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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2843/94

of 21 November 1994

amending Regulations (EEC) No 2328/91 and (EEC) No 866/90 with a view to expediting the adjustment of production, processing and marketing structures as part of the reform of the common agricultural policy

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, in particular Articles 42 and 43 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas Council Regulation (EEC) No 2328/91 of 15 July 1991 on improving the efficiency of agricultural structures ⁽³⁾ and Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products ⁽⁴⁾ were amended by Regulation (EC) No 3669/93 ⁽⁵⁾, particularly as concerns the introduction of financing rules in view of the ceiling on resources available under Objective 5a referred to in Article 1 of Regulation (EEC) No 2052/88 ⁽⁶⁾;

Whereas, in the context of the implementation of the reform of the common agricultural policy and taking account, in particular, of current developments in farming conditions, the measures to improve production, processing and marketing structures should be adjusted to give the Member States greater leeway in choosing the specific conditions for implementing the said Objective;

Whereas, keeping within the limits of the resources available for Objective 5a, the aid amounts provided for in Regulation (EEC) No 2328/91, as last amended by Commission Regulation (EC) No 2631/94 ⁽⁷⁾, should be brought up to date;

Whereas the investment aid scheme should be made more flexible and optional, while maintaining the obligation for all State aid granted in this area to comply with the prohibitions and sectoral restrictions as well as with the rules on State aid laid down in Regulation (EEC) No 2328/91;

Whereas the conditions of access to aid should be relaxed, with particular attention to measures to assist young farmers;

Whereas it is necessary to ensure that the measures provided for by this Regulation fully respect the current environmental provisions; that in this context it is particularly desirable to introduce a certain degree of flexibility in the sectoral limitations provided for investment aids in the case of investments in the area of the protection of the environment, hygiene on livestock holdings and animal welfare;

Whereas care should be taken to ensure that the measures envisaged are compatible with the reform of the common agricultural policy and that, in particular, they do not result in an overall increase in production capacity in sectors where there are surpluses,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2328/91 is hereby amended as follows:

1. the amounts laid down in Regulation (EEC) No 2328/91 and listed in Annex to this Regulation shall be amended as indicated therein;

⁽¹⁾ OJ No C 152, 3. 6. 1994, p. 10.

⁽²⁾ OJ No C 205, 25. 7. 1994, p. 499.

⁽³⁾ OJ No L 218, 6. 8. 1991, p. 1.

⁽⁴⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽⁵⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽⁶⁾ OJ No L 185, 15. 7. 1988, p. 9.

⁽⁷⁾ OJ No L 280, 29. 10. 1994, p. 41.

2. Article 5 shall be amended as follows:

- (a) the first subparagraph of paragraph 1 shall be replaced by the following:

'1. In order to contribute to the improvement of agricultural incomes and of living, working and production conditions on agricultural holdings, Member States may introduce, pursuant to the common measure referred to in Article 1, a system of investment aid to agricultural holdings where the farmer';

- (b) paragraph 1(c) shall be replaced by the following:

'(c) submits a plan for materially improving his holding. This plan must show that the investments are justified from the point of view of the situation of the holding and its economy and that implementation of the plan will bring about a lasting improvement of that situation';

- (c) paragraph 2 shall be replaced by the following:

'2. The aid system referred to in paragraph 1 shall be limited to agricultural holdings where labour income per man work unit (MWU) is less than 1,2 times the reference income referred to in paragraph 3.

Member States may restrict the aid system referred to in paragraph 1 to agricultural holdings of a family nature';

3. Article 6 shall be amended as follows:

- (a) the second subparagraph of paragraph 3 shall be replaced by the following:

'In such cases, the granting of aid shall be subject to the condition that the investment does not serve to raise the number of dairy cows to more than 50 per MWU and more than 80 per holding or, where the holding has more than 1,6 MWU, does not serve to raise the number of dairy cows by more than 15 %';

- (b) the following sentence shall be added to the last subparagraph of paragraph 4:

'However, in accordance with the procedure laid down in Article 29 of Regulation (EEC) No 4253/88 the Commission may authorize a Member State to derogate from that condition, in exceptional cases and solely for investment to reduce emissions from animal droppings and the elimination of slurry in existing holdings, provided that such investment leads to a better result for the protection of the environment than that obtained by the condition derogated from and that it does

not in any circumstances lead to an increase in production capacity';

- (c) the first subparagraph of paragraph 5 shall be replaced by the following:

'5. Aid referred to in paragraph 1 and granted for investments relating to the beef sector, other than aid for safeguarding the environment, improvement of hygiene conditions on livestock enterprises and animal welfare, where there is no increase in capacity, shall be restricted to livestock enterprises where the beef-cattle stocking rate does not, in the final year of the plan, exceed the following number of livestock units (LU) per hectare of forage area used for feeding the cattle: 3, 2,5 and 2 LU/ha for plans ending respectively in 1994, 1995 and 1996 or later. The limits of 2,5 and 2 LU/ha shall apply only to applications submitted as from 1 January 1994';

- (d) paragraph 6 shall be replaced by the following:

'6. The investment aid referred to in paragraph 1 may not be granted in the egg and poultry sector, with the exception of aid for safeguarding the environment, improvement of hygiene conditions on livestock enterprises and animal welfare, provided there is no increase in capacity';

4. the last subparagraph of Article 7 (2) shall be replaced by the following:

'In accordance with the procedure laid down in Article 29 of Regulation (EEC) No 4253/88, a Member State may be authorized, for a specified period, to grant aid exceeding the level specified in the second subparagraph, if such action is warranted by the situation on the capital market in that Member State';

5. the second sentence of Article 8 shall be replaced by the following:

'However, the number of plans per beneficiary which may be accepted during a six-year period shall be limited to three and the total investment which may be considered in connection with the reimbursement of aid pursuant to Article 33 shall be limited to ECU 90 000 per MWU and ECU 180 000 per holding for that period';

6. Article 9 shall be amended as follows:

- (a) paragraph 3 shall be replaced by the following:

'3. Member States may grant the aid referred to in Article 7 to group-operated holdings if at least two-thirds of the members of the group holding satisfy the conditions laid down in Article 5 (1)';

- (b) paragraph 4 shall be replaced by the following:

'4. Except for aquaculture, the ceilings for cattle or for the amounts referred to in Articles 6 (3), 7 (2) and 8 may be multiplied by the number of holdings belonging to the group.

However, these ceilings may not exceed :

- 200 cows
- four times the amount per holding indicated in the first subparagraph of Article 7 (2)

per group-operated holding, including any parts of holdings which continue to be run by the group members.';

(c) paragraph 5 shall be replaced by the following :

'5. In accordance with the procedure laid down in Article 30, the Commission may authorize a Member State to grant the aid referred to in Article 7, under the conditions stipulated in paragraph 4 above, to agricultural cooperatives and similar associations whose sole objective is to manage an agricultural holding. At the same time, the Commission shall lay down specific conditions for the granting of aid to such cooperatives and associations, as well as the conditions under which and the limits within which the volume of investment provided for in paragraph 4 may be exceeded.';

7. Article 10 shall be amended as follows :

(a) The second indent of paragraph 1 is replaced by the following :

— the young farmer sets up as a farmer practising farming as his main occupation or begins, after having set up as a part-time farmer, to practise farming as his main occupation. However, Member States may grant this aid to young farmers who set up as part-time farmers deriving at least 50 % of their total income from farming, forestry, tourism or craft activities or activities for maintaining the countryside which qualify for public aid, carried out on the holding, provided that the proportion of income deriving directly from farming on the holding is not less than 25 % of the farmer's total income and that off-farm activities do not account for more than half the farmer's total working time,';

(b) the second subparagraph of paragraph 2 (b) shall be replaced by the following :

'The duration of the interest subsidy shall not exceed 15 years ; the capitalized value of the interest subsidy may not exceed the value of the single premium fixed at (a).';

8. Article 12 shall be amended as follows :

(a) the first indent of paragraph 2 shall be replaced by the following :

'2. Where Member State grant aid for investments in holdings which do not satisfy the conditions laid down in Article 5, such aid must be at

least one quarter less than the aid granted pursuant to Article 7, with the exception of aid for :

- energy saving,
- land improvement,
- aid for investment in the protection and improvement of the environment, provided that it does not entail an increase in production capacity,
- measures in respect of investments for the purpose of improvement of hygiene conditions on livestock enterprises or of compliance with Community animal welfare standards where these are stricter than Community standards, provided that these investments do not give rise to an increase in production capacity,

which may reach the amount laid down in Article 7 (2).';

(b) the last subparagraph of paragraph 4 shall be replaced by the following :

'Moreover, as regards the holdings referred to in paragraphs 2 and 3, the number of dairy cows referred to in Article 6 (3) shall be 50 per MWU and per holding.';

(c) the fifth and sixth indents of paragraph 5 shall be replaced by the following :

- investment aid measures in the protection and improvement of the environment, providing that such investments do not entail an increase in production capacity,
- investment aid measures for the purpose of improvement of hygiene conditions on livestock enterprises or of compliance with Community animal welfare standards where these are stricter than Community standards, provided that these investments do not give rise to an increase in production capacity,';

(d) the following paragraph shall be added :

'6. This Article applies even if the Member States do not institute a system of investment aids as provided for under this Title.';

9. the following Article shall be added :

Article 34b

In accordance with the procedure laid down in Article 29 of Regulation (EEC) No 4253/88, the Commission may, on its own initiative or at the request of a Member State, adjust the amounts laid down in this Regulation to take account of trends in inflation.'

Article 2

Regulation (EEC) No 866/90 is hereby amended as follows :

1. the following points shall be added to Article 1 (2) :

- '(f) contributing to the adjustment of sectors facing new situations as a result of the reform of the common agricultural policy ;
- (g) helping to facilitate the adoption of new technologies relating to environmental protection ;
- (h) encouraging the improvement and monitoring of quality and of health conditions.'

2. the first indent of Article 11 (1) shall be replaced by the following :

- rationalizing or developing the preparation, preservation, treatment and processing of agricultural products or recycling of by-products or manufacturing waste and eliminating or treating waste.'

3. the second subparagraph of Article 12 (2) shall be replaced by the following :

'In accordance with the procedure laid down in Article 29 of Regulation (EEC) No 4253/88, the Commission may accept investments relating to other products provided :

- the aid recipients have direct contractual links with the producers of the basic agricultural products, or
- the products in question have been processed from products listed in Annex II to the Treaty and proper justification can be provided that links exist proving the benefit to the producers of the basic agricultural products.'

4. the second subparagraph of Article 17 (2) shall be deleted.

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, 21 November 1994.

For the Council

The President

M. WISSMANN

ANNEX

Amounts laid down in Regulation (EEC) No 2328/91	Former amounts	New amounts
Article 7 (2)	ECU 73 999 per man work unit ECU 147 997 per holding	ECU 90 000 per man work unit ECU 180 000 per holding
Article 10 (2) (a)	ECU 12 210 per person	ECU 15 000 per person
Article 12 (2)	ECU 73 999 per man work unit ECU 147 997 per holding	ECU 90 000 per man work unit ECU 180 000 per holding
Article 12 (3)	ECU 30 708 per holding	ECU 45 000 per holding
Article 13 (1)	ECU 1 197 per holding	ECU 1 500 per holding
Article 14	ECU 18 315 per group	ECU 22 500 per group
Article 15 (4)	ECU 14 694 per person	ECU 18 000 per person
Article 19 (1)	ECU 124 per livestock unit or per hectare ECU 148 per livestock unit or per hectare	ECU 150 per livestock unit or per hectare ECU 180 per livestock unit or per hectare
Article 20 (3)	ECU 121 965 per investment ECU 609 per hectare ECU 5 986 per irrigated hectare	ECU 150 000 per investment ECU 750 per hectare ECU 7 300 per irrigated hectare
Article 28 (3)	ECU 8 546 per person ECU 3 052 per person	ECU 10 500 per person ECU 4 000 per person

COMMISSION REGULATION (EC) No 2844/94**of 24 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 21 and 22 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 25 November 1994.

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

Done at Brussels, 24 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 ⁽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 2845/94

of 24 November 1994

fixing the export refunds 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 2807/94 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade 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 Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 776/94 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 2767/90 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 298, 19. 11. 1994, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾, 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⁽⁵⁾, as amended by Regulation (EC) No 547/94⁽⁶⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 150 per 100 kilograms;

Whereas Austria will be a member of the European Union as from 1 January 1995; whereas experience shows that there is a risk of speculative exports to that country until the end of 1994, in particular as regards cheese; whereas the refunds on cheese exported to Austria should accordingly be discontinued;

Whereas Commission Regulation (EEC) No 896/84⁽⁷⁾, as last amended by Regulation (EEC) No 222/88⁽⁸⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

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

Done at Brussels, 24 November 1994.

For the Commission

René STEICHEN

Member of the Commission

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

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

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾ 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

This Regulation shall enter into force on 25 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 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁶⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽⁷⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁸⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 24 November 1994 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000		5,18	0402 21 91 500		118,10
0401 10 90 000		5,18	0402 21 91 600		128,54
0401 20 11 100		5,18	0402 21 91 700		134,75
0401 20 11 500		8,00	0402 21 91 900		141,68
0401 20 19 100		5,18	0402 21 99 100		105,31
0401 20 19 500		8,00	0402 21 99 200		106,08
0401 20 91 100		10,65	0402 21 99 300		107,46
0401 20 91 500		12,41	0402 21 99 400		115,39
0401 20 99 100		10,65	0402 21 99 500		118,10
0401 20 99 500		12,41	0402 21 99 600		128,54
0401 30 11 100		15,94	0402 21 99 700		134,75
0401 30 11 400		24,58	0402 21 99 900		141,68
0401 30 11 700		36,93	0402 29 15 200		0,6000
0401 30 19 100		15,94	0402 29 15 300		0,9158
0401 30 19 400		24,58	0402 29 15 500		0,9682
0401 30 19 700		36,93	0402 29 15 900		1,0450
0401 30 31 100		43,98	0402 29 19 200		0,6000
0401 30 31 400		68,67	0402 29 19 300		0,9158
0401 30 31 700		75,72	0402 29 19 500		0,9682
0401 30 39 100		43,98	0402 29 19 900		1,0450
0401 30 39 400		68,67	0402 29 91 100		1,0531
0401 30 39 700		75,72	0402 29 91 500		1,1539
0401 30 91 100		86,30	0402 29 99 100		1,0531
0401 30 91 400		126,85	0402 29 99 500		1,1539
0401 30 91 700		148,02	0402 91 11 110		5,18
0401 30 99 100		86,30	0402 91 11 120		10,65
0401 30 99 400		126,85	0402 91 11 310		18,15
0401 30 99 700		148,02	0402 91 11 350		22,42
0402 10 11 000		60,00	0402 91 11 370		27,47
0402 10 19 000		60,00	0402 91 19 110		5,18
0402 10 91 000		0,6000	0402 91 19 120		10,65
0402 10 99 000		0,6000	0402 91 19 310		18,15
0402 21 11 200		60,00	0402 91 19 350		22,42
0402 21 11 300		91,58	0402 91 19 370		27,47
0402 21 11 500		96,82	0402 91 31 100		21,05
0402 21 11 900		104,50	0402 91 31 300		32,47
0402 21 17 000		60,00	0402 91 39 100		21,05
0402 21 19 300		91,58	0402 91 39 300		32,47
0402 21 19 500		96,82	0402 91 51 000		24,58
0402 21 19 900		104,50	0402 91 59 000		24,58
0402 21 91 100		105,31	0402 91 91 000		86,30
0402 21 91 200		106,08	0402 91 99 000		86,30
0402 21 91 300		107,46	0402 99 11 110		0,0518
0402 21 91 400		115,39	0402 99 11 130		0,1065

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0402 99 11 150		0,1769	0403 90 61 100		0,0518
0402 99 11 310		20,94	0403 90 61 300		0,0800
0402 99 11 330		25,30	0403 90 63 000		0,1065
0402 99 11 350		33,90	0403 90 69 000		0,1594
0402 99 19 110		0,0518	0404 90 11 100		60,00
0402 99 19 130		0,1065	0404 90 11 910		5,18
0402 99 19 150		0,1769	0404 90 11 950		18,15
0402 99 19 310		20,94	0404 90 13 120		60,00
0402 99 19 330		25,30	0404 90 13 130		91,58
0402 99 19 350		33,90	0404 90 13 140		96,82
0402 99 31 110		0,2282	0404 90 13 150		104,50
0402 99 31 150		35,31	0404 90 13 911		5,18
0402 99 31 300		0,4398	0404 90 13 913		10,65
0402 99 31 500		0,7572	0404 90 13 915		15,94
0402 99 39 110		0,2282	0404 90 13 917		24,58
0402 99 39 150		35,31	0404 90 13 919		36,93
0402 99 39 300		0,4398	0404 90 13 931		18,15
0402 99 39 500		0,7572	0404 90 13 933		22,42
0402 99 91 000		0,8630	0404 90 13 935		27,47
0402 99 99 000		0,8630	0404 90 13 937		32,47
0403 10 22 100		5,18	0404 90 13 939		33,95
0403 10 22 300		8,00	0404 90 19 110		105,31
0403 10 24 000		10,65	0404 90 19 115		106,08
0403 10 26 000		15,94	0404 90 19 120		107,46
0403 10 32 100		0,0518	0404 90 19 130		115,39
0403 10 32 300		0,0800	0404 90 19 135		118,10
0403 10 34 000		0,1065	0404 90 19 150		128,54
0403 10 36 000		0,1594	0404 90 19 160		134,75
0403 90 11 000		60,00	0404 90 19 180		141,68
0403 90 13 200		60,00	0404 90 31 100		60,00
0403 90 13 300		91,58	0404 90 31 910		5,18
0403 90 13 500		96,82	0404 90 31 950		18,15
0403 90 13 900		104,50	0404 90 33 120		60,00
0403 90 19 000		105,31	0404 90 33 130		91,58
0403 90 31 000		0,6000	0404 90 33 140		96,82
0403 90 33 200		0,6000	0404 90 33 150		104,50
0403 90 33 300		0,9158	0404 90 33 911		5,18
0403 90 33 500		0,9682	0404 90 33 913		10,65
0403 90 33 900		1,0450	0404 90 33 915		15,94
0403 90 39 000		1,0531	0404 90 33 917		24,58
0403 90 51 100		5,18	0404 90 33 919		36,93
0403 90 51 300		8,00	0404 90 33 931		18,15
0403 90 53 000		10,65	0404 90 33 933		22,42
0403 90 59 110		15,94	0404 90 33 935		27,47
0403 90 59 140		24,58	0404 90 33 937		32,47
0403 90 59 170		36,93	0404 90 33 939		33,95
0403 90 59 310		43,98	0404 90 39 110		105,31
0403 90 59 340		68,67	0404 90 39 115		106,08
0403 90 59 370		75,72	0404 90 39 120		107,46
0403 90 59 510		86,30	0404 90 39 130		115,39
0403 90 59 540		126,85			
0403 90 59 570		148,02			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0404 90 39 150		118,10	0405 00 19 500		156,10
0404 90 51 100		0,6000	0405 00 19 700		160,00
0404 90 51 910		0,0518	0405 00 90 100		160,00
0404 90 51 950		20,94	0405 00 90 900		206,00
0404 90 53 110		0,6000	0406 10 20 100		—
0404 90 53 130		0,9158	0406 10 20 230	028	—
0404 90 53 150		0,9682		032	—
0404 90 53 170		1,0450		038	—
0404 90 53 911		0,0518		400	31,80
0404 90 53 913		0,1065		404	—
0404 90 53 915		0,1594		***	39,07
0404 90 53 917		0,2458	0406 10 20 290	028	—
0404 90 53 919		0,3693		032	—
0404 90 53 931		20,94		038	—
0404 90 53 933		25,30		400	31,80
0404 90 53 935		33,90		404	—
0404 90 53 937		35,31		***	39,07
0404 90 59 130		1,0531	0406 10 20 610	028	11,00
0404 90 59 150		1,1539		032	11,00
0404 90 59 930		0,5279		036	—
0404 90 59 950		0,7572		038	—
0404 90 59 990		0,8630		400	71,05
0404 90 91 100		0,6000		404	—
0404 90 91 910		0,0518		***	72,89
0404 90 91 950		20,94	0406 10 20 620	028	16,29
0404 90 93 110		0,6000		032	16,29
0404 90 93 130		0,9158		036	—
0404 90 93 150		0,9682		038	—
0404 90 93 170		1,0450		400	78,34
0404 90 93 911		0,0518		404	—
0404 90 93 913		0,1065		***	79,92
0404 90 93 915		0,1594	0406 10 20 630	028	19,55
0404 90 93 917		0,2458		032	19,55
0404 90 93 919		0,3693		036	—
0404 90 93 931		20,94		038	—
0404 90 93 933		25,30		400	89,03
0404 90 93 935		33,90		404	—
0404 90 93 937		35,31		***	90,24
0404 90 99 130		1,0531	0406 10 20 640	028	—
0404 90 99 150		1,1539		032	—
0404 90 99 930		0,5279		036	—
0404 90 99 950		0,7572		038	—
0404 90 99 990		0,8630		400	105,89
0405 00 11 200		120,98		404	—
0405 00 11 300		152,20		***	105,89
0405 00 11 500		156,10	0406 10 20 650	028	22,40
0405 00 11 700		160,00		032	22,40
0405 00 19 200		120,98		036	—
0405 00 19 300		152,20		038	—
				400	52,94
				404	—
				***	110,24

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 10 20 660		—	0406 30 10 200	028	—
0406 10 20 810	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	35,44
	400	17,16		404	—
	404	—		***	39,65
	***	17,16	0406 30 10 250	028	—
0406 10 20 830	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	35,44
	400	29,30		404	—
	404	—		***	39,65
	***	29,30	0406 30 10 300	028	—
0406 10 20 850	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	52,04
	400	35,53		404	—
	404	—		***	58,18
	***	35,53	0406 30 10 350	028	—
0406 10 20 870		—		032	—
0406 10 20 900		—		036	—
0406 20 90 100		—		038	—
0406 20 90 913	028	—		400	35,44
	032	—		404	—
	038	—		***	39,65
	400	69,19	0406 30 10 400	028	—
	404	—		032	—
	***	69,19		036	—
0406 20 90 915	028	—		038	—
	032	—		400	52,04
	038	—		404	—
	400	92,25		***	58,18
	404	—	0406 30 10 450	028	—
	***	92,25		032	—
0406 20 90 917	028	—		036	—
	032	—		038	—
	038	—		400	75,77
	400	98,00		404	—
	404	—		***	84,66
	***	98,00	0406 30 10 500	028	—
0406 20 90 919	028	—	0406 30 10 550	032	—
	032	—		036	—
	038	—		038	—
	400	109,54		400	35,44
	404	—		404	16,29
	***	109,54		***	39,65
0406 20 90 990		—	0406 30 10 600	028	—
0406 30 10 100		—		032	—
0406 30 10 150	028	—		036	—
	032	—		038	—
	036	—		400	52,04
	038	—		404	22,81
	400	16,32		***	58,18
	404	—			
	***	18,60			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 10 650	028	—	0406 30 31 730	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	75,77		400	52,04
	404	—		404	—
	***	84,66		***	58,18
0406 30 10 700	028	—	0406 30 31 910	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	75,77		400	35,44
	404	—		404	—
	***	84,66		***	39,65
0406 30 10 750	028	—	0406 30 31 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	52,04
	404	—		404	—
	***	103,34		***	58,18
0406 30 10 800	028	—	0406 30 31 950	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	75,77
	404	—		404	—
	***	103,34		***	84,66
0406 30 31 100	028	—	0406 30 39 100	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	35,44
	404	—		404	16,29
	***	103,34		***	39,65
0406 30 31 300	028	—	0406 30 39 300	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	16,32		400	52,04
	404	—		404	22,81
	***	18,60		***	58,18
0406 30 31 500	028	—	0406 30 39 500	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	35,44		400	52,04
	404	—		404	22,81
	***	39,65		***	58,18
0406 30 31 710	028	—	0406 30 39 700	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	35,44		400	75,77
	404	—		404	—
	***	39,65		***	84,66
0406 30 31 930	028	—	0406 30 39 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	35,44		400	75,77
	404	—		404	—
	***	39,65		***	84,66

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 30 39 950	028	—	0406 90 21 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	105,89
	404	—		404	—
	***	103,34		***	123,56
0406 30 90 000	028	—	0406 90 23 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	52,94
	404	—		404	—
	***	103,34		***	110,24
0406 40 50 000	028	—	0406 90 25 900	028	—
	032	—		032	—
	038	—		036	—
	400	97,75		038	—
	404	—		400	52,94
	***	103,04		404	—
				***	110,24
0406 40 90 000	028	—	0406 90 27 900	028	—
	032	—		032	—
	038	—		036	—
	400	97,75		038	—
	404	—		400	45,72
	***	103,04		404	—
				***	93,42
0406 90 13 000	028	—	0406 90 31 119	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	105,89		400	50,89
	404	—		404	13,03
	***	129,78		***	73,27
0406 90 15 100	028	—	0406 90 31 151	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	105,89		400	47,57
	404	—		404	12,19
	***	129,78		***	68,29
0406 90 15 900		—	0406 90 31 159		—
0406 90 17 100	028	—		028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	105,89		400	50,89
	404	—		404	13,03
	***	129,78		***	73,27
0406 90 17 900		—			

Product code	Destination (°)	Amount of refund (°)	Product code	Destination (°)	Amount of refund (°)
0406 90 33 151	028	—	0406 90 69 910	028	—
	032	—		032	—
	036	—		036	57,02
	038	—		038	—
	400	47,57		400	122,18
	404	12,19		404	65,16
	***	68,29		***	134,39
0406 90 33 919	028	—	0406 90 73 900	028	—
	032	—		032	—
	036	—		036	34,75
	038	—		038	—
	400	50,89		400	123,00
	404	13,03		404	97,75
	***	73,27		***	123,00
0406 90 33 951	028	—	0406 90 75 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	47,57		400	52,94
	404	12,19		404	—
	***	68,29		***	102,60
0406 90 35 190	028	—	0406 90 76 100	028	19,55
	032	—		032	19,55
	036	34,75		036	—
	038	—		038	—
	400	129,13		400	47,87
	404	73,31		404	—
	***	129,13		***	90,24
0406 90 35 990	028	—	0406 90 76 300	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	105,89		400	52,94
	404	—		404	—
	***	105,89		***	110,24
0406 90 61 000	028	—	0406 90 76 500	028	—
	032	—		032	—
	036	73,31		036	—
	038	—		038	—
	400	150,68		400	61,09
	404	114,03		404	—
	***	150,68		***	110,24
0406 90 63 100	028	—	0406 90 78 100	028	19,55
	032	—		032	19,55
	036	85,55		036	—
	038	—		038	—
	400	172,77		400	47,87
	404	130,32		404	—
	***	172,77		***	90,24
0406 90 63 900	028	—	0406 90 78 300	028	—
	032	—		032	—
	036	57,02		036	—
	038	—		038	—
	400	122,18		400	52,94
	404	65,16		404	—
	***	134,39		***	110,24
0406 90 69 100		—			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 78 500	028	—	0406 90 86 300	028	16,29
	032	—		032	16,29
	036	—		036	—
	038	—		038	—
	400	61,09		400	78,34
	404	—		404	—
	...	110,24		...	79,92
0406 90 79 900	028	—	0406 90 86 400	028	19,55
	032	—		032	19,55
	036	—		036	—
	038	—		038	—
	400	45,72		400	89,03
	404	—		404	—
	...	93,42		...	90,24
0406 90 81 900	028	—	0406 90 86 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	105,89		400	105,89
	404	—		404	—
	...	105,89		...	105,89
0406 90 85 910	028	—	0406 90 87 100	028	—
	032	—		032	—
	036	34,75		036	—
	038	—		038	—
	400	129,13		400	72,89
	404	73,31		404	—
	...	129,13		...	72,89
0406 90 85 991	028	—	0406 90 87 200	028	11,00
	032	—		032	11,00
	036	—		036	—
	038	—		038	—
	400	105,89		400	72,89
	404	—		404	—
	...	105,89		...	72,89
0406 90 85 995	028	—	0406 90 87 300	028	16,29
	032	—		032	16,29
	036	—		036	—
	038	—		038	—
	400	105,89		400	78,34
	404	—		404	—
	...	105,89		...	79,92
0406 90 85 999	028	22,40	0406 90 87 400	028	19,55
	032	22,40		032	19,55
	036	—		036	—
	038	—		038	—
	400	52,94		400	89,03
	404	—		404	—
	...	110,24		...	90,24
0406 90 86 100	028	—	0406 90 87 951	028	—
	032	—		032	—
	036	—		036	34,75
	038	—		038	—
	400	72,89		400	123,00
	404	—		404	73,31
	...	72,89		...	123,00
0406 90 86 200	028	11,00			
	032	11,00			
	036	—			
	038	—			
	400	72,89			
	404	—			
	...	72,89			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 87 971	028	22,40	2309 10 19 010		—
	032	22,40	2309 10 19 100		—
	036	—	2309 10 19 200		0,22
	038	—	2309 10 19 300		0,29
	400	60,28	2309 10 19 400		0,37
	404	—	2309 10 19 500		0,45
	***	110,24	2309 10 19 600		0,52
0406 90 87 972	028	—	2309 10 19 700		0,55
	032	—	2309 10 19 800		0,59
	038	—	2309 10 70 010		—
	400	31,80	2309 10 70 100		17,10
	404	—	2309 10 70 200		22,80
	***	39,07	2309 10 70 300		28,50
			2309 10 70 500		34,20
0406 90 87 979	028	22,40	2309 10 70 600		39,90
	032	22,40	2309 10 70 700		45,60
	036	—	2309 10 70 800		50,16
	038	—	2309 90 35 010		—
	400	60,28	2309 90 35 100		—
	404	—	2309 90 35 200		0,22
	***	110,24	2309 90 35 300		0,29
0406 90 88 100		—	2309 90 35 400		0,37
0406 90 88 200	028	11,00	2309 90 35 500		0,45
	032	11,00	2309 90 35 700		0,52
	036	—	2309 90 39 010		—
	038	—	2309 90 39 100		—
	400	72,89	2309 90 39 200		0,22
	404	—	2309 90 39 300		0,29
	***	72,89	2309 90 39 400		0,37
0406 90 88 300	028	16,29	2309 90 39 500		0,45
	032	16,29	2309 90 39 600		0,52
	036	—	2309 90 39 700		0,55
	038	—	2309 90 39 800		0,59
	400	78,34	2309 90 70 010		—
	404	—	2309 90 70 100		17,10
	***	79,92	2309 90 70 200		22,80
2309 10 15 010		—	2309 90 70 300		28,50
2309 10 15 100		—	2309 90 70 500		34,20
2309 10 15 200		0,22	2309 90 70 600		39,90
2309 10 15 300		0,29	2309 90 70 700		45,60
2309 10 15 400		0,37	2309 90 70 800		50,16
2309 10 15 500		0,45			
2309 10 15 700		0,52			

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 3478/93 (OJ No L 317, 18. 12. 1993, p. 32). For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by ***.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (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 product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as amended.

COMMISSION REGULATION (EC) No 2846/94**of 23 November 1994**

re-establishing the levying of the customs duties applicable to products falling within CN code 4820 50 00 originating in South Korea to which the preferential tariff arrangements of Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 ⁽¹⁾ applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries, extended for 1994 by Regulation (EC) No 3668/93 of 20 December 1993 ⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Article 1 of Regulation (EEC) No 3831/90, customs duties on certain products originating in each of the countries of territories listed in Annex III are totally suspended from 1 July to 31 December 1994, and the products as such are, as a general rule, subject to statistical surveillance every three months on the reference base referred to in Article 8;

Whereas, as provided for in Article 8, where the increase of preferential imports of these products, originating in one or more beneficiary country, threatens to cause economic difficulties in a region of the Community, the levying of customs duties may be reintroduced, once the Commission has had an appropriate exchange of information with the Member States; whereas for this purpose the reference base to be considered is equal, as a general rule, to 6,615 % of the total importations into the Community, originating from third countries in 1988;

Whereas, in the case of the product of the combined nomenclature code and origin indicated in the table below, the reference base is fixed at the levels indicated in that table:

CN code	Origin	Reference base (ECU)
4820 50 00	South Korea	1 078 000

Whereas that reference base was reached on 17 November 1994 by charges of imports into the Community of the products in question originating in South Korea; whereas the exchange of information organized by the Commission has demonstrated that continuance of the preference threatens to cause economic difficulties in a region of the Community; whereas, therefore, customs duties must be reintroduced for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

The levying of customs duties, suspended from 1 July to 31 December 1994 in pursuance of Council Regulation (EEC) No 3831/90 shall be reintroduced on imports into the Community of the products indicated in the table below:

CN code	Description	Origin
4820 50 00	Albums for samples or for collections	South Korea

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 22.

Article 2

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

It shall apply from 28 November 1994.

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

Done at Brussels, 23 November 1994.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EC) No 2847/94

of 23 November 1994

re-establishing the levying of customs duties on certain textile products originating in Indonesia, India, Pakistan, Thailand, the Philippines and Malaysia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries ⁽¹⁾, extended for 1994 by Regulation (EC) No 3668/93 ⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded from 1 July to 31 December 1994 for each category of products subjected in Annexes I and II thereto to individual ceilings within the limits of the quantities specified in column 8 of its Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes ;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level ;

Whereas, in respect of products of the order Nos and origins indicated in the table below and originating in India, the relevant ceilings were fixed at the levels indicated in that table ; whereas that ceiling was reached on the date indicated below, by charges of the imports into the Community of the products in question ;

Order No	Origin	Ceiling	Date
40.0010	Indonesia	1 131 tonnes	1. 9. 1994
40.0033	India	315 tonnes	21. 9. 1994
40.0120	Pakistan	1 595 000 pairs	2. 9. 1994
40.0120	Indonesia	1 595 000 pairs	26. 8. 1994
40.0160	India	50 000 pieces	21. 9. 1994
40.0190	Pakistan	873 000 pieces	21. 9. 1994
40.0190	India	873 000 pieces	21. 9. 1994
40.0190	Thailand	873 000 pieces	21. 9. 1994
40.0210	Pakistan	281 000 pieces	27. 9. 1994
40.0220	Indonesia	325 tonnes	5. 9. 1994
40.0220	Philippines	325 tonnes	21. 9. 1994
40.0230	India	154 tonnes	5. 9. 1994
40.0230	Indonesia	154 tonnes	21. 9. 1994
40.0260	Indonesia	198 tonnes	5. 9. 1994
40.0350	Thailand	132 tonnes	11. 10. 1994
40.0370	Pakistan	193 tonnes	21. 9. 1994
40.0480	India	30 tonnes	21. 9. 1994
40.0500	India	30 tonnes	21. 9. 1994
40.0530	India	0,5 tonne	5. 9. 1994
40.0650	India	83 tonnes	21. 9. 1994

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 22.

Order No	Origin	Ceiling	Date
40.0730	Malaysia	91 000 pieces	21. 9. 1994
40.0750	India	5 000 pieces	19. 9. 1994
40.0860	Indonesia	70 000 pieces	2. 8. 1994
40.1130	Pakistan	13 tonnes	27. 7. 1994
40.1130	India	13 tonnes	9. 8. 1994
42.1251	Indonesia	227 tonnes	21. 9. 1994
42.1590	India	20 tonnes	16. 8. 1994

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

HAS ADOPTED THIS REGULATION :

Article 1

The levying of customs duties, suspended from 1 July to 31 December 1994, pursuant to Regulation (EEC) No 3832/90, shall be re-established on imports into the Community of the products indicated in the table below :

Order No	Category (Unit)	CN code	Description	Origin
40.0010	1	5204 11 00 5204 19 00 5205 5206 ex 5604 90 00	Cotton yarn not put up for retail sale	Indonesia
40.0033	3	5512 5513 5514 5515 5803 90 30 ex 5905 00 70 ex 6308 00 00	Woven fabrics of synthetic fibres (staple or waste) other than narrow woven fabrics, pile fabrics (including terry fabrics) and chenille fabrics	India
40.0120	12	6115 12 00 6115 19 10 6115 19 90 6115 20 11 6115 20 90 6115 91 00 6115 92 00 6115 93 10 6115 93 30 6115 93 99 6115 99 00	Panty-hose (tights), stockings, under stockings, socks, ankle-socks, sockettes and the like, knitted or crocheted, other than for babies, including stockings for varicose veins, other than products of category 70	Pakistan Indonesia

Order No	Category (Unit)	CN code	Description	Origin
40.0160	16	6203 11 00 6203 12 00 6203 19 10 6203 19 30 6203 21 00 6203 22 80 6203 23 80 6203 29 18 6211 32 31 6211 33 31	Men's or boys' suits and ensembles, other than knitted or crocheted, of wool, of cotton or of man-made fibres, excluding ski suits, men's or boys' tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres	India
40.0190	19	6213 20 00 6213 90 00	Handkerchiefs other than knitted or crocheted	Pakistan India Thailand
40.0210	21	ex 6201 12 10 ex 6201 12 90 ex 6201 13 10 ex 6201 13 90 6201 91 00 6201 92 00 6201 93 00 ex 6202 12 10 ex 6202 12 90 ex 6202 13 10 ex 6202 13 90 6202 91 00 6202 92 00 6202 93 00 6211 32 41 6211 33 41 6211 42 41 6211 43 41	Parkas, anoraks, windcheaters, waister jackets and the like, other than knitted or crocheted, of wool, of cotton or of man-made fibres: upper parts of tracksuits with lining, other than of category 16 or 29, of cotton or of man-made fibres	Pakistan
40.0220	22	5508 10 11 5508 10 19 5509 11 00 5509 12 00 5509 21 10 5509 21 90 5509 22 10 5509 22 90 5509 31 10 5509 31 90 5509 32 10 5509 32 90 5509 41 10 5509 41 90 5509 42 10 5509 42 90 5509 51 00 5509 52 10 5509 52 90 5509 53 00 5509 59 00 5509 61 10 5509 61 90 5509 62 00 5509 69 00 5509 91 10 5509 91 90 5509 92 00 5509 99 00	Yarn of staple or waste synthetic, fibres not put up for retail sale	Indonesia Philippines

Order No	Category (Unit)	CN code	Description	Origin
40.0230	23	5508 20 10	Yarn of staple or waste artificial fibres, not put up for retail sale	India Indonesia
		5510 11 00		
		5510 12 00		
		5510 20 00		
		5510 30 00		
		5510 90 00		
40.0260	26	6104 41 00	Women's or girls' dresses, of wool, of cotton or man-made fibres	Indonesia
		6104 42 00		
		6104 43 00		
		6104 44 00		
		6204 41 00		
		6204 42 00		
		6204 43 00		
		6204 44 00		
40.0350	35	5407 10 00	Woven fabrics of synthetic fibres (continuous), other than those for tyres of category 114	Thailand
		5407 20 90		
		5407 30 00		
		5407 41 00		
		5407 42 10		
		5407 42 90		
		5407 43 00		
		5407 44 10		
		5407 44 90		
		5407 51 00		
		5407 52 00		
		5407 53 10		
		5407 53 90		
		5407 54 00		
		5407 60 10		
		5407 60 30		
		5407 60 51		
		5407 60 59		
		5407 60 90		
		5407 71 00		
		5407 72 00		
		5407 73 10		
		5407 73 91		
		5407 73 99		
		5407 74 00		
		5407 81 00		
		5407 82 00		
		5407 83 10		
		5407 83 90		
		5407 84 00		
		5407 91 00		
		5407 92 00		
		5407 93 10		
		5407 93 90		
		5407 94 00		
		ex 5811 00 00		
		ex 5905 00 70		

Order No	Category (Unit)	CN code	Description	Origin
40.0370	37	5516 11 00	Woven fabrics of artificial staple fibres	Pakistan
		5516 12 00		
		5516 13 00		
		5516 14 00		
		5516 21 00		
		5516 22 00		
		5516 23 10		
		5516 23 90		
		5516 24 00		
		5516 31 00		
		5516 32 00		
		5516 33 00		
		5516 34 00		
		5516 41 00		
		5516 42 00		
		5516 43 00		
		5516 44 00		
		5516 91 00		
		5516 92 00		
		5516 93 00		
		5516 94 00		
		5803 90 50		
		ex 5905 00 70		
40.0480	48	5107 10 10	Yarn of combed sheep's or lambs' wool (worsted yarn) or of combed fine animal hair, not put up for retail sale	India
		5107 10 90		
		5107 20 10		
		5107 20 30		
		5107 20 51		
		5107 20 59		
		5107 20 91		
		5107 20 99		
		5108 20 10		
		5108 20 90		
40.0500	50	5111 11 00	Woven fabrics of sheep's or lambs' wool or of fine animal hair	India
		5111 19 10		
		5111 19 90		
		5111 20 00		
		5111 30 10		
		5111 30 30		
		5111 30 90		
		5111 90 10		
		5111 90 91		
		5111 90 93		
		5111 90 99		
		5112 11 00		
		5112 19 10		
		5112 19 90		
		5112 20 00		
		5112 30 10		
		5112 30 30		
		5112 30 90		
		5112 90 10		
		5112 90 91		
		5112 90 93		
		5112 90 99		
40.0530	53	5803 10 00	Cotton gauze	India

Order No	Category (Unit)	CN code	Description	Origin
40.0650	65	5606 00 10 ex 6001 10 00 6001 21 00 6001 22 00 6001 29 10 6001 91 10 6001 91 30 6001 91 50 6001 91 90 6001 92 10 6001 92 30 6001 92 50 6001 92 90 6001 99 10 ex 6002 10 10 6002 20 10 6002 20 39 6002 20 50 6002 20 70 ex 6002 30 10 6002 41 00 6002 42 10 6002 42 30 6002 42 50 6002 42 90 6002 43 31 6002 43 33 6002 43 35 6002 43 39 6002 43 50 6002 43 91 6002 43 93 6002 43 95 6002 43 99 6002 91 00 6002 92 10 6002 92 30 6002 92 50 6002 92 90 6002 93 31 6002 93 33 6002 93 35 6002 93 39 6002 93 91 6002 93 99	Knitted or crocheted fabric other than of categories 38 A and 63, of wool, of cotton or of man-made fibres	India
40.0730	73	6112 11 00 6112 12 00 6112 19 00	Track suits of knitted or crocheted fabric, of wool, of cotton or of man-made textile fibres	Malaysia
40.0750	75	6103 11 00 6103 12 00 6103 19 00 6103 21 00 6103 22 00 6103 23 00 6103 29 00	Men's or boys' knitted or crocheted suits and ensembles, of wool, of cotton or of man-made fibres, excluding ski suits	India

Order No	Category (Unit)	CN code	Description	Origin
40.0860	86	6212 20 00 6212 30 00 6212 90 00	Corsets, corset-belts, suspender-belts, braces, suspenders, garters and the like and parts thereof, whether or not knitted or crocheted	Indonesia
40.1130	113	6307 10 90	Floor cloths, dish cloths and dusters other than knitted or crocheted	Pakistan India
42.1251	125 A	5402 41 10 5402 41 30 5402 41 90 5402 42 00 5402 43 10 5402 43 90	Yarn of synthetic filament (continuous), not put up for retail sale, other than yarn of category 41	Indonesia
42.1590	159	6204 49 10 6206 10 00 6214 10 00 6215 10 00	Dresses, blouses and shirt-blouses of silk or silk waste Shawls, scarves, mufflers, mantillas, veils and the like : — Of silk or silk waste Ties, bow ties and cravats : — Of silk or silk waste	India

Article 2

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

It will apply from 28 November 1994.

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

Done at Brussels, 23 November 1994.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EC) No 2848/94**of 22 November 1994****amending Regulation (EC) No 2158/94 and increasing to 200 000 tonnes the amount of durum wheat held by the Italian intervention agency for which a standing invitation to tender for resale on the internal market has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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 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 governing the offer for sale of cereals held by intervention agencies;

Whereas Commission Regulation (EC) No 2158/94⁽⁵⁾ opened a standing invitation to tender for the resale on the internal market of 100 000 tonnes of durum wheat held by the Italian intervention agency;

Whereas in the present situation on the market the quantity of durum wheat held by the Italian intervention agency put up for sale on the internal market of the Community should be increased to 200 000 tonnes;

Whereas the market situation for durum wheat is characterized by abnormally high prices by comparison with the support prices; whereas no account should be taken therefore of the market price in the appraisal of tenders, and a minimum price should be fixed in excess of the intervention price;

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

Article 1

In Article 1 of Regulation (EC) No 2158/94 '100 000 tonnes' is replaced by '200 000 tonnes'.

Article 2

The following Article 2a is inserted:

'Article 2a

Notwithstanding Article 5 (1) of Regulation (EEC) No 2131/93, the highest bid exceeding the minimum price of ECU 130 per tonne shall be accepted. The minimum price shall be raised by monthly increases, to be applied to the intervention prices as laid down in Council Regulation (EC) No 1867/94⁽⁶⁾.

(⁽¹⁾) OJ No L 197, 30. 7. 1994, p. 3.'

Article 3

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, 22 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 229, 2. 9. 1994, p. 4.

COMMISSION REGULATION (EC) No 2849/94
of 24 November 1994
fixing the import levies on rice and broken rice

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1869/94 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 2147/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2803/94 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 25 November 1994.

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

Done at Brussels, 24 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 228, 1. 9. 1994, p. 23.

⁽⁶⁾ OJ No L 297, 18. 11. 1994, p. 19.

ANNEX

to the Commission Regulation of 24 November 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾) (⁽⁴⁾)	Third countries (except ACP and Bangladesh) (⁽⁵⁾)
1006 10 21	—	145,49	298,19
1006 10 23	—	145,83	298,87
1006 10 25	—	145,83	298,87
1006 10 27	224,15	145,83	298,87
1006 10 92	—	145,49	298,19
1006 10 94	—	145,83	298,87
1006 10 96	—	145,83	298,87
1006 10 98	224,15	145,83	298,87
1006 20 11	—	182,77	372,74
1006 20 13	—	183,19	373,59
1006 20 15	—	183,19	373,59
1006 20 17	280,19	183,19	373,59
1006 20 92	—	182,77	372,74
1006 20 94	—	183,19	373,59
1006 20 96	—	183,19	373,59
1006 20 98	280,19	183,19	373,59
1006 30 21	—	226,80	477,45
1006 30 23	—	272,38	568,54
1006 30 25	—	272,38	568,54
1006 30 27	426,41	272,38	568,54
1006 30 42	—	226,80	477,45
1006 30 44	—	272,38	568,54
1006 30 46	—	272,38	568,54
1006 30 48	426,41	272,38	568,54
1006 30 61	—	241,89	508,49
1006 30 63	—	292,39	609,48
1006 30 65	—	292,39	609,48
1006 30 67	457,11	292,39	609,48
1006 30 92	—	241,89	508,49
1006 30 94	—	292,39	609,48
1006 30 96	—	292,39	609,48
1006 30 98	457,11	292,39	609,48
1006 40 00	—	53,32	112,65

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

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

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

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

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

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

COMMISSION REGULATION (EC) No 2850/94**of 24 November 1994****abolishing the countervailing charge on fresh lemons originating in Uruguay**

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 2753/94⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EC) No 2775/94⁽³⁾, introduced a countervailing charge on fresh lemons originating in Uruguay;

Whereas for this product originating in Uruguay there were no prices for six consecutive working days; whereas

the conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of fresh lemons originating in Uruguay can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 2775/94 is hereby repealed.

Article 2

This Regulation shall enter into force on 25 November 1994.

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

Done at Brussels, 24 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 292, 12. 11. 1994, p. 3.

⁽³⁾ OJ No L 295, 16. 11. 1994, p. 6.

COMMISSION REGULATION (EC) No 2851/94
of 24 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 2841/94 ⁽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 23 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 25 November 1994.

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

Done at Brussels, 24 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 301, 24. 11. 1994, p. 7.

ANNEX

to the Commission Regulation of 24 November 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽²⁾
1701 11 10	30,14 ⁽¹⁾
1701.11 90	30,14 ⁽¹⁾
1701 12 10	30,14 ⁽¹⁾
1701 12 90	30,14 ⁽¹⁾
1701 91 00	35,37
1701 99 10	35,37
1701 99 90	35,37 ⁽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 2852/94**of 24 November 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 6 000 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 2658/94 ⁽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 284, 1. 11. 1994, p. 24.

⁽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

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

Article 2

This Regulation shall enter into force on 25 November 1994.

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

Done at Brussels, 24 November 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 24 November 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	215,00	1006 30 63 900	01	269,00
	05	215,00		04	269,00
1006 20 13 000	01	215,00		05	269,00
	05	215,00	1006 30 65 100	01	269,00
1006 20 15 000	01	215,00		02	275,00
	05	215,00		03	280,00
1006 20 17 000	—	—		04	269,00
1006 20 92 000	01	215,00		05	269,00
	05	215,00	1006 30 65 900	01	269,00
1006 20 94 000	01	215,00		04	269,00
	05	215,00		05	269,00
1006 20 96 000	01	215,00	1006 30 67 100	—	—
	05	215,00	1006 30 67 900	—	—
1006 20 98 000	—	—	1006 30 92 100	01	269,00
1006 30 21 000	01	215,00		02	275,00
	05	215,00		03	280,00
1006 30 23 000	01	215,00		04	269,00
	05	215,00		05	269,00
1006 30 25 000	01	215,00	1006 30 92 900	01	269,00
	05	215,00		04	269,00
1006 30 27 000	—	—		05	269,00
1006 30 42 000	01	215,00	1006 30 94 100	01	269,00
	05	215,00		02	275,00
1006 30 44 000	01	215,00		03	280,00
	05	215,00		04	269,00
1006 30 46 000	01	215,00		05	269,00
	05	215,00	1006 30 94 900	01	269,00
1006 30 48 000	—	—		04	269,00
1006 30 61 100	01	269,00		05	269,00
	02	275,00	1006 30 96 100	01	269,00
	03	280,00		02	275,00
	04	269,00		03	280,00
	05	269,00		04	269,00
1006 30 61 900	01	269,00		05	269,00
	04	269,00	1006 30 96 900	01	269,00
	05	269,00		04	269,00
1006 30 63 100	01	269,00		05	269,00
	02	275,00	1006 30 98 100	—	—
	03	280,00	1006 30 98 900	—	—
	04	269,00	1006 40 00 000	—	—
	05	269,00			

(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 6 000 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)

COMMISSION

COMMISSION DECISION

of 10 November 1994

on Community financial assistance for improvement of the facilities for veterinary checks on Austria's external borders

(Only the German text is authentic)

(94/755/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 94/370/EC ⁽²⁾, and in particular Article 38 thereof,

Whereas Council Directives 90/675/EEC ⁽³⁾ and 91/496/EEC ⁽⁴⁾, as last amended by the Act of Accession of Norway, Austria, Finland and Sweden, lay down principles governing the organization of veterinary checks on products and animals entering the Community from third countries and allow for Member States, in particular Austria, to be granted financial assistance from the Community for the purposes of implementation of these checks;

Whereas, given its geographical situation, Austria will have particularly heavy responsibilities in performing checks on live animals and animal products from third countries; whereas inspection posts will be required on the borders with six third countries;

Whereas Austria has submitted to the Commission a national programme for improving its checking arrange-

ments at external borders for animals and animal products; whereas the programme includes construction and renovation of the necessary infrastructure, purchase of equipment and recruitment of additional personnel, and is accompanied by the appropriate financial information;

Whereas reinforcement of veterinary control at external borders is, on account of the establishment of the internal market, one of the priorities for Community action;

Whereas however the Community's financial contribution must fall within the limits of the appropriations available; whereas it is accordingly necessary to decide on priorities for action so that Community funds are used most effectively;

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

HAS ADOPTED THIS DECISION:

Article 1

The programme indicated in the Annex hereto is approved for three years from 1 January 1995.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 268, 24. 9. 1991, p. 56.

Article 2

1. The Community's financial contribution shall be 50 % of the total cost of the programme up to a maximum of ECU 5 million.
2. Each year, for the first time in 1995, the Community financial contribution shall be granted in the following way:
 - an advance of 50 % of eligible expenditure for the year in question at the beginning of that year. In the case of the first year operations must commence by 1 January 1995,
 - the balance at the end of the year. In the case of the last year the balance shall be paid on termination of operations, which must be by 31 December 1997.

Article 3

1. Payments shall be made in ecus.
2. The payment referred to in the first indent of Article 2(2) shall be made on submission to the Commission of an application for an advance.

3. The payment referred to in the second indent of Article 2(2) shall be made on submission of supporting documents.

Article 4

This Decision shall apply as from 1 January 1995, subject to the entry into force of the Treaty concerning the accession of Norway, Austria, Finland and Sweden.

Article 5

This Decision is addressed to the Republic of Austria.

Done at Brussels, 10 November 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

PROGRAMME

I. Costs are detailed below in ecus and exclude VAT:

— BERG border post		
Total cost of work : 551 200	buildings :	500 100
	equipment :	51 100
— NICKELSDORF border post		
Total cost of work : 2 260 000	buildings :	2 200 000
	equipment :	60 000
— DEUTSCHKREUTZ border post		
Total cost of work : 977 500	buildings :	950 000
	equipment :	27 500
— SPIELFELD border post		
Total cost of work : 1 276 500	buildings :	1 230 000
	equipment :	46 500
— KARAWANKENTUNNEL border post		
Total cost of work : 902 500	buildings :	875 000
	equipment :	27 500
— DRASENHOFEN border post		
Total cost of work : 1 406 800	buildings :	1 350 000
	equipment :	56 800
— WULLOWITZ border post		
Total cost of work : 902 500	buildings :	875 000
	equipment :	27 500
— TISIS border post		
Total cost of work : 286 700	buildings :	280 000
	equipment :	6 700
— HÖCHST border post		
Total cost of work : 289 600	buildings :	280 000
	equipment :	9 600
— LINZ border post :		
Total cost of work : 132 100	buildings :	110 000
	equipment :	22 100
— SCHWECHAT border post		
Total cost of work : 116 000	buildings :	110 000
	equipment :	6 000
— HOHENAU border post		
Total cost of work : 150 700	buildings :	145 000
	equipment :	5 700
— HEGYESHALOM border post		
Total cost of work : 295 100	buildings :	290 000
	equipment :	5 100

— VILLACH border post

Total cost of work : 2 000

buildings :	—
equipment :	2 000

— SOPRON border post

Total cost of work : 2 000

buildings :	—
equipment :	2 000

— BUCHS border post

Total cost of work : 2 000

buildings :	—
equipment :	2 000

— ALBERN border post

Total cost of work : 1 800

buildings :	—
equipment :	1 800

II. The indicative expenditure timetable is :

- 20 % of the total cost of the work in 1995,
- 30 % of the total cost in 1996,
- 50 % of the total cost in 1997.

Building costs may be adjusted in line with the annual building prices index set by the Austrian central statistical office but the maximum limit set in Article 2(1) may not be exceeded.

COMMISSION DECISION

of 21 November 1994

on the list of programmes of checks aimed at the prevention of zoonoses
qualifying for a financial contribution from the Community in 1995

(94/756/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Decision 90/424/EEC of 26
June 1990 on expenditure in the veterinary field ⁽¹⁾, as last
amended by Decision 94/370/EC ⁽²⁾, and in particular
Article 32 thereof,

Whereas in drawing up the list of programmes of checks
aimed at the prevention of zoonoses qualifying for a
financial contribution from the Community for 1995, and
the proposed rate and amount of the contribution for
each programme, both the interest of each programme for
the Community and the volume of available appropria-
tions must be taken into account;

Whereas, as regards zoonoses, the Commission has
approved, by Decision 94/507/EC ⁽³⁾, the plan presented
by Denmark to monitor and control salmonella in
poultry;

Whereas Denmark has supplied the Commission with all
the information enabling it to assess the interest for the
Community of providing a financial contribution to the
programme for 1995;

Whereas the programme on the list set out in this Deci-
sion will have to be approved individually at a later date;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The programme listed in the Annex hereto shall
qualify for a financial contribution from the Community
in 1995.

2. For the programme referred to in paragraph 1, the
proposed rate and amount of the Community financial
contribution shall be as set out in the Annex.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 21 November 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Zoonosis	Member State	Rate	Proposed amount (in ECU)
Salmonella in poultry	Denmark	50 %	660 000

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 203, 6. 8. 1994, p. 25.