imposition of definitive duties and the definitive collection of

amounts secured by way of a provisional duty. They were also granted a period within which to make representations subsequent to the disclosure.

- (4) The oral and written comments submitted by the parties were considered and, where appropriate, the Commission's findings were modified to take account of them.

C. PRODUCT UNDER CONSIDERATION, LIKE PRODUCT AND COMMUNITY INDUSTRY

- (5) As no further arguments have been presented regarding the product under consideration, the like product and the Community industry, the findings set out in recitals 7 to 10 of the provisional Regulation are confirmed.

D. DUMPING

I. Analogue country

- (6) Following publication of the provisional Regulation, the Chinese exporters claimed that the selection of India as an analogue country was inappropriate for the following reasons :
- the high customs duty payable in India on imports of both the product concerned and on raw materials used in its manufacture, constitute an insurmountable barrier to the existence of normal competition in India for furazolidone ;
 - there was no reasonable competition on the market in India as it was highly protected and monopolized by one Indian producer ;
 - the sole producer in India on which the normal value was based was inefficient and has, since the investigation period, ceased production of the product concerned. To furthermore use a profit of 9 % in constructing normal value for such a company was inappropriate.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1. Regulation as last amended by Regulation (EC) No 522/94 (OJ No L 66, 10. 3. 1994, p. 10).

⁽²⁾ OJ No L 174, 8. 7. 1994, p. 4.

It was suggested that the most appropriate analogue market in this case, given that no other third country can be used, would be the Community market.

- (7) Having examined these claims, it was considered that the existence of high customs duties on imports of the product concerned and its raw materials has not detracted from the competitive nature of the market in India. Indeed, the Chinese exporters themselves were very much present on the market and indications were that, despite the high customs duty, they were able to actively compete on the Indian market. Furthermore, the Commission, when constructing normal value for the product concerned, made appropriate adjustments for the high level of customs duty paid on imported raw materials in order not to artificially inflate the normal value.

In addition, while noting that the Indian producer, on whose costs normal value was based, has since ceased production of the product concerned, it was considered that the volume of the product on which normal value was based, was, during the investigation period, sufficiently representative when compared to the volume exported to the Community from China.

While no facts were provided by the Chinese exporters in support of this claim, it is considered that, in any event, the alleged inefficiency of the Indian producer concerned is not a relevant factor in establishing the normal value on the market. In the absence of profitable sales of the product concerned by this producer during the investigation period, normal value was constructed on the basis of the cost of manufacture of the producer concerned plus an amount for selling general and administrative expenses and a reasonable margin of profit. The profit margin used (9 %) was, as stated in recital 13 of the provisional Regulation, that regarded as reasonable by the producer concerned, and furthermore, falls within the range of the profit considered reasonable for sales of the product concerned in the Community.

In any event, to use the Community as an alternative analogue market would have no impact on the measures to be imposed, since it would be equivalent to having the dumping margin based on the injury elimination margin which is the basis on which the provisional duty was actually imposed.

- (8) The claim that India was an inappropriate analogue country and that the Community market should be used was, therefore, rejected.

II. Normal value

- (9) For the purpose of the definitive findings, normal value was established on the basis of the same

methods as those used in the provisional determination of dumping. No objections with regard to these methods were raised by any interested party. The findings set out in recital 13 of the provisional Regulation are, therefore, confirmed.

III. Export price

- (10) No new arguments were presented regarding the establishment of export prices. The findings set out in recital 14 of the provisional Regulation are, therefore, confirmed.

IV. Comparison

- (11) No new arguments were presented concerning the method followed by the Commission in the comparison between normal value and export price. The method set out in recital 15 of the provisional Regulation is, therefore, confirmed.

V. Dumping margin

- (12) No further arguments were submitted on the methodology used by the Commission in its preliminary determination. Therefore, the weighted average dumping margin definitively established and expressed as a percentage of the free-at-Community-frontier price, is 93 %.
- (13) In its provisional findings, the Commission considered that the request from one Chinese exporter that an individual dumping margin be established was not justified for the reasons given in recitals 17 to 20 of the provisional Regulation. Following the publication of that Regulation, the exporter concerned repeated the request for the establishment of an individual dumping margin. However, as no new facts or arguments have been provided, the findings in recitals 17 to 20 of the provisional Regulation are confirmed.

E. INJURY

I. Community consumption, volume and market share of the dumped imports

- (14) The Chinese exporters claimed that the injury determination in the provisional Regulation was based on an incorrect assessment of the facts. In particular, they claimed that the Commission should have used Eurostat statistics relating to imports of the product concerned during the investigation period, rather than the import volumes of

the product concerned reported in the questionnaire responses by the Chinese exporters themselves. It was argued that some transactions reported by the Chinese exporters as being export sales to the Community were, in fact, not destined for the Community market but were transhipped outside the Community.

This claim could not be accepted. It was found that, while on the one hand, no evidence was provided in support of this claim, the use in the injury assessment of Eurostat statistics for the investigation period would still show a substantial increase in the imports concerned since 1990, together with a sizeable increase in market share held by these imports, and that the trend so established would not differ from that determined by the Commission in its provisional findings.

The claim for the injury assessment to be made on the basis of Eurostat statistics is, therefore, rejected.

II. Prices of the dumped imports

- (15) In the absence of comment, the findings in recital 22 of the provisional Regulation are confirmed.

III. Situation of the Community industry

- (16) As the claim in recital 14 above has been rejected, and as no other comments have been received on the situation of the Community industry, the findings in recitals 23 to 28 of the provisional Regulation are confirmed.

F. CAUSATION

- (17) In its provisional Regulation, the Commission examined a claim by the Chinese exporters that the cause of price decreases of the product concerned on the Community market was the threatened prohibition of the product concerned in the Community, due to the uncertainty about its future applications. This claim was rejected by the Commission for the reasons given in recitals 33 and 34 of the provisional Regulation.

Following the publication of the provisional Regulation, the Chinese exporters repeated this claim, but since new arguments have not been submitted on this issue, the findings of the provisional Regulation are confirmed.

G. COMMUNITY INTEREST

- (18) As no new arguments have been received in respect of the Community interest, the findings at recitals 36 to 39 of the provisional Regulation are confirmed.

H. DUTY

- (19) No comments were received on the methodology adopted by the Commission for the establishment of the duty rates to be applied, as set out in recitals 40 to 43 of the provisional Regulation. These are therefore confirmed.

Since the margin of dumping found was greater than the corresponding increase in export prices necessary to remove the injury suffered by the Community industry, the definitive duty to be imposed should, therefore, correspond to the injury margin established i.e. 70,6 %.

I. RETROACTIVE DUTIES

- (20) The Community producer requested the imposition of retroactive duties on the grounds that importers were aware that the exporters were practising dumping and that there would be material injury caused by sporadic dumping in the form of massive imports of furazolidone in a relatively short period prior to the imposition of the provisional anti-dumping duty.
- (21) The Commission examined this claim, but found that it was not substantiated by any evidence showing the awareness of dumping practices on the part of the importers or any indications of the existence of sporadic dumping. In these circumstances, there were not grounds to impose retroactive anti-dumping duties in this case. The Council consequently decided not to impose retroactive anti-dumping duties on furazolidone originating in the People's Republic of China.

J. COLLECTION OF THE PROVISIONAL DUTIES

- (22) In view of the dumping margin established and the injury caused to the Community industry, it is considered necessary that amounts secured by way of provisional anti-dumping duty for all companies should be collected definitively.

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of furazolidone, falling within CN code 2934 90 40 and originating in the People's Republic of China.

2. The rate of duty applicable to the net, free-at-Community-frontier price, before duty shall be 70,6 %.

3. Unless otherwise specified, the provisions in force concerning customs duty shall apply.

Article 2

The amounts secured by way of the provisional anti-dumping duty under Regulation (EC) No 1648/94 concerning the imports from the People's Republic of China shall be collected definitively.

Article 3

This Regulation shall enter into force on the 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 Luxembourg, 31 October 1994.

For the Council

The President

K. KINKEL

COMMISSION REGULATION (EC) No 2675/94

of 3 November 1994

amending Regulation (EEC) No 1014/90 laying down detailed implementing rules on the definition, description and presentation of spirit drinks

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1576/89 of 29 May 1989 laying down general rules on the definition, description and presentation of spirit drinks⁽¹⁾, as last amended by Regulation (EEC) No 3280/92⁽²⁾, and in particular Articles 1 (4) (i) (2) and 6 (3) thereof,

Whereas Article 5 of Regulation (EEC) No 1576/89 lays down that the names referred to in Article 1 (4) are to be used only for the spirit drinks defined therein and that spirit drinks which do not meet the specifications laid down for the products defined in Article 1 (4) may not bear the names assigned therein to those products and must be described as 'spirit drinks' or 'spirits';

Whereas special provisions should be laid down concerning the names of certain mixtures of spirit drinks with a view to ensuring fair competition between such mixtures and spirit drinks as defined in Regulation (EEC) No 1576/89 and to informing consumers properly as to the nature and alcoholic composition of the mixtures so as to avoid any confusion with regard to them; whereas such special provisions are to supplement the obligations laid down in Council Directive 79/112/EEC⁽³⁾, as last amended by Commission Directive 93/102/EC⁽⁴⁾, on the approximation of the laws of the Member States relating to the labelling of foodstuffs and in Council Directive 75/106/EEC⁽⁵⁾, as last amended by Directive 89/676/EEC⁽⁶⁾, on the making-up by volume of certain pre-packaged liquids;

Whereas the reputation and quality of spirits eligible for one of the traditional or geographical designations referred to in Article 1 of Regulation (EEC) No 1576/89 and Annex II thereto should be protected by prohibiting the use of such designations for such mixtures of spirit drinks;

Whereas the names of certain tropical fruits should be added to the list of fruits in Article 4 of Commission

Regulation (EEC) No 1014/90⁽⁷⁾, as last amended by Regulation (EEC) No 3458/92⁽⁸⁾, in order to take account of traditional practices in the French overseas departments;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Implementation Committee for Spirit Drinks,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1014/90 is amended as follows:

1. In Article 4, the following third paragraph is added:

'The first paragraph also covers, for products produced in the French overseas territories and departments, spirit drinks obtained from the following fruits:

- banana (*Musa paradisiaca*),
- passion fruit (*Passiflora edulis*),
- ambarella (*Spondias dulcis*),
- hog plum (*Spondias mombin*);

2. the following Article 7c is inserted:

'Article 7c

Where a spirit drink listed in Article 9 of Regulation (EEC) No 1576/89 is mixed with:

- one or more spirit drinks, whether or not defined in Article 1 (4) of Regulation (EEC) No 1576/89, and/or
- one or more distillates of agricultural origin,

the sales description "spirit" or "spirit drink" must be shown clearly and visibly, without any other qualifying term, in a prominent position on the label.

The first paragraph shall not apply to the description and presentation of such mixtures when they meet one of the definitions laid down in Article 1 (4) of Regulation (EEC) No 1576/89 and save as otherwise provided for in Article 7b.

⁽¹⁾ OJ No L 160, 12. 6. 1989, p. 1.

⁽²⁾ OJ No L 327, 13. 11. 1992, p. 3.

⁽³⁾ OJ No L 33, 8. 2. 1979, p. 1.

⁽⁴⁾ OJ No L 291, 25. 11. 1993, p. 14.

⁽⁵⁾ OJ No L 42, 15. 2. 1975, p. 1.

⁽⁶⁾ OJ No L 398, 30. 12. 1989, p. 18.

⁽⁷⁾ OJ No L 105, 25. 4. 1990, p. 9.

⁽⁸⁾ OJ No L 350, 1. 12. 1992, p. 59.

Without prejudice to the provisions of Council Directive 79/112/EEC (*) on the labelling of ingredients of spirit drinks, the labelling and presentation of the products resulting from the abovementioned mixtures may only show one of the generic terms listed in Article 1 (4) of Regulation (EEC) No 1576/89 if the term does not form part of the sales the proportions of all the alcoholic ingredients contained in the mixture, preceded by the words "mixed spirit drink". The above must be in uniform characters of the same typeface and colour as those used in the sales description. They must be no larger than half the size of the characters used for the sales descriptions.

The proportion of each alcoholic ingredient shall be equal to the percentage by volume of pure alcohol it represents in the total pure alcohol content by volume of the mixture. It shall be expressed in "% vol" in descending order of quantities used.

(*) OJ No L 33, 8. 2. 1979, p. 1.

Article 2

This Regulation shall not apply to products referred to in point 1 of Article 1, produced before or in the process of

production on the date of its entry into force and complying with the rules in force at the date of its publication.

'Production' means the operations necessary to obtain a finished product, bottled and labelled for the final consumer.

In order to be able to market products in the process of production prior to the date of entry into force of this Regulation, operators shall notify the competent national authorities in the month following the said date of entry into force of the quantities of such products which they hold on that date.

Article 3

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

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

Done at Brussels, 3 November 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2676/94

of 3 November 1994

amending Regulation (EEC) No 2698/93, laying down detailed rules for the application in the pigmeat sector of the arrangements provided for in Interim Agreements between the European Economic Community and the Republic of Poland, the Republic of Hungary and the former Czech and Slovak Federal Republic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽¹⁾, and in particular Article 1 thereof,

Whereas the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽²⁾, was signed in Brussels on 16 December 1991;

Whereas, as a result of an Agreement in the form of an exchange of letters between the European Community and the Republic of Hungary⁽³⁾ signed on 26 October 1994, Annexes VIIIa, IXb and Xb to the Europe Agreement were amended; whereas, therefore, Annex I.A.I, group 2, to Commission Regulation (EEC) No 2698/93⁽⁴⁾ should be amended;

Whereas the import licences for the quantities available for the period 1 July to 31 December 1994 have already been issued on the basis of Regulation (EEC) No 2698/93; whereas, in order to ensure a smooth transition to the new provisions and to ensure that the quantities covered by those licences, imported with effect from 1

November 1994, benefit from the increase to 60 % of the reduction in the rate of levy, provision should be made for amounts paid in excess to be refunded;

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

HAS ADOPTED THIS REGULATION:

Article 1

Part A.I to Annex I to Regulation (EEC) No 2698/93 is hereby replaced by the Annex to this Regulation.

Article 2

For products falling within groups 1, 2 and 3 referred to in Annex I.A.I and imported after 1 November 1994 covered by import licences issued in accordance with Article 2 of Regulation (EEC) No 2698/93, at a rate of reduction of the levy of 50 %, amounts paid in excess shall be refunded to the operators concerned.

Article 3

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

It shall apply from 1 November 1994.

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

Done at Brussels, 3 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽²⁾ OJ No L 347, 31. 12. 1993, p. 2.

⁽³⁾ Not yet published in the Official Journal.

⁽⁴⁾ OJ No L 245, 1. 10. 1993, p. 80.

ANNEX

'A. Products originating in Hungary

I. Levy reduction of 60 %

(in tonnes)

Group No	CN code	1 July 1993 to 30 June 1994	1 July 1994 to 30 June 1995	1 July 1995 to 30 June 1996
1	1601 00 91	5 200	5 600	6 000
2	1602 49 15 1602 49 19 1602 41 10 1602 42 10 1602 49 11 1602 49 13 1602 49 30 1602 49 50	260	280	300
3	0210 11 11 0210 12 11 0210 19 40 0210 19 51	1 300	1 400	1 500'

COMMISSION REGULATION (EC) No 2677/94
of 3 November 1994

amending Regulation (EEC) No 2699/93 laying down detailed rules for the application in the poultrymeat and egg sectors of the arrangements provided for in Interim Agreements between the European Economic Community and the Republic of Poland, the Republic of Hungary and the former Czech and Slovak Federal Republic

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽¹⁾, and in particular Article 1 thereof,

Whereas the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽²⁾, was signed in Brussels on 16 December 1991;

Whereas, as a result of an Agreement in the form of an exchange of letters between the European Community and the Republic of Hungary⁽³⁾ signed on 26 October 1994, Annexes VIIIa, IXb and Xb to the Europe Agreement were amended with effect from 1 November 1994; whereas, therefore, Annex I.A to Commission Regulation (EEC) No 2699/93⁽⁴⁾, as amended by Regulation (EC) No 3549/93⁽⁵⁾, should be amended and provision should be made for transitional measures for imports of the products concerned by those amendments;

Whereas the import licences for the quantities available for the period from 1 July 1994 to 31 December 1994 have already been issued on the basis of Regulation (EEC) No 2699/93; whereas, in order to ensure a smooth transition to the new provisions and to ensure that the quantities covered by those licences, imported with effect from 1 November 1994, benefit from the increase to 60 % of the reduction in the rate of levy, provision should be made for amounts paid in excess to be refunded;

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

Regulation (EEC) No 2699/93 is hereby amended as follows:

1. in Article 2 (1), the following sentence is added:

‘However, the quantities provided for in Annex I for the period 1 January to 30 June 1995 for groups 4 and 7 shall be distributed in equal proportions over each of the two quarters in that period.’;

2. Part A to Annex I is replaced by Part A of Annex I to this Regulation.

Article 2

For products falling within groups 1 and 2 referred to in Annex I and imported after 1 November 1994 covered by import licences issued pursuant to Regulation (EEC) No 2699/93 in accordance with Article 2 at a rate of reduction of the levy of 50 %, amounts paid in excess shall be refunded to the operators concerned.

Article 3

The quantities distributed for the quarter from 1 October to 31 December 1994 as well as the quantities available for the quarter from 1 January to 31 March 1995 appear in Annex II to this Regulation.

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 with effect from 1 November 1994.

⁽¹⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽²⁾ OJ No L 347, 31. 12. 1993, p. 2.

⁽³⁾ Not yet published in the Official Journal.

⁽⁴⁾ OJ No L 245, 1. 10. 1993, p. 88.

⁽⁵⁾ OJ No L 324, 24. 12. 1993, p. 8.

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

Done at Brussels, 3 November 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

'A. Products originating in the Republic of Hungary

1. Levy reduced by 60 %

(in tonnes)

Group No	CN code	1 July 1993 to 30 June 1994	1 July 1994 to 30 June 1995		1 July 1995 to 30 June 1996
1	0207 10 51 0207 10 55 0207 23 11 0207 10 59 0207 23 19	850	910		970
2	ex 0207 39 55 (a) ex 0207 43 15 (a) ex 0207 39 73 (a) ex 0207 43 53 (a) ex 0207 39 77 (a) ex 0207 43 63 (a)	850	910		970
3	0207 10 71 0207 23 51 0207 10 79 0207 23 59 0207 39 53 0207 43 11 0207 39 61 0207 43 23 ex 0207 39 65 (b) ex 0207 43 31 (b) ex 0207 39 67 (b) ex 0207 43 41 (b) 0207 39 71 0207 43 51 0207 39 75 0207 43 61 ex 0207 39 81 (b) ex 0207 43 71 (b)	15 000	16 100		17 300
4	0207 10 15 0207 21 10 0207 10 19 0207 21 90	14 000	former distribution 15 000	New distribution of which 1 January to 30 June 1995 4 : 20220 (15 382,8)	21 340
5	0207 39 21 0207 41 41	4 400	4 700		
6	0207 39 23 0207 41 51	5 050	5 450		
7	0207 39 11 0207 41 10	4 000	4 300	7 700 5 550	8 400
8	0207 39 41 0207 42 41	1 800	1 900		2 050
9	0207 39 31 0207 42 10	1 800	1 900		2 050
10	ex 0407 00	1 250	1 350		1 450
11	0408 91 10	250	270		290

(a) Ducks in pieces.

(b) Geese in pieces.

ANNEX II

(in tonnes)

Country	Group No	Quantities granted	Quantities available
		From 1 October to 31 December 1994 1994	From 1 January to 31 March 1995
Hungary	1	318,50	136,50
	2	227,50	227,50
	4	506,13	} 4 : 7 691,40
	5	702,56	
	6	759,25	
	7	1 075,00	
	8	307,81	2 775,00
	9	475,00	838,44
	10	0,00	475,00
	11	0,00	1 012,50
			202,50
Poland	12	420,00	180,00
	14	0,00	2 437,50
	15	0,00	3 412,50
	16	100,00	875,00
	17	0,00	1 050,00
	18	0,00	150,00
Czech Republic	19	70,00	30,00
	21	288,44	770,31
	22	0,00	667,50
	23	0,00	1 545,00
	24	0,00	144,00
	25	316,00	2 798,38
	26	0,00	187,50
	27	0,00	1 380,00
Slovak Republic	28	0,00	127,50
	30	0,00	986,00
	31	0,00	433,50
	32	0,00	544,00
	33	0,00	357,00
	34	0,00	1 929,50
	35	0,00	110,50
	36	0,00	773,50

COMMISSION REGULATION (EC) No 2678/94
of 3 November 1994
amending Regulation (EEC) No 2427/93 with regard to the Community Fund for
tobacco research and information

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco⁽¹⁾, and in particular Article 13 thereof,

Whereas Commission Regulation (EEC) No 2427/93⁽²⁾ lays down detailed rules for the application of Regulation (EEC) No 2075/92 with regard to the Community Fund for tobacco research and information; whereas, to guarantee financing of that Fund, provision should be made for the deduction from the premium to be carried out by Member States when advances on the premiums are paid or when the premiums are paid to the first processors;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 10 (2) of Regulation (EEC) No 2427/93 is hereby replaced by the followings:

'2. The amount shall be withheld by the Member States at the time of payment of the premium, in accordance with Commission Regulation (EEC) No 3478/92^(*). Member States shall pay that amount to the European Agricultural Guidance and Guarantee Fund (EAGGF).

(*) OJ No L 351, 2. 12. 1992, p. 17.'

Article 2

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

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

Done at Brussels, 3 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 70.

⁽²⁾ OJ No L 223, 2. 9. 1993, p. 3.

COMMISSION REGULATION (EC) No 2679/94**of 3 November 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 31 October and 1 November 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 4 November 1994.

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

Done at Brussels, 3 November 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 ⁽²⁾
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 2680/94
of 3 November 1994

fixing the maximum export refund for white sugar for the 23rd partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94

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

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

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

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

Whereas, following an examination of the tenders submitted in response to the 23rd partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 23rd partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1021/94 the maximum amount of the export refund is fixed at ECU 36,295 per 100 kilograms.

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

Article 2

This Regulation shall enter into force on 4 November 1994.

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

Done at Brussels, 3 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 112, 3. 5. 1994, p. 13.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

COMMISSION REGULATION (EC) No 2681/94

of 3 November 1994

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EC) No 2529/94⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾ 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 representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾, as amended by Regulation (EC) No 3528/93⁽¹⁰⁾, 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⁽¹¹⁾, as amended by Regulation (EC) No 547/94⁽¹²⁾;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 November 1994.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.⁽⁷⁾ OJ No L 269, 20. 10. 1994, p. 14.⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽¹⁰⁾ OJ No L 320, 22. 12. 1993, p. 32.⁽¹¹⁾ OJ No L 108, 1. 5. 1993, p. 106.⁽¹²⁾ OJ No L 69, 12. 3. 1994, p. 1.

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

Done at Brussels, 3 November 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 3 November 1994 fixing the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽²⁾
	— ECU/100 kg —
1701 11 90 100	31,79 ⁽¹⁾
1701 11 90 910	29,22 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	31,79 ⁽¹⁾
1701 12 90 910	29,22 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3456
	— ECU/100 kg —
1701 99 10 100	34,56
1701 99 10 910	33,64
1701 99 10 950	33,64
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3456

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

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

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

COMMISSION REGULATION (EC) No 2682/94
of 3 November 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 2673/94 ⁽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 2 November 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 4 November 1994.

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

Done at Brussels, 3 November 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 284, 1. 11. 1994, p. 59.

ANNEX

to the Commission Regulation of 3 November 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽³⁾
1701 11 10	32,82 ⁽¹⁾
1701 11 90	32,82 ⁽¹⁾
1701 12 10	32,82 ⁽¹⁾
1701 12 90	32,82 ⁽¹⁾
1701 91 00	39,23
1701 99 10	39,23
1701 99 90	39,23 ⁽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 2683/94**of 3 November 1994****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

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 syrups and certain other sugar products were fixed by Commission Regulation (EC) No 2654/94⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2654/94 to the information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 2 November 1994, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EC) No 2654/94 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 November 1994.

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

Done at Brussels, 3 November 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 284, 1. 11. 1994, p. 15.

ANNEX

to the Commission Regulation of 3 November 1994 altering the basic amount of the import levy on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,3923	—
1702 20 90	0,3923	—
1702 30 10	—	50,59
1702 40 10	—	50,59
1702 60 10	—	50,59
1702 60 90 10 ⁽²⁾	—	96,12
1702 60 90 90 ⁽³⁾	0,3923	—
1702 90 30	—	50,59
1702 90 60	0,3923	—
1702 90 71	0,3923	—
1702 90 90 10 ⁽⁴⁾	—	96,12
1702 90 90 90 ⁽⁵⁾	0,3923	—
2106 90 30	—	50,59
2106 90 59	0,3923	—

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

⁽²⁾ Taric code : Inulin syrup. For the purposes of classification under this subheading, 'Inulin syrup' means the immediate product obtained by hydrolysis of inulin or oligofructoses.

⁽³⁾ Taric code : CN code 1702 60 90, other than inulin syrup.

⁽⁴⁾ Taric code : Inulin syrup. For the purposes of classification under this subheading, 'Inulin syrup' means the immediate product, other than that falling within subheading 1702 60 90, obtained by hydrolysis of inulin or oligofructoses, containing by weight in the dry state at least 10 % fructose in free form or as sucrose.

⁽⁵⁾ Taric code : CN code 1702 90 90, other than inulin syrup.

COMMISSION REGULATION (EC) No 2684/94**of 3 November 1994****fixing the import levies on cereals and on wheat or rye flour, groats and meal**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1866/94⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 1937/94⁽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 2

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

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1937/94 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 4 November 1994.

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

Done at Brussels, 3 November 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. 36.

ANNEX

to the Commission Regulation of 3 November 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁶⁾
0709 90 60	94,66 ⁽²⁾ ⁽³⁾
0712 90 19	94,66 ⁽²⁾ ⁽³⁾
1001 10 00	8,52 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	63,51
1001 90 99	63,51 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	109,54 ⁽⁶⁾
1003 00 10	92,41
1003 00 90	92,41 ⁽⁹⁾
1004 00 00	96,62
1005 10 90	94,66 ⁽²⁾ ⁽³⁾
1005 90 00	94,66 ⁽²⁾ ⁽³⁾
1007 00 90	97,30 ⁽⁴⁾
1008 10 00	37,30 ⁽⁹⁾
1008 20 00	42,76 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	8,50 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	8,50
1101 00 00	125,11 ⁽⁹⁾
1102 10 00	191,33
1103 11 10	49,58
1103 11 90	147,02
1107 10 11	123,93
1107 10 19	95,35
1107 10 91	175,37 ⁽¹⁰⁾
1107 10 99	133,79 ⁽⁹⁾
1107 20 00	154,12 ⁽¹⁰⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

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

⁽³⁾ Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽⁹⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

⁽¹¹⁾ The levy for the products falling within this code in accordance with Regulation (EC) No 774/94 is restricted under the conditions of this Regulation.

COMMISSION REGULATION (EC) No 2685/94**of 3 November 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 2

November 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 4 November 1994.

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

Done at Brussels, 3 November 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 3 November 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 11	1st period 12	2nd period 1	3rd period 2
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	8,44	7,62
1001 90 99	0	0	8,44	7,62
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	12,47	10,67
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 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	0	15,02	13,56	13,56
1107 10 19	0	0	11,23	10,13	10,13
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 20 October 1994

amending Decision 94/325/EC laying down special conditions governing imports of fishery and aquaculture products originating in Thailand

(Text with EEA relevance)

(94/704/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, and in particular Article 11 (5) thereof,

Whereas of list of establishments approved by Thailand for importing fishery and aquaculture products into the Community has been drawn up in Commission Decision 94/325/EC ⁽²⁾; whereas this list may be amended following the communication of a new list by the competent authority in Thailand;

Whereas the competent authority in Thailand has communicated a new list adding 54 establishments, and amending the data of 10 establishments;

Whereas it is necessary to amend the list of approved establishments;

Whereas the measures provided for in this Decision have been drawn up in accordance with the procedure laid down by Commission Decision 90/13/EEC ⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

Annex B of Decision 94/325/EC is replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 145, 10. 6. 1994, p. 30.

⁽³⁾ OJ No L 8, 11. 1. 1990, p. 70.

ANNEX

ANNEX B

List of approval establishments

Approval No	Establishment	Address	Approval granted until (')
1001	A & N Foods Co., Ltd	Samutsakorn	Unlimited
1002	Aquastar Foods Ltd	Songkhla	Unlimited
1003	Klang Co., Ltd	Rayong	Unlimited
1004	Lucky Union Foods Co., Ltd	Samutsakorn	Unlimited
1005	N & N Foods Co., Ltd	Samutsakorn	Unlimited
1006	Seafoods Enterprise Co., Ltd	Samutsakorn	Unlimited
1007	Siam Ocean Frozen Foods Co., Ltd	Samutsakorn	Unlimited
1008	Surapon Nichirei Foods Co., Ltd	Samutprakarn	Unlimited
1009	Surapon Seafoods Public Co., Ltd	Samutprakarn	Unlimited
1010	Surat Seafoods Co., Ltd	Suratthani	Unlimited
1011	Thai Fisheries Public Company Limited	Samutsakorn	Unlimited
1012	Thai Fisheries (Songkhla) Co., Ltd	Songkhla	Unlimited
1013	Anglo-Siam Seafoods Ltd	Samutprakarn	Unlimited
1014	I.C.C. Cosmos Co., Ltd	Samutsakorn	Unlimited
1015	Kiang Huat Sea Gull Trading Frozen Food Co., Ltd	Songkhla	Unlimited
1016	Narong Seafood Co., Ltd (Samutsakorn Branch)	Samutsakorn	Unlimited
1017	Okeanos Co., Ltd	Samutsakorn	Unlimited
1018	Overseas Marine & Cold Storage Co., Ltd	Chana, Songkhla	Unlimited
1019	Premier Frozen Products Co., Ltd	Samutprakarn	Unlimited
1020	Seafresh Industry Public Co., Ltd	Chumporn	Unlimited
1021	STC Foodpak Ltd	Chonburi	Unlimited
1022	Siam Tin Food Product Co., Ltd	Satun	Unlimited
1023	Thai Luxe Enterprise Co., Ltd	Samutsongkram	Unlimited
1024	Thai Prawn Culture Center Co., Ltd	Songkhla	Unlimited
1025	Thai Union Frozen Products Co., Ltd	Samutsakorn	Unlimited
1026	A.P. Frozen Foods Co., Ltd	Samutsakorn	Unlimited
1027	Bright Sea Co., Ltd	Samutsakorn	Unlimited
1028	Chaivaree Marine Products Co., Ltd	Samutsakorn	Unlimited
1029	Co-op Foods (Thailand) Ltd	Samutprakarn	Unlimited
1030	Far East Cold Storage Co., Ltd	Samutprakarn	Unlimited
1031	Frionor (Thailand) Ltd	Bangkok	Unlimited
1032	Kantang Cold Storage Industry Co., Ltd	Trang	Unlimited
1033	Kantang Seafood Co., Ltd	Trang	Unlimited
1034	Kingfisher Holdings Ltd	Samutsakorn	31 May 1995
1035	Kingfisher Holdings Ltd (Songkhla Branch)	Songkhla	Unlimited
1036	May Ao Co., Ltd	Bangkok	Unlimited
1037	Narong Seafood Co., Ltd (Songkhla Branch)	Songkhla	Unlimited
1038	Ongkorn Cold Storage Co., Ltd	Samutsakorn	Unlimited
1039	Pakpanang Coldstorage Public Company Limited	Nakornsrithamarat	Unlimited
1040	Queen Marine Food Co., Ltd	Samutsakorn	Unlimited
1041	Sam D Farm Co., Ltd	Chumphon	Unlimited
1042	S. Chaivaree Cold Storage Co., Ltd	Samutsakorn	Unlimited
1043	Seafood City Co., Ltd	Nakornsrithamarat	Unlimited
1044	Sea Horse Public Co., Ltd	Songkhla	Unlimited
1045	Sea Horse Public Co., Ltd Donsak Branch	Suratthani	Unlimited
1046	Sea Horse Public Co., Ltd Krabi Branch	Krabi	Unlimited
1047	Sea Horse (Suratthani) Trading Co., Ltd	Suratthani	Unlimited

Approval No	Establishment	Address	Approval granted until (°)
1048	Shianlin Bangkok Co., Ltd	Samutsakorn	Unlimited
1049	Siamchai International Food Co., Ltd	Ranong	Unlimited
1050	S.K. Foods Co., Ltd	Samutsakorn	Unlimited
1051	Spi Canning Co., Ltd	Samutprakarn	Unlimited
1052	Star Frozen Foods Co., Ltd	Samutsakorn	31 May 1995
1053	Takzin Samut Co., Ltd	Songkhla	Unlimited
1054	Tep Kinsho Foods Co., Ltd	Samutsakorn	Unlimited
1055	Teppitak Seafoods Co., Ltd	Pattanee	Unlimited
1056	Tey Seng Cold Storage Co., Ltd	Samutsakorn	31 May 1995
1057	Thai International Seafoods Co., Ltd	Songkhla	Unlimited
1058	Thailand Fishery Cold Storage Public Co., Ltd	Samutprakarn	Unlimited
1059	Trang Seafood Products Public Co., Ltd	Trang	Unlimited
1060	Transamut Food Co., Ltd	Samutsakorn	Unlimited
1061	Tropical Seafood Products Co., Ltd	Songkhla	Unlimited
1062	Transiam Food Co., Ltd	Samutsakorn	Unlimited
1063	The Union Frozen Products Co., Ltd	Samutsakorn	31 May 1995
1064	V.I. International Co., Ltd	Ranong	Unlimited
1065	Yeenin Frozen Products Co., Ltd	Rayong	Unlimited
1066	Apitoon Enterprise Industry Co., Ltd	Samutsakorn	31 May 1995
1067	B.S. Manufacturing Co., Ltd	Bangkok	Unlimited
1068	Chao Phraya Coldstorage Co., Ltd	Bangkok	Unlimited
1069	Man A. Frozen Foods Co., Ltd	Songkhla	31 May 1995
1070	Pacific Fish Processing Co., Ltd	Songkhla	31 May 1995
1071	Southern Marine Products Co., Ltd	Songkhla	Unlimited
1072	Thavee Seafood Co., Ltd	Samutsakorn	Unlimited
1073	Thai Agri Foods Public Company Limited	Samutprakarn	31 May 1995
1074	Thai Royal Frozen Food Co., Ltd	Samutsakorn	31 May 1995
1075	Unicord Public Co., Ltd	Samutsakorn	31 May 1995
1076	United Cold Storage Co., Ltd	Samutprakarn	31 May 1995
1077	Patarat Tanakorn Co., Ltd	Ratchburi	Unlimited
1078	Pacific Kaneka Foods Co., Ltd	Songkhla	Unlimited
1079	Sethachon Co., Ltd	Samutprakarn	Unlimited
1080	Pacific A.C. Foods Co., Ltd	Samutsakorn	Unlimited
1081	Sakorn Fishery Co., Ltd	Samutsakorn	Unlimited
1082	King Cold Storage Industry Co., Ltd	Songkhla	Unlimited
1083	Aksara Foods Co., Ltd	Samutsakorn	Unlimited
1084	Asian Seafoods Coldstorage Public Co., Ltd	Samutsakorn	Unlimited
1085	Andaman Seafood Co., Ltd	Ranong	Unlimited
1086	T.S. Processing Co., Ltd	Samutsakorn	Unlimited
1087	Thai Excel Foods Co., Ltd	Samutprakarn	Unlimited
1088	Thai Seri Universal Food Co., Ltd	Samutprakarn	31 May 1995
1089	Sea Royal Marine Food Product Co., Ltd	Samutsakorn	Unlimited
1090	J-Fac Co., Ltd	Bangkok	Unlimited
1091	H.A.M. International Co., Ltd	Samutsakorn	Unlimited
1092	Pacific Marine Food Products Co., Ltd	Samutsakorn	Unlimited
1093	C.P. Food Products Co., Ltd	Bangkok	Unlimited
1094	S.C.C. Frozen Seafood Co., Ltd	Songkhla	Unlimited
1095	Inter-Oceanic Resources Co., Ltd	Samutprakarn	Unlimited
1096	Lotus Blue Co., Ltd	Chonburi	Unlimited
1097	Fortune Frozen Foods (Thailand) Co., Ltd	Songkhla	Unlimited
1098	Trang Sure Co., Ltd	Trang	Unlimited
1099	Thai I-Mei Frozen Foods Co., Ltd	Ratchburi	Unlimited

Approval No	Establishment	Address	Approval granted until (')
1100	Kibun (Thailand) Co., Ltd	Samutsakorn	Unlimited
1101	Piti Seafood Co., Ltd	Songkhla	Unlimited
1102	Pan Asia (1981) Co., Ltd	Suratthani	Unlimited
2001	ISA (International Seafood Associates) Co., Ltd	Nakornprathom	Unlimited
2002	Pataya Food Industries Ltd	Samutsakorn	Unlimited
2003	Southeast Asian Packaging And Canning Ltd	Samutprakarn	Unlimited
2004	Chotiwat Manufacturing Co., Ltd	Songkhla	Unlimited
2005	Thai Union Manufacturing Co., Ltd	Samutsakorn	Unlimited
2006	Continental Pacific (1979) Ltd	Pattani	Unlimited
2007	Pan Asia (1981) Co., Ltd	Suratthani	Unlimited
2008	R.S. Cannery Co., Ltd	Samutprakarn	Unlimited
2009	Sea Horse Public Co., Ltd (Cannery)	Songkhla	31 May 1995
2010	S.K. Foods Co., Ltd (Cannery)	Samutsakorn	Unlimited
2011	Narong Canning Co., Ltd	Bangkok	Unlimited
2012	Tropical Canning (Thailand) Co., Ltd	Songkhla	Unlimited
2013	Songkla Canning Public Co., Ltd	Songkhla	Unlimited
2014	Spi Canning Co., Ltd (Cannery)	Samutprakarn	Unlimited
2015	Thai Agri Foods Public Company Limited (Cannery)	Samutprakarn	31 May 1995
2016	Surat Canning Public Company Limited	Suratthani	Unlimited
2017	Royal Canning Co., Ltd	Songkhla	31 May 1995
2018	Siam Tin Food Product Co., Ltd (Cannery)	Satun	Unlimited
2019	Premier Canning Industry Co., Ltd	Samutprakarn	31 May 1995
2020	Pattani Food Industries Co., Ltd	Pattani	Unlimited
2021	Poosin Thang Nguan Hah Co., Ltd	Samutsakorn	31 May 1995
2022	B & M Products Co., Ltd	Samutsakorn	31 May 1995
2023	Chin Huay Co., Ltd	Samutsakorn	31 May 1995
2024	Eastern Packer (AK) Co., Ltd	Trad	31 May 1995
2025	Nimit Intermark Co., Ltd	Samutprakarn	31 May 1995
2026	On-Green Produces Co., Ltd	Samutsakorn	31 May 1995
2027	Unicord Public Co., Ltd (Cannery)	Samutsakorn	Unlimited
2028	The Peace Canning (1958) Co., Ltd	Samutprakarn	Unlimited
2029	Pattani Seafood Co., Ltd	Pattani	Unlimited
2030	Southern Seafoods (Thailand), Ltd	Suratthani	Unlimited
2031	Kuang Pei San Food Products Co., Ltd	Trang	Unlimited
2032	Thai Pochana Food Cannery (1988) Co., Ltd	Samutprakarn	Unlimited
2033	Laemthong Food Industries Co., Ltd	Nakorn Pathom	Unlimited
3001	Foodex Co., Ltd	Bangkok	Unlimited
3002	Chuewhuad Co., Ltd	Cholburi	Unlimited
3003	Thai Fishsauce Factory (Squid Brand) Co., Ltd	Samutsongkram	Unlimited
3004	Thai Agri Foods Public Company Limited	Samutprakarn	Unlimited
3005	Food Specialize Co., Ltd	Bangkok	Unlimited
3006	Tang Thai Chiang Fish-Sauce Manufacturing Co., Ltd	Rayong	Unlimited
3007	Pantainorasingh Manufacturer Co., Ltd	Samutsakorn	Unlimited
3008	Tang Sang Hah Co., Ltd	Samutprakarn	Unlimited
3009	Bangkok Dehydrated Marine Product Co., Ltd	Pathumthani	Unlimited
3010	Siam Preserved Foods Co., Ltd	Ratchaburi	Unlimited
3011	First World Import & Export Co., Ltd	Bangkok	Unlimited
3012	Rayong Fish Sauce Industry Co., Ltd	Rayong	Unlimited
3013	Chua Hah Seng Fish Sauce Factory L.P. (Razorclam Brand)	Samuthsongkram	Unlimited
3014	Sang Thai Tra Pra Factory Ltd, Part.	Samuthsongkram	Unlimited
3015	Pichai Fish Sauce Co., Ltd	Cholburi	Unlimited
3016	P.N. Marine Fishhouse	Samutsakorn	Unlimited

Approval No	Establishment	Address	Approval granted until (')
3017	FA.I.T. Corporation Limited	Bangkok	Unlimited
3018	Tropico Entreprise Ltd, Part.	Bangkok	Unlimited
3019	Erawan Marketing Co., Ltd	Bangkok	Unlimited
3020	Nana Marketing Co., Ltd	Bangkok	Unlimited
3021	Tang Heab Seng Fishsauce Factory Co., Ltd	Rayong	Unlimited
3022	City Food Co., Ltd	Bangkok	Unlimited
3023	Kijmankhong Factory	Rayong	Unlimited
3024	Phong Chitt Co., Ltd	Bangkok	Unlimited
3025	Nestlé (Thailand) Ltd	Samutprakarn	Unlimited
3026	Thai Sauce Products Co., Ltd	Samutprakarn	Unlimited
3027	Poonsin Thang Nguan Hah Co., Ltd	Samutsakorn	Unlimited
3028	Tong Charoen Fish Sauce Factory	Samuthsongkram	Unlimited
3029	Saeng Thai Fish Sauce Factory Limited Partnership	Samuthsongkram	Unlimited
3030	Thai Excel Foods Co., Ltd	Samutprakarn	Unlimited
3031	Penta Impex Co., Ltd	Bangkok	Unlimited
3032	Kang Wan Panich Fish Sauce Factory	Cholburi	Unlimited
3033	Namprik Maesri Ltd, Part.	Nakornpathom	Unlimited
3034	Shing Ha Thai's Fish Sauce Factory	Rayong	Unlimited

(') Date of expiry of approval, or unlimited.

COMMISSION DECISION**of 20 October 1994****amending Decision 94/448/EC laying down special conditions governing imports
of fishery and aquaculture products originating in New Zealand****(Text with EEA relevance)****(94/705/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991 laying down the health conditions for the production and the placing on the market of fishery products ⁽¹⁾, and in particular Article 11 (5) thereof,

Whereas the list of establishments and factory ships approved by New Zealand importing fishery and aquaculture products into the Community has been drawn up in Commission Decision 94/448/EC ⁽²⁾; whereas this list may be amended following the communication of a new list by the competent authority in New Zealand;

Whereas the competent authority in New Zealand has communicated a new list adding seven factory vessels, amending the data of one establishment and deleting one establishment;

Whereas it is necessary to amend the list of approved establishments and factory vessels;

Whereas the measures provided for in this Decision have been drawn up in accordance with the procedure laid down by Commission Decision 90/13/EEC ⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

Annex B of Decision 94/448/EC is replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 20 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 184, 20. 7. 1994, p. 16.

⁽³⁾ OJ No L 8, 11. 1. 1990, p. 70.

ANNEX

ANNEX B

LIST OF APPROVED ESTABLISHMENTS AND FACTORY VESSELS

I. Establishments

Approval number	Establishment	Address	Postal code
PH 1	Talleys Fisheries Limited	PORT MOTUEKA	PO Box 5, PORT MOTUEKA
PH 3	Waitaki Biosciences International Ltd	320 Port Hills Road, CHRISTCHURCH	PO Box 19727, CHRISTCHURCH
PH 5	Healtheries of New Zealand Ltd	130 Maura Road, Mount Wellington, AUCKLAND	PO Box 11201, AUCKLAND
PH 12	Sealord Products Ltd	Vickerman Street, NELSON	PO Box 11, NELSON
PH 16	Prepared Foods Ltd	117-119 Ruahine Street, PALMERSTON NORTH	PO Box 942, PALMERSTON NORTH
PH 17	Freshpack Fisheries Limited	31 Raycroft Street, CHRISTCHURCH 2	31 Raycroft Street CHRISTCHURCH 2
PH 26	McFarlane Laboratories New Zealand Limited	117 Lansford Crescent, Avondale, AUCKLAND	PO Box 19-028, AUCKLAND
PH 35	Aroma NZ Limited	12 Senior Place, Bromley, CHRISTCHURCH	PO Box 2683, CHRISTCHURCH
PH 37	Independent Fisheries Limited	Staunton Street, Woolston, CHRISTCHURCH	PO Box 19554, Woolston CHRISTCHURCH
PH 48	Coromandel Fish Exporters 1976 Ltd	Wharf Road, COROMANDEL	Wharf Road, COROMANDEL
PH 51	Globe Export Fisheries Limited	Sawyers Bay, PORT CHALMERS	PO Box 41, PORT CHALMERS
PH 57	Harbour Inn Seafoods O Kahungunu Ltd	Grey Street, Awatoto, NAPIER	PO Box 393, NAPIER
PH 59	Moana Pacific Fisheries Limited	Subway Road, Pukekohe, AUCKLAND	PO Box 273, Pukekohe, AUCKLAND
PH 60	O.P. Columbia	South Highway, WHITIANGA	PO Box 48, WHITIANGA
PH 62	Harbour Inn Wholesale and Export Ltd	79 The Esplanade, PETONE	PO Box 38-435, PETONE
PH 63	Mount Maunganui Seafoods Ltd	Tyne Street, MOUNT MAUNGANUI	PO Box 4397, MOUNT MAUNGANUI
PH 72	NZ Eel Processing Co. Limited	Rata Street, TE KAUWHATA	PO Box 43, TE KAUWHATA
PH 73	Talaforde Sea Products	21 McPherson Street, Richmond, NELSON	PO Box 3169, Richmond NELSON
PH 74	Moana Pacific Fisheries Limited	110 Bentley Street, MASTERTON	PO Box 611, MASTERTON
PH 75	Port Nicholson Fisheries Ltd	254 Taranaki Street, WELLINGTON	PO Box 9765, WELLINGTON
PH 76	Sanford Ltd	Cross Road, TAURANGA	PO Box 391, TAURANGA
PH 77	Nelson Fisheries	London Quay, PICTON	PO Box 39, PICTON
PH 78	Burkhart Fisheries Ltd	Main Road South, WARD	PO Box 40, WARD

Approval number	Establishment	Address	Postal code
PH 81	Mossburn Enterprises Limited	Kennington, No 1 RD, INVERCARGILL	PO Box 169, INVERCARGILL
PH 85	Coral Fisheries Ltd	28 Herekino Street, WHANGAREI	28 Herekino Street, WHANGAREI
PH 87	Rainbow Fisheries Ltd	4 Wharf Street, DUNEDIN	PO Box 483, DUNEDIN
PH 89	Kornew Fisheries (New Zealand) Ltd	Bristol Street, Riverlands, BLENHEIM	PO Box 122, BLENHEIM
PH 91	Otakou Fisheries Ltd	Corner Cresswell and Mason Streets, DUNEDIN	PO Box 5086, DUNEDIN
PH 94	Bruce Wayne Sanderson	Totara North, NORTHLAND	c/o Post Office TOTARA NORTH
PH 98	Gisborne Fisheries (1955) Limited	131 Peel Street, GISBORNE	PO Box 1340, GISBORNE
PH 102	Talleys Fisheries Limited	Greeson Street, GREYMOUTH	PO Box 274, GREYMOUTH
PH 103	Talleys Fisheries Limited	Chamberlain Street, WESTPORT	PO Box 230, WESTPORT
PH 105	Global Fish Processing Co. Ltd	81 Port Road, WHANGAREI	PO Box 4353, Kamo, WHANGAREI
PH 107	Talleys Fisheries	Waitapu Wharf, TAKAKA	Waitapu Wharf, TAKAKA
PH 111	United Fisheries Limited	26 Sandyford Street, CHRISTCHURCH	PO Box 2131, CHRISTCHURCH
PH 112	Southern Ocean Seafoods Ltd	Kaingaroa, CHATHAM ISLANDS	PO Box 14, Kaingaroa CHATHAM ISLANDS
PH 115	United Fisheries (Tim) Ltd	27 Grey Street, TIMARU	PO Box 733, TIMARU
PH 116	Moana Pacific Fisheries Ltd	100 Waghorne Street, AHURIRI	PO Box 2017, NAPIER
PH 118	Bapobs Ltd	Water Front Street, BLUFF	PO Box 129, BLUFF
PH 119	Westbay Seafoods Ltd	Adairs Road, TAKUTAI	PO Box 12, HOKITIKA
PH 120	Deep Cove Fisheries	7 Hall Street, North Mole, TIMARU	PO Box 119, TIMARU
PH 123	Pacifica Fishing Ltd	North Wharf, KAIKOURA	PO Box 30, KAIKOURA
PH 124	United Fisheries (CHCH) Ltd	7 Maldon Street, CHRISTCHURCH	PO Box 2131, CHRISTCHURCH
PH 126	Leigh Fisheries Limited	Cumberland Street, LEIGH	RD 5, WARKWORTH
PH 130	Regal Salmon Limited	4 Queen Charlotte Drive, PICTON	PO Box 24, PICTON
PH 138	Sea Products (1982) Limited	57 Firth Street, DRURY	PO Box 22274, Otahuhu AUCKLAND
PH 139	Riverton Fisherman's Coop Limited	RIVERTON	PO Box 844, INVERCARGILL
PH 141	Pacific Marine Farms (1991) Limited	Long Bay Road, COROMANDEL	Long Bay Road, COROMANDEL
PH 142	Urwin and Company Limited	153 Foreshore Road, BLUFF	PO Box 3, BLUFF
PH 143	Westfleet Fisherman's Cooperative Limited	Gilbert Street, GREYMOUTH	PO Box 180, GREYMOUTH
PH 145	Bluff Fisherman's Coop Ltd	Foreshore Road, BLUFF	PO Box 1764, INVERCARGILL

Approval number	Establishment	Address	Postal code
PH 146	Johnson & de Rijk	Foreshore Road, BLUFF	PO Box 124, INVERCARGILL
PH 147	Johnson Oysters Limited	Foreshore Road, BLUFF	PO Box 37, BLUFF
PH 148	Sanford South Island Ltd	Western Foreshore, Reclamation, BLUFF	PO Box 120, BLUFF
PH 150	Cook Strait Seafoods	17 Lorne Street, WELLINGTON	PO Box 9739, TEARO WELLINGTON
PH 151	Wanganui Seafoods	Gilbert Street, WANGANUI	Private Bag, WANGANUI
PH 153	Shallpac Seafoods Ltd	15 Alach Street, Greerton, TAURANGA	15 Alach Street, Greerton, TAURANGA
PH 155	Sealord Products Ltd	Birch Street, DUNEDIN	PO Box 930, DUNEDIN
PH 157	Southern Ocean Seafoods Limited	11-18 Bullen Street, Tahunanui, NELSON	PO Box 1180, NELSON
PH 159	Talleys Fisheries Limited	Old Renwick Road, BLENHEIM	PO Box 304, BLENHEIM
PH 162	Far North Fisheries	Main Road North, AWANUI	PO Box 149, AWANUI
PH 163	Regal Salmon Ltd	219 Bond Street, INVERCARGILL	PO Box 1559, INVERCARGILL
PH 164	Sanford South Island Limited	137 Vickerman Street, NELSON	PO Box 270, PORT NELSON
PH 165	Otakou Fisheries Ltd	Bombay and Creswell Streets, DUNEDIN	PO Box 5086, DUNEDIN
PH 166	Mac Cure Seafoods Ltd	18 Rotherham St, NELSON	PO Box 5077, NELSON
PH 168	Stewart Island Fisherman's Coop Ltd	Half Moon Bay, STEWART ISLAND	PO Box 106 Half Moon Bay, STEWART ISLAND
PH 175	Pacifica Fishing (Christchurch) Ltd	2 Matipo Street, CHRISTCHURCH	PO Box 8696, CHRISTCHURCH
PH 176	Westhaven Shellfish Co. Ltd	Main Road, Pakawau, GOLDEN BAY	Main Road, Pakawau, GOLDEN BAY
PH 177	Sanford South Island Limited	Havelock Wharf, HAVELOCK	PO Box 13, HAVELOCK
PH 181	Southern Processors Ltd	83 Beatty Street, NELSON	PO Box 32, Tahunanui, NELSON
PH 182	E N Vanderdrift 1987 Ltd	121 Cordelia Street, STRATFORD	PO Box 200, STRATFORD
PH 183	Gould Aquafarms	Timber Yard Road, Lakeside, LEESTON	RD 3, LEESTON
PH 184	Seafresh Fisheries NZ Limited	61 Seaview Road, Gracefield, LOWER HUTT	PO Box 30888, LOWER HUTT
PH 186	Asta Merchants Ltd	12 Crummer Road, Grey Lynn, AUCKLAND	Grey Lynn, PO Box 898, AUCKLAND
PH 187	Marlborough Seafoods Ltd	Bristol Street, Riverlands Industrial Estate, BLENHEIM	PO Box 762, BLENHEIM
PH 188	Moana Pacific Fisheries Ltd	Kaiti Esplanade, GISBORNE	PO Box 819, GISBORNE
PH 189	Sea-First Processors Ltd	29A Hewlett Street, WHANGAREI	PO Box 9744, Newmarket, AUCKLAND

Approval number	Establishment	Address	Postal code
PH 190	Southern Seafoods	Horseshoe Bay Wharf, STEWART ISLAND	PO Box 119, STEWART ISLAND
PH 192	Wellington Trawling Company Limited	218-220 Cuba Street, WELLINGTON	PO Box 2200, WELLINGTON
PH 193	Southern Ocean Seafoods Ltd	Waitangi, CHATHAM ISLANDS	PO Box 14, CHATHAM ISLANDS
PH 194	Simunovich Fisheries Limited	1 Market Place, AUCKLAND	PO Box 3331, AUCKLAND
PH 195	The Isaac Salmon Farm Ltd	'Peacock Springs' McLeans Road Harewood, CHRISTCHURCH	PO Box 20001 Bishopdale CHRISTCHURCH
PH 197	Hauraki Seafoods Ltd	Wharf Road, Kopu RD 1, THAMES	Wharf Road, Kopu RD 1, THAMES
PH 199	Pacifica Seafoods (Nelson) Ltd	Main Road, RAI VALLEY	PO Box 55, RAI VALLEY
PH 201	Pacifica Fishing Limited	Awatea Street, DUNEDIN	PO Box 11, NELSON
PH 204	Constantia Foods Limited	79 Maleme Street, TAURANGA	PO Box 3161 TAURANGA
PH 219	Deep Cove Fisheries Ltd	Hall Street, TIMARU	PO Box 119, TIMARU
PH 222	Sanford Limited	Vessel 'San Waitaki'	PO Box 443, AUCKLAND
PH 223	Westpac Mussels Distributors Ltd	19 Corban Avenue, Henderson, AUCKLAND	19 Corban Avenue, Henderson, AUCKLAND
PH 227	The New Zealand Fish Co. Limited	136 Vanguard Street, NELSON	136 Vanguard Street, NELSON
PH 245	Tiffany Foods	10 Print Place, CHRISTCHURCH	PO Box 8301, CHRISTCHURCH
PH 248	Glenalbany Holdings	Bradleys Road, Ohoka RD 2, KAIPOI	PO Box 16337, CHRISTCHURCH
PH 255	Levin Eel Trading Co. Ltd	11 Main Road South, LEVIN	PO Box 1057, LEVIN
PH 263	Fiordland Lobster Company Ltd	Caswell Street, TE ANAU	PO Box 92, TE ANAU
PH 273	Mount Fishmarkets Ltd	40 Hull Road, MT MANGANUI	PO Box 4323, MT MANGANUI SOUTH
PH 287	Coastal Seafoods Ltd	1 Market Place, AUCKLAND	PO Box 15-142, New Lynn, AUCKLAND
PH 290	Moana Pacific Fisheries Ltd	12 Brigade Road, Mangere, AUCKLAND	PO Box 445, AUCKLAND
PH 295	Fresco Seafoods 1990 Ltd	25 Marylands Place CHRISTCHURCH	PO 9219, Addington CHRISTCHURCH
PH 296	Regal Salmon Limited	Mahutangi West Road, WARKWORTH	PO Box 216, WARKWORTH
PH 299	Regent Fisheries	13 Miami Parade, Onhunga, AUCKLAND	13 Miami Parade, Onhunga, AUCKLAND
PH 313	Paua Supplies Ltd	35 Fox Street, South Dunedin DUNEDIN	PO Box 1469, DUNEDIN
PH 318	Moana Pacific Fisheries Ltd	Kaiti Esplanade,	PO Box 819, GISBORNE
PH 344	Bluff Fisherman's Coop Ltd	Orchard Road, CHRISTCHURCH	PO Box 1764, INVERCARGILL

Approval number	Establishment	Address	Postal code
PH 347	New Zealand Seafoods Limited	20b Portage Road, New Lynn, AUCKLAND	PO Box 19-120, Avondale, AUCKLAND
PH 348	Vancouver Fisheries Ltd	119 Wordsworth Street, CHRISTCHURCH 2	119 Wordsworth Street, CHRISTCHURCH 2
PH 350	No 1 Live Lobster Company Limited	8 Doncaster Road, Mangere, AUCKLAND	8 Doncaster Road, Mangere, AUCKLAND
PH 362	New Zealand Red Rock Lobster Company Limited	29-31 Edmonton Road, Hornby, CHRISTCHURCH	PO Box 1477, CHRISTCHURCH
PH 368	Star Fish Supply Ltd	27 Dunlop Road, NAPIER	PO Box 2028, NAPIER
PH 371	Te Aroha Seafoods Ltd	9 Park Terrace, BLENHEIM	PO Box 331, PICTON
PH 382	Fresha Fisheries Limited	126A Brooklands Road, NEW PLYMOUTH	PO Box 350, NEW PLYMOUTH
PH 389	Lobster New Zealand Ltd	Bolt Place, CHRISTCHURCH	PO Box 14-067, CHRISTCHURCH AIRPORT
PH 393	Mapua Seafoods Nelson New Zealand Ltd	29 Tahi Street, Mapua, NELSON	Mapua Wharf Aranui Road PORT MAPUA
PH 397	Murikihu Fisheries Ltd	Ocean Beach Road, BLUFF	PO Box 113, BLUFF
PH 400	The New Zealand Fish Company	Main Road, STOKE	c/o New Zealand Hays Meat Producers, Main Road, STOKE
PH 402	Sealord Products Ltd	Fryatt Street, DUNEDIN	PO Box 930, DUNEDIN
PH 403	Deep South Fisheries Limited	State Highway 1, Ocean Beach Site, BLUFF	PO Box 7, BLUFF
PH 587	United Fisheries Ltd	58 Parkhouse Road Sockburn CHRISTCHURCH	PO Box 2131 CHRISTCHURCH
FPH 3	Sanford South Island Limited	Hall Street, North Mole, TIMARU	Private Bag, TIMARU
FPH 5	Sanford (South Island) Limited	Normanby Wharf, OAMARU	PO Box 263, OAMARU
FPH 11	Hikurangi Fisheries Limited	21 King Street, HIKURANGI	21 King Street, HIKURANGI
FPH 36	Thomas Richard & Co. Ltd	Brigham Creek Road, Whenuapai, AUCKLAND	PO Box 81009, AUCKLAND
FPH 52	Sanford Limited	22 Jellicoe Street, Freemans Bay, AUCKLAND	PO Box 443, AUCKLAND
FPH 53	Hikurangi Fisheries Limited	Main Highway, KAEO	Main Highway, KAEO
FPH 152	Noma Oysters Limited	42, Kaka Street, WHANGAREI	PO Box 806, WHANGAREI
FPH 197	Port Albert Fisheries	11 Hood Street, WELLSFORD	PO Box 220, WHANGAREI
W 4	T J Gould	Lakeside RD 3, CHRISTCHURCH	
W 9	Live Lobster Southland Limited	Foreshore Road, BLUFF	PO Box 884, INVERCARGILL
W 10	Pacifica Fishing Ltd	Careys Bay, PORT CHALMERS	PO Box 1360, DUNEDIN

II. Factory vessels

Number	Name	Number	Name
PH 46	Amaltal Explorer	L 62232	Daniel Solander
PH 160	Ibuki Maru	L 8058	Darvin
PH 169	Banshu Maru #8	L 8090	Donfico No 701
PH 180	Pakura	L 90038	Dong Won 517
PH 203	Azuchi Maru	L 62289	Dong Won No 513
PH 216	Tomi Maru No 58	L 8007	Dong Wong No 522
PH 222	San Waitaki	L 7969	Dong Won No 521
PH 224	Chiyo Maru No 2	L 15950	Drysdale
PH 225	San Rangitoto	L 15671	Eikyu Maru No 8
PH 234	Will Watch	L 62867	Eishin Maru No 82
PH 239	Chiyo Maru	L 15837	Enemelay
PH 250	Tomi Maru No 86	L 15858	Geliograf
PH 251	Tomi Maru No 87	L 8055	Giljanes
PH 269	Echizen Maru	L 90000	Gissar
PH 292	Koyo Maru No 2	L 90004	Gnevnyl
PH 304	M V Norom	L 16121	Grigoriy Terentyev
PH 308	M V Tampen	L 86136	Gromovo
PH 309	Ottar Birting	L 62511	Hoshin Maru No 58
PH 315	FV Labrador	L 70619	Hunter No 1
PH 319	F/V Mary Ann	L 62751	Ivan Korobkin
PH 329	Longva No 3	L 70828	Ivan Golubets
PH 337	F V Lord Auckland	L 15887	Izumrudnyy
PH 340	Kirkholmen	L 15975	Karagach
PH 345	Longva 2	L 7995	Kariqa
PH 355	GRV Tangaroa	L 15849	Khrustalnyy
PH 370	Eikyu Maru No 6	L 86189	Komtek 2
PH 373	Dalmor II	L 16122	Kontayka
PH 381	FV James Cook	L 62738	Koryo Maru No 52
PH 384	Amaltal Columbia	L 70709	Krylova
PH 390	San Aotea	L 62567	Kyofuku Maru
PH 392	San Arawa	L 15978	Langoustine Explorer
PH 395	Kai Xin	L 62638	Melilla
PH 407	FV Aquila	L 62858	Meridian I
PH 410	Newfoundland Lynx	L 16030	MFV Petersen
PH 411	Aoraki	L 15871	Mutual Enterprise
L 70806	20 Syezd	L 62857	MYS Chaikovskogo
L 70809	26 Syezd	L 70709	MYS Krylova
L 15618	Advancer	L 70851	MYS Senyavina
L 15781	Agatovyy	L 15936	MYS Yudina
L 15874	Albatross II	L 32621	NR Francis
L 62713	Aleksey Slobodchikov	L 70837	Nikon Karpenko
L 16041	Alexandrovsk	L 70807	Novoangarsk
L 7847	Amaltal Voyager	L 70808	Novoarkangelsk
L 15886	Amga	L 62663	Novoeniseysk
L 62748	Arzamas	L 44596	Novokazalinsk
L 7996	Atu	L 8080	Novokotovsk
L 62224	Barit	L 62664	Novonikolsk
L 8103	Bars	L 16064	Novoorsk
L 15894	Belovo	L 70875	Novopskov
L 15811	Bilyarra	L 44597	Novosokolniki
L 62756	Bratya Stoyanovy	L 62373	Ocean Ranger
L 15738	Christmas Creek	L 8057	Ochakov
L 62286	Cordella		

Number	Name	Number	Name
L 62281	Ohau	L 70854	Takaroa 1
L 62749	Oktant	L 70765	Tavrida
L 62623	Oyang No 77	L 70852	Tigil
L 56182	Oyang No 86	L 86042	Tomi Maru No 83
L 56181	Oyang No 85	L 62701	Turkul
L 70857	Peredovik	L 44453	Venture K
L 8091	Pioner Nikoaeva	L 15862	Volnomer
L 7959	Pirit	L 15936	Yudina
L 70874	Planerist	L 70745	Yuzhnomorsk
L 62660	Poct	L 15669	Zhemchuzhny
L 90024	Polevod	L 16063	Lonager
L 90025	Prostor	L 62878	Effim Gorbenko
L 62662	Prosvititel	L 70884	Kursa
L 15737	Red Bluff	L 70888	Novobobruysk
L 44336	Sagaml Maru No 1	L 70889	Novobataysk
L 7990	San Te Maru No 18	W 44615	Ibaraki Maru No 11
L 15944	San Tangaroa	W 86002	Paluma
L 7972	San Te Maru No 17	W 44570	Shioml Maru No 55
L 70836	Sapun Gora	W 44566	Young Heung No 55'
L 70870	Sarfaq		
L 70849	Sokolinoe		
L 62272	Solander II		
L 44335	Soshu Maru		
L 70773	Suan Korzunov		
L 90011	Sur Este 707		
L 70863	Sureste 709		