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I

(Acts whose publication is obligatory)

**COUNCIL REGULATION (EC) No 3021/94
of 8 December 1994**

amending, for the second time, Regulation (EC) No 3676/93 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1994 and certain conditions under which they may be fished

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas, under the terms of Article 8 (4) of Regulation (EEC) No 3760/92, it is incumbent upon the Council to establish the total allowable catches (TACs) by fishery or group of fisheries;

Whereas Regulation (EC) No 3676/93 ⁽²⁾ fixes, for certain fish stocks and groups of fish stocks, the TACs for 1994 and certain conditions under which they may be fished;

Whereas, within the framework of the bilateral consultations on the reciprocal fishing rights between the Community and Sweden, the shares of the TAC for herring in Skagerrak and Kattegat and for cod in the Skagerrak allocated to Sweden for 1994 have been decreased and the share of the TAC for Northern prawn in IIIa allocated to Sweden increased for the same period;

Whereas, within the framework of the bilateral consultations on the reciprocal fishing rights between the

Community and Norway, the Community share for 'other species' has been increased and the part of the TAC of North Sea sprat available to Member States has been decreased;

Whereas the state of the stock of Norway lobster in the North Sea allows increases in its TAC without endangering the future management of this resource;

Whereas, by virtue of the application of the recommendations agreed during the 20th session of the International Baltic Sea Fisheries Commission, the Community has obtained an additional quota of cod in the Baltic Sea for 1994;

Whereas Council Regulation (EC) No 3676/93 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to this Regulation shall replace the corresponding elements of the Annex to Regulation (EC) No 3676/93.

Article 2

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 Brussels, 8 December 1994.

For the Council

The President

G. REXRODT

⁽¹⁾ OJ No L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 341, 31. 12. 1993, p. 1. Regulation as last amended by Regulation (EC) No 2761/94 (OJ No L 294, 15. 11. 1994, p. 2).

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

TAC en 1994 por especie y zona y la distribución, entre los Estados miembros, de la parte asignada a la Comunidad (en toneladas peso vivo)

TAC for 1994 pr. bestand og pr. område og fordelingen blandt medlemsstaterne af Fællesskabets andel (tons levende vægt)

TAC für 1994 je Bestand und Bereich und die Aufteilung des für die Gemeinschaft verfügbaren Anteils auf die Mitgliedstaaten (in Tonnen Lebendgewicht)

TAC ανά απόθεμα και ζώνη για το 1994 καθώς και η κατανομή μεταξύ των κρατών μελών του χορηγούμενου στην Κοινότητα μεριδίου (σε τόνους ζωντανού δάρους)

TACs by stock and by area for 1994 and the allocation among the Member States of the share available to the Community (in tonnes live weight)

TAC pour 1994 par stock et par zone ainsi que la répartition entre les États membres de la part attribuée à la Communauté (en tonnes poids vif)

TAC per il 1994 per popolazione e per zona e la ripartizione tra gli Stati membri della parte disponibile per la Comunità (in tonnellate peso vivo)

TAC voor 1994, per bestand en per gebied en de verdeling over de Lid-Staten van het voor de Gemeenschap beschikbare aandeel (in ton levend gewicht)

TAC para 1994, por existência e por zona e a repartição, entre os Estados-membros, da parte atribuída à Comunidade (em toneladas peso vivo)

Especie / Art / Art / Είδος / Species / Espèce / Specie / Soort / Espécie	Zona / Område / Bereich / Ζώνη / Zone / Zone / Zona / Sector / Zona	TAC	Estado miembro / Medlemsstat / Mitgliedstaat / Κράτος μέλος / Member State / État membre / Stato membro / Lid-Staat / Estado-membro	Cuota / Kvote / Quote / Ποσόστωση / Quota / Quota / Contingente / Quota / Quota
(1)	(2)	(3)	(4)	(5)
Arenque / Sild / Hering / Πέγγα / Herring / Hareng / Aringa / Haring / Arenque (<i>Clupea harengus</i>)	III a	148 000	België/Belgique Danmark Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland Portugal United Kingdom CE/EF/EG/EK/EC	62 945 ^(*) 1 010 ^(*)
				63 955
Espadín / Brisling / Sprotte / Σαρδέλореγγα / Sprat / Sprat / Spratto / Sprot / Espadilha (<i>Sprattus sprattus</i>)	II a ⁽¹⁾ , IV ⁽¹⁾	117 000 ^(*)	België/Belgique Danmark Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland Portugal United Kingdom CE/EF/EG/EK/EC	1 500 1 500 1 500 1 500 1 500 1 500 1 500 140 680 ^(*) ⁽¹⁵⁾
				149 680

(1)	(2)	(3)	(4)	(5)
Bacalao / Torsk / Kabeljau / Γάδος / Cod / Cabillaud / Merluzzo bianco / Kabeljauw / Bacalhau <i>(Gadus morhua)</i>	III a Skagerrak	15 000 (*)	België/Belgique Danmark Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland Portugal United Kingdom	40 (*) 12 655 ⁽¹⁹⁾ 320 (*) 80 (*)
			CE/EF/EG/EK/EC	13 095
Bacalao / Torsk / Kabeljau / Γάδος / Cod / Cabillaud / Merluzzo bianco / Kabeljauw / Bacalhau <i>(Gadus morhua)</i>	III b, c, d (1)	21 600	België/Belgique Danmark Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland Portugal United Kingdom	14 560 6 540
			CE/EF/EG/EK/EC	21 100 ⁽³⁹⁾
Camarón norteño / Dybhavsreje / Tiefseegarnele / Γαρίδα της Αρκτικής / Northern prawn / Crevette nordique / Gamberello boreale / Noorse garnaal / Camarão ártico <i>(Pandalus borealis)</i>	III a Skagerrak	12 600	België/Belgique Danmark Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland Portugal United Kingdom	4 436 ⁽¹⁹⁾
			CE/EF/EG/EK/EC	4 436
Cigala / Dybvandshummer / Kaisergranat / Καραβίδα / Norway lobster / Langoustine / Scampo / Langoestine / Lagostim <i>(Nephrops norvegicus)</i>	II a (1), IV (1)	15 000 (*)	België/Belgique Danmark Deutschland Ελλάδα España France Ireland Italia Luxembourg Nederland Portugal United Kingdom	785 785 10 25 405 12 990
			CE/EF/EG/EK/EC	15 000

COMMISSION REGULATION (EC) No 3022/94
of 13 December 1994

amending Regulation (EEC) No 1912/92 laying down detailed implementing rules for the specific measures for supplying the Canary Islands with products from the beef and veal sector, and Regulation (EEC) No 2254/92 on detailed rules for implementing the specific measures for supplying the Canary Islands with live bovine animals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93⁽²⁾, and in particular Articles 3 (4), 4 (4) and 5 (2) thereof,

Whereas Annex I to Commission Regulation (EC) No 2883/94 of 28 November 1994 establishing the forecast supply balance for the Canary Islands for agricultural products benefiting from the specific measures provided for in Articles 2 to 5 of Council Regulation (EEC) No 1601/92⁽³⁾ fixes for the period 1 July 1994 to 30 June 1995 the quantities of products and live animals of the beef and veal sector that benefit from the supply measures either in the form of an exemption from import duties or through the grant of aid, as well as the number of pure-bred breeding bovines coming from the Community that benefit from the aid provided for in Article 4 of the aforementioned Regulation;

Whereas the new common detailed rules for the implementation of the measures in question were laid down in Commission Regulation (EC) No 2790/94⁽⁴⁾, as amended by Regulation (EC) No 2883/94, in particular as regards the issue and period of validity of certificates, aid payment and the inspection and monitoring of trade operations; whereas these provisions replace the detailed rules laid down in Commission Regulation (EEC) No 1695/92⁽⁵⁾, as last amended by Regulation (EEC) No 2596/93⁽⁶⁾; whereas the new detailed rules are applicable in the various market sectors from 1 December 1994;

Whereas the additional provisions adopted for the beef and veal sector that are not in keeping with the above-

mentioned new rules should therefore be deleted and Regulations (EEC) No 1912/92⁽⁷⁾ and (EEC) No 2254/92⁽⁸⁾, both as last amended by Regulation (EC) No 2489/94⁽⁹⁾, should be amended, in particular with regard to the issue and period of validity of the certificates;

Whereas this Regulation is to enter into force on the same date as the new common detailed rules for the implementation of the measures concerned, laid down in Regulation (EC) No 2790/94, and the new supply balance;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1912/92 is hereby amended as follows:

1. Articles 1, 4, 6, 7, 8 and 9 are deleted;
2. in Article 2, paragraph 3 is replaced by the following:

‘3. Meat stored under the intervention measures shall benefit from the aid referred to in paragraph 1 when it is so decided and according to the conditions laid down under the disposal measures for such products.’;

3. Article 3 is replaced by the following:

Article 3

The aid provided for in Article 4 (1) of Regulation (EEC) No 1601/92 for the supply of pure-bred breeding bovines originating in the Community is fixed in Annex III.’;

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁴⁾ OJ No L 296, 17. 11. 1994, p. 23.

⁽⁵⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁶⁾ OJ No L 238, 23. 9. 1993, p. 24.

⁽⁷⁾ OJ No L 192, 1. 7. 1992, p. 31.

⁽⁸⁾ OJ No L 219, 4. 8. 1992, p. 34.

⁽⁹⁾ OJ No L 265, 15. 10. 1994, p. 17.

4. in Article 5, 'Regulation (EEC) No 1695/92' is replaced by 'Regulation (EC) No 2790/94';

5. Annex I is deleted.

Article 2

Regulation (EEC) No 2254/92 is hereby amended as follows :

1. Articles 1, 6 and 8 to 11 are deleted ;

2. in Article 7, 'Regulation (EEC) No 1695/92' is replaced by 'Regulation (EC) No 2790/94' ;

3. Annex I is deleted.

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 with effect from 1 December 1994.

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3023/94

of 13 December 1994

amending Regulations (EEC) No 1912/92, (EEC) No 2254/92, (EEC) No 2255/92 and (EEC) No 2312/92 laying down detailed rules for implementing the specific arrangements for supplying the Canary Islands, Madeira and the French overseas departments with live bovine animals

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93 ⁽²⁾, and in particular Articles 4 (4) and 5 (2) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽³⁾, as last amended by Regulation (EEC) No 1974/93, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽⁴⁾, as amended by Commission Regulation (EEC) No 3714/92 ⁽⁵⁾, and in particular Article 9 thereof,

Whereas the aid for the products from the Community market contained in the forecast supply balance was fixed by Commission Regulations (EEC) No 1912/92 ⁽⁶⁾, (EEC) No 2254/92 ⁽⁷⁾, both as last amended by Regulation (EC) No 3022/94 ⁽⁸⁾, (EEC) No 2255/92 ⁽⁹⁾, as last amended by Regulation (EC) No 2490/94 ⁽¹⁰⁾, and (EEC) No 2312/92 ⁽¹¹⁾, as last amended by Regulation (EC) No 2491/94 ⁽¹²⁾;

Whereas as a result of the application of the criteria for the determination of Community aid to the current market situation and, in particular, to the quotations and prices for bovine animals in the European part of the Community and on the world market and the amendment of the code of certain products eligible for aid, the aid for the supply of the Canary Islands, Madeira and the French overseas departments with these products is as given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Annex II to Commission Regulations (EEC) No 2254/92, (EEC) No 2255/92 and (EEC) No 2312/92 is hereby replaced by Annex I hereto.

2. The amount of aid referred to in Annex III to Regulation (EEC) No 1912/92 is replaced by the amount given in Annex II hereto.

Article 2

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 December 1994.

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽⁴⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽⁵⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 31.

⁽⁷⁾ OJ No L 219, 4. 8. 1992, p. 34.

⁽⁸⁾ See page 4 of this Official Journal.

⁽⁹⁾ OJ No L 219, 4. 8. 1992, p. 37.

⁽¹⁰⁾ OJ No L 265, 15. 10. 1994, p. 19.

⁽¹¹⁾ OJ No L 222, 7. 8. 1992, p. 32.

⁽¹²⁾ OJ No L 265, 15. 10. 1994, p. 21.

*ANNEX I**ANNEX II*

Amounts of aid that can be granted to male bovine animals for fattening coming from the Community market

(ECU/head)

CN code	Amount of aid
ex 0102 90 05	75
ex 0102 90 29	150
ex 0102 90 49	200
0102 90 79	300'

*ANNEX II**ANNEX III*

Amount of aid that can be granted in the Canary Islands for pure-bred breeding bovines originating in the Community

(ECU/head)

CN code	Description	Aid
0102 10 00	Pure-bred breeding bovines ⁽¹⁾	750

⁽¹⁾ Entry under this subheading is subject to conditions laid down in the relevant Community provisions.'

COMMISSION REGULATION (EC) No 3024/94

of 13 December 1994

amending Regulation (EEC) No 2729/88 laying down detailed rules for the application of Council Regulation (EEC) No 1442/88 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1442/88 of 24 May 1988 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas ⁽¹⁾, as last amended by Regulation (EEC) No 1990/93 ⁽²⁾, and in particular Article 9 (a) thereof,

Whereas technical adjustments were made to Regulation (EEC) No 1442/88 by Regulation (EEC) No 1990/93; whereas the conditions referred to in the first subparagraph of Article 9 (a) (1) of Regulation (EEC) No 1442/88, for the granting of an additional premium for parcel exchange are defined in Article 10 of Commission Regulation (EEC) No 2729/88 ⁽³⁾, as last amended by Regulation (EC) No 3255/93 ⁽⁴⁾;

Whereas the purpose of these arrangements is the restructuring of vineyards and vine growing in order to prevent fragmentation and environmental damage;

Whereas the procedure for the prior exchange of parcels should be simplified and adapted to the specific situation

of each Member State; whereas, therefore, Regulation (EEC) No 2729/88 should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 10 (2) and (3) of Regulation (EEC) No 2729/88 is hereby replaced by the following:

'2. The Member States shall submit to the Commission for approval the procedure they intend to adopt for the application of the parcel exchange arrangements referred to in Article 9a (1) of Regulation (EEC) No 1442/88 on the granting of permanent abandonment premiums in respect of wine growing areas.'

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 the date of the permanent abandonment of wine-growing areas with respect to the 1994/95 wine year.

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 132, 28. 5. 1988, p. 3.

⁽²⁾ OJ No L 182, 24. 7. 1993, p. 7.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 108.

⁽⁴⁾ OJ No L 293, 27. 11. 1993, p. 37.

COMMISSION REGULATION (EC) No 3025/94

of 13 December 1994

amending Regulation (EEC) No 1725/79 on the rules for granting aid to skimmed milk processed into compound feedingstuffs and skimmed-milk powder intended for feed for calves

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 10 (3) thereof,

Whereas, pursuant to Article 4 (1) of Commission Regulation (EEC) No 1725/79 ⁽³⁾, as last amended by Regulation (EC) No 1758/94 ⁽⁴⁾, the granting of aid for skimmed-milk powder processed into compound feedingstuffs is conditional upon the requirement that the latter contain not less than 50 kg of powder per 100 kg of the finished product;

Whereas paragraph 1a of that Article lays down, however, that the said minimum quantity shall be fixed at 35 kilograms for the period 1 February 1993 to 31 December 1994; whereas the trend on the market in skimmed-milk powder justifies maintaining this derogation until 30 June 1995;

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

In Article 4 (1a) of Regulation (EEC) No 1725/79, 'between 1 February 1993 and 31 December 1994' is replaced by 'between 1 February 1993 and 30 June 1995'.

Article 2

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

It shall apply from 1 January 1995.

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 298, 19. 11. 1994, p. 1.

⁽³⁾ OJ No L 199, 7. 8. 1979, p. 1.

⁽⁴⁾ OJ No L 183, 19. 7. 1994, p. 14.

COMMISSION REGULATION (EC) No 3026/94

of 13 December 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 the 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,

Having regard to Council Regulation (EC) No 3492/93 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 Poland, of the other part⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 520/92 of 27 February 1992 on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part⁽³⁾, as amended by Regulation (EEC) No 2235/93⁽⁴⁾, and in particular Article 1 thereof,

Whereas Commission Regulation (EEC) No 2699/93⁽⁵⁾, as last amended by Regulation (EC) No 2677/94⁽⁶⁾, lays down detailed rules for the application in the poultrymeat and egg sectors of the arrangements provided for in the Interim Agreements between the Community and the Republic of Poland, the Republic of Hungary and the former Czech and Slovak Federal Republic;

Whereas Regulation (EEC) No 2699/93 lays down that operators wishing to benefit from the arrangements must have carried out a minimum of imports and exports in both 1992 and 1993; whereas this should be changed to the two years preceding the licence application;

Whereas experience shows that, in order to permit the use of the quotas from the beginning of each period rather

than at the end of the first month of each period as is now the case, the period for the submission of licence applications should be brought forward by one month;

Whereas these provisions should be implemented as soon as possible; whereas certain measures cannot be applied immediately;

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. Article 3 (a) is replaced by the following:

'(a) applicants for import licences must be natural or legal persons who, at the time at which applications are submitted, can prove to the satisfaction of the competent authorities in the Member States that they have imported or exported not less than 25 tonnes (product weigh) in the case of products falling within the scope of Regulation (EEC) No 2777/75 and five tonnes (egg in shell equivalent) in the case of products falling within the scope of Regulation (EEC) No 2771/75 in each of the two calendar years preceding that in which the licence applications are submitted. Retail establishments and restaurants selling these products to final consumers shall not be eligible for this scheme';

2. Article 4 (1) is replaced by the following:

'1. Licence applications may only be lodged during the first 10 days of the month preceding each period specified in Article 2.'

Article 2

This Regulation shall enter into force on 1 January 1995.

Article 1 (2), however, shall apply from 1 March 1995.

⁽¹⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁴⁾ OJ No L 200, 10. 8. 1993, p. 5.

⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 88.

⁽⁶⁾ OJ No L 285, 4. 11. 1994, p. 9.

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3027/94

of 13 December 1994

amending Regulation (EC) No 1559/94 laying down detailed rules for the application in the poultrymeat and egg sectors of the arrangements provided for in the Interim Agreements between the Community, of the one part, and Bulgaria and Romania, of the other part

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3641/93 of 20 December 1993 on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Bulgaria, of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3642/93 of 20 December 1993 on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Romania, of the other part⁽²⁾, and in particular Article 1 thereof,

Whereas Commission Regulation (EC) No 1559/94⁽³⁾, as amended by Regulation (EC) No 2394/94⁽⁴⁾, lays down detailed rules for the application in the poultrymeat and egg sectors of the arrangements provided for in the Interim Agreements between the Community and Bulgaria and Romania;

Whereas Regulation (EC) No 1559/94 lays down that operators wishing to benefit from the arrangements must have carried out a minimum of imports and exports in both 1992 and 1993; whereas this should be changed to the two years preceding the licence application;

Whereas experience shows that, in order to permit the use of the quotas from the beginning of each period rather than at the end of the first month of each period as is now the case, the period for the submission of licence applications should be brought forward by one month;

Whereas these provisions should be implemented as soon as possible; whereas certain measures cannot be applied immediately;

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 (EC) No 1559/94 is hereby amended as follows:

1. Article 3 (a) is replaced by the following:

'(a) applicants for import licences must be natural or legal persons who, at the time at which applications are submitted, can prove to the satisfaction of the competent authorities in the Member States that they have imported or exported not less than 25 tonnes (product weight) in the case of products falling within the scope of Regulation (EEC) No 2777/75 and five tonnes (egg in shell equivalent) in the case of products falling within the scope of Regulation (EEC) No 2771/75 and Council Regulation (EEC) No 2783/75⁽¹⁾ in each of the two calendar years preceding that in which the licence applications are submitted. Retail establishments and restaurants selling these products to final consumers shall not be eligible for this scheme;

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 104.';

2. Article 4 (1) is replaced by the following:

'1. Licence applications may only be lodged during the first 10 days of the month preceding each period specified in Article 2.'

Article 2

This Regulation shall enter into force on 1 January 1995.

Article 1 (2), however, shall apply from 1 March 1995.

⁽¹⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽²⁾ OJ No L 333, 31. 12. 1993, p. 17.

⁽³⁾ OJ No L 166, 1. 7. 1994, p. 62.

⁽⁴⁾ OJ No L 256, 4. 10. 1994, p. 1.

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3028/94

of 13 December 1994

re-establishing the levying of customs duties on products of CN codes ex 7304, 7305 and ex 7306 originating in the Republics of Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia for which tariff ceilings were opened by Council Regulation (EC) No 653/94

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

Having regard to Council Regulation (EC) No 653/94 of 21 March 1994 establishing ceilings and Community surveillance for imports of certain products originating in the Republics of Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia (1), and in particular Article 1 (4) thereof,

Whereas, pursuant to Article 1 of Regulation (EC) No 653/94, the Republics of Croatia, Bosnia-Herzegovina and Slovenia and the territory of the former Yugoslav Republic of Macedonia should benefit from preferential tariff arrangements, in particular where subject to tariff ceilings; whereas Article 1 (4) provides that once the ceilings are reached the Commission may adopt a regulation to re-establish the levying of customs duties actually applied *vis-à-vis* third countries until the end of the calendar year;

Whereas imports of the products specified in the Annex to this Regulation originating in the said Republics and eligible for tariff preferences have been charged against

the ceiling up to the total amount; whereas the situation on the Community market for these products requires the re-establishment of customs duties *vis-à-vis* the Republics in question;

Whereas the levying of customs duties for these products should therefore be re-established,

HAS ADOPTED THIS REGULATION:

Article 1

From 17 December 1994, the levying of customs duties suspended for 1994 by Regulation (EC) No 653/94 shall be re-established on imports into the Community of the products shown in the Annex, originating in the Republics of Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia.

Article 2

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

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

Done at Brussels, 13 December 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

(1) OJ No L 82, 25. 3. 1994, p. 9.

ANNEX

Order No	CN code	Description
(1)	(2)	(3)
01.0160	7304	Tubes, pipes and hollow profiles, seamless, of iron (other than cast iron) or steel :
	7304 10	– Line pipe of a kind used for oil or gas pipelines :
	7304 10 10	– – Of an external diameter not exceeding 168,3 mm
	7304 10 30	– – Of an external diameter exceeding 168,3 mm, but not exceeding 406,4 mm
	7304 10 90	– – Of an external diameter exceeding 406,4 mm
	7304 20	– Casing, tubing and drill pipe, of a kind used in drilling for oil or gas :
		– – Other :
	7304 20 91	– – – Of external diameter not exceeding 406,4 mm
	7304 20 99	– – – Of an external diameter exceeding 406,4 mm
		– Other, of circular cross-section, of iron or non-alloy steel :
	7304 31	– – Cold-drawn or cold-rolled (cold-reduced) :
		– – – Other :
	7304 31 91	– – – – Precision tubes
	7304 31 99	– – – – Other
	7304 39	– – Other :
	7304 39 10	– – – Unworked, straight and of uniform wall-thickness, for use solely in the manufacture of tubes and pipes with other cross-sections and wall-thicknesses (1)
		– – – Other :
		– – – – Other :
		– – – – – Other :
		– – – – – Threaded or threadable tubes (gas pipe) :
	7304 39 51	– – – – – Plated or coated with zinc
	7304 39 59	– – – – – Other
		– – – – – Other, of an external diameter :
	7304 39 91	– – – – – Not exceeding 168,3 mm
	7304 39 93	– – – – – Exceeding 168,3 mm, but not exceeding 406,4 mm
	7304 39 99	– – – – – Exceeding 406,4 mm
		– Other, of circular cross-section, of stainless steel :
	7304 41	– – Cold-drawn or cold-rolled (cold-reduced) :
	7304 41 90	– – – Other
	7304 49	– – Other :
	7304 49 10	– – – Unworked, straight and of uniform wall-thickness, for use solely in the manufacture of tubes and pipes with other cross-sections and wall-thicknesses (1)
		– – – Other :
		– – – – Other :
	7304 49 91	– – – – – Of an external diameter not exceeding 406,4 mm
	7304 49 99	– – – – – Of an external diameter exceeding 406,4 mm
		– Other, of circular cross-section, of other alloy steel :

(1)	(2)	(3)
01.0160 (cont'd)	7304 51	— — Cold-drawn or cold-rolled (cold-reduced): — — — Straight and of uniform wall-thickness, of alloy steel containing by weight not less than 0,9 % but not more than 1,15 % of carbon, not less than 0,5 % but not more than 2 % of chromium and not more than 0,5 % of molybdenum, of a length :
	7304 51 11	— — — — Not exceeding 4,5 m
	7304 51 19	— — — — Exceeding 4,5 m
		— — — Other :
		— — — — Other :
	7304 51 91	— — — — — Precision tubes
	7304 51 99	— — — — — Other
	7304 59	— — Other :
	7304 59 10	— — — Unworked, straight and of uniform wall-thickness, for use solely in the manufacture of tubes and pipes with other cross-sections and wall-thicknesses ⁽¹⁾
		— — — Other, straight and of uniform wall-thickness, of alloy steel containing by weight not less than 0,9 % but not more than 1,15 % of carbon, not less than 0,5 % but not more than 2 % of chromium and not more than 0,5 % of molybdenum, of a length :
	7304 59 31	— — — — Not exceeding 4,5 m
	7304 59 39	— — — — Exceeding 4,5 m
		— — — Other :
		— — — — Other :
	7304 59 91	— — — — — Of an external diameter not exceeding 168,3 mm
	7304 59 93	— — — — — Of an external diameter exceeding 168,3 mm, but not exceeding 406,4 mm
	7304 59 99	— — — — — Of an external diameter exceeding 406,4 mm
	7304 90	— Other :
	7304 90 90	— — Other :
	7305	Other tubes and pipes (for example, welded, riveted or similarly closed), having internal and external circular cross-sections, the external diameter of which exceeds 406,4 mm, of iron or steel
	7306	Other tubes, pipes and hollow profiles (for example, open seam or welded, riveted or similarly closed), of iron or steel :
	7306 10	— Line pipe of a kind used for oil or gas pipelines : — — Longitudinally welded, of an external diameter of :
	7306 10 11	— — — Not more than 168,3 mm
	7306 10 19	— — — More than 168,3 mm, but not more than 406,4 mm
	7306 10 90	— — Spirally welded
	7306 20 00	— Casing and tubing of a kind used in drilling for oil or gas
	7306 30	— Other, welded, of circular cross-section, of iron or non alloy steel : — — Other : — — — Precision tubes, with a wall thickness :
	7306 30 21	— — — — Not exceeding 2 mm
	7306 30 29	— — — — Exceeding 2 mm
		— — — Other :
		— — — — Threaded or threadable tubes (gas pipe):
	7306 30 51	— — — — — Plated or coated with zinc
	7306 30 59	— — — — — Other
		— — — — Other, of an external diameter :
		— — — — — Not exceeding 168,3 mm :
	7306 30 71	— — — — — Plated or coated with zinc
	7306 30 78	— — — — — Other
	7306 30 90	— — — — — Exceeding 168,3 mm, but not exceeding 406,4 mm

(1)	(2)	(3)
01.0160 (cont'd)	7306 40	– Other, welded, of circular cross-section, of stainless steel :
		– – Other :
	7306 40 91	– – – Cold-drawn or cold-rolled (cold-reduced)
	7306 40 99	– – – Other
	7306 50	– Other, welded, of circular cross-section, of other alloy steel :
		– – Other :
	7306 50 91	– – – Precision tubes
	7306 50 99	– – – Other
	7306 60	– Other, welded, of non-circular cross-section :
		– – Other :
	7306 60 31	– – – Of rectangular (including square) cross-section, with a wall thickness :
	7306 60 39	– – – – Not exceeding 2 mm
	7306 60 90	– – – – Exceeding 2 mm
	7306 60 90	– – – Of other sections
	7306 90 00	– Other

(¹) Entry under this code is subject to conditions laid down in the relevant Community provisions. See also Section II, paragraph B, of the preliminary provisions (combined nomenclature).

COMMISSION REGULATION (EC) No 3029/94

of 13 December 1994

repealing Regulation (EC) No 1079/94 relating to the invitation to tender for the export of bread-making wheat held by the Danish intervention agency

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

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

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

Whereas it is convenient to repeal the tenders under Commission Regulation (EC) No 1079/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2981/94 ⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

Commission Regulation (EC) No 1079/94 is hereby repealed.

Article 2

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

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

Done at Brussels, 13 December 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 120, 11. 5. 1994, p. 15.

⁽⁶⁾ OJ No L 315, 8. 12. 1994, p. 4.

COMMISSION REGULATION (EC) No 3030/94**of 13 December 1994****amending Regulation (EC) No 1080/94 increasing to 8 000 000 tonnes the quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Commission Regulation (EC) No 1080/94⁽⁵⁾, as last amended by Regulation (EC) No 2981/94⁽⁶⁾, opened a standing invitation to tender for the export of 500 000 tonnes of rye held by the German intervention agency; whereas, in the communication of 8 December 1994, Germany informed the Commission of the intention of its intervention agency to increase by 300 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of rye held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 800 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EC) No 1080/94 must therefore be amended;

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EC) No 1080/94 is replaced by the following:

'Article 1

The German intervention agency may, on the conditions laid down in Regulation (EEC) No 2131/93, open a standing invitation to tender for the export of rye held by it.'

Article 2

Article 2 of Regulation (EC) No 1080/94 is replaced by the following:

'Article 2

1. The invitation to tender shall cover a maximum of 800 000 tonnes of rye to be exported to all third countries.
2. The regions in which the 800 000 tonnes of rye are stored are stated in Annex I to this Regulation.'

Article 3

The following Article 5 is inserted:

'Article 5

1. Before the lot awarded is removed, the intervention agency and the successful tenderer shall take a reference sample in accordance with the method laid down in Commission Regulation (EEC) No 689/92⁽⁷⁾ and shall analyse that sample.

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

- 2 kg/hl for the specific weight, which must not however be less than 68 kg/hl,
- one percentage point for the moisture content,

⁽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 120, 11. 5. 1994, p. 18.

⁽⁶⁾ OJ No L 315, 8. 12. 1994, p. 4.

- half a percentage point for the impurities referred to in points B.2 and B.4 of the Annex to Regulation (EEC) No 689/92,
- half a percentage point for the impurities referred to in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains and ergot however remaining unchanged,

the following provisions shall apply :

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

- (ii) the successful tenderer may :

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

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

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

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

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

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

(*) OJ No L 74, 20. 3. 1992, p. 18.

Article 4

Annex I to Regulation (EC) No 1080/94 is replaced by the Annex hereto.

Article 5

The following Annex IV is hereby added to Regulation (EC) No 1080/94 :

ANNEX IV

Communication of refusal of lots under the standing invitation to tender for the export of 800 000 tonnes of rye held by the German intervention agency

Article 5 (1) of Regulation (EC) No 1080/94

- Name of successful tenderer :
- Date of award of contract :
- Date of refusal of lot by successful tenderer :

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

Article 6

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

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	596 743
Hessen/Rheinland-Pfalz/ Baden-Württemberg/Saarland/Bayern	35 612
Berlin/Brandenburg/ Mecklenburg-Vorpommern	149 022
Sachsen/Sachsen-Anhalt/Thüringen	18 598'

**COMMISSION REGULATION (EC) No 3031/94
of 13 December 1994**

**amending Regulation (EC) No 2117/94 on the opening of a standing invitation to
tender for the sale on the internal market of cereals held by the Spanish
intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas the last partial invitation to tender under Commission Regulation (EC) No 2117/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2972/94 ⁽⁶⁾, should be postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (2) of Regulation (EC) No 2117/94 is replaced by the following:

‘2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 6 April 1995.’

Article 2

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

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 224, 30. 8. 1994, p. 7.

⁽⁶⁾ OJ No L 314, 7. 12. 1994, p. 14.

COMMISSION REGULATION (EC) No 3032/94**of 13 December 1994****amending Regulation (EC) No 2119/94 on the opening of a standing invitation to tender for the sale on the internal market of cereals held by the Danish intervention agency**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1866/94 ⁽²⁾, and in particular Article 5 thereof,Whereas Commission Regulation (EEC) No 2131/93 ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾, lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;Whereas the last partial invitation to tender under Commission Regulation (EC) No 2119/94 ⁽⁵⁾, as amended by Regulation (EC) No 2788/94 ⁽⁶⁾, should be postponed;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 2 (2) of Regulation (EC) No 2119/94 is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 6 April 1995.'

*Article 2*This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.⁽⁵⁾ OJ No L 224, 30. 8. 1994, p. 9.⁽⁶⁾ OJ No L 296, 17. 11. 1994, p. 21.

COMMISSION REGULATION (EC) No 3033/94

of 13 December 1994

amending Regulation (EC) No 2158/94 on the opening of a standing invitation to tender for the sale on the internal market of durum wheat held by the Italian intervention agency

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

Whereas the last partial invitation to tender under Commission Regulation (EC) No 2158/94 ⁽⁵⁾, as amended by Regulation (EC) No 2848/94 ⁽⁶⁾, should be postponed;

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

Article 1

Article 2 (2) of Regulation (EC) No 2158/94 is replaced by the following:

'2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 6 April 1995.'

Article 2

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

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

Done at Brussels, 13 December 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.

⁽⁶⁾ OJ No L 302, 25. 11. 1994, p. 29.

**COMMISSION REGULATION (EC) No 3034/94
of 13 December 1994**

establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station

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

Having regard to Council Regulation (EEC) No 737/90 of 22 March 1990 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station⁽¹⁾, and in particular Article 6 thereof,

Whereas, in accordance with Regulation (EEC) No 737/90, the Commission shall adopt a list of products excluded from its application;

Whereas most agricultural products currently imported from third countries are free of radioactive contamination from the Chernobyl accident or so slightly contaminated as to present a negligible risk to health;

Whereas the list of products excluded from the application of Regulation (EEC) No 737/90, established by Commission Regulation (EEC) No 1518/93⁽²⁾, has to be extended to take this into account;

Whereas the measures provided in this Regulation are in accordance with the opinion of the *ad hoc* Committee instituted by Regulation (EEC) No 737/90,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1518/93 is hereby repealed.

Article 2

All products other than those listed in the Annex are excluded from the scope of Regulation (EEC) No 737/90.

Article 3

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

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

Done at Brussels, 13 December 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 82, 29. 3. 1990, p. 1.

⁽²⁾ OJ No L 150, 22. 6. 1993, p. 30.

ANNEX

List of products to which Regulation (EEC) No 737/90 is applicable

CN code	Description
0101 19 10	(Live horses, asses, mules and hinnies): (Horses): For slaughter
0102 90	(Live bovine animals): (other): Domestic species
0103 91	(Live swine): (Other): Weighing less than 50 kg
0103 92	(—): (—): Weighing 50 kg or more
0104 10	(Live sheep and goats): (Sheep) (except pure-bred breeding animals 0410 10 10)
0104 20 90	(—): (Goats): Other
0105	Live poultry, that is to say, fowls of the species <i>Gallus domesticus</i> , ducks, geese, turkeys and guinea fowls
0106 00	Other live animals
02	Meat and edible meat offal
04	Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included (except 0408 11 20, 0408 19 20, 0408 91 20, 0408 99 20)
0701 90	(Potatoes, fresh or chilled): Other
0709 51	(Other vegetables, fresh or chilled): Mushrooms (except cultivated mushrooms 0709 51 10)
0710 10	(Vegetables (uncooked or cooked by steaming or boiling in water), frozen): Potatoes
0710 80 60	(Vegetables (uncooked or cooked by steaming or boiling in water), frozen): (other vegetables): Mushrooms
0711 90 60	(Vegetables provisionally preserved (for example, by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions) but unsuitable in that state for immediate consumption): (other vegetables; mixtures of vegetables): (Mushrooms): Other
0712 10 00	(Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared): Potatoes whether or not cut or sliced but not further prepared
0712 30 00	(Dried vegetables, whole, cut, sliced, broken or in powder, but not further prepared): Mushrooms and truffles
0810 40	(Other fruit, fresh): Cranberries, bilberries and other fruits of the genus <i>Vaccinium</i>
0811 90 50	(Fruit and nuts, uncooked or cooked by steaming or boiling in water, frozen, whether or not containing added sugar or other sweetening matter): (Other): Fruit of the species <i>Vaccinium myrtillus</i>
0811 90 70	(—): (—): Fruit of the species <i>Vaccinium myrtilloides</i> and <i>Vaccinium angustifolium</i>
0812 90 40	(Fruit and nuts provisionally preserved (for example) by sulphur dioxide gas, in brine, in sulphur water or in other preservative solutions), but unsuitable in that state for immediate consumption): (Other): Fruit of the species <i>Vaccinium myrtillus</i>
0902	Tea, whether or not flavoured
0910	Ginger, saffron, turmeric (curcuma), thyme, bay leaves, curry and other spices
1601 00	Sausages and similar products, of meat, offal or blood; food preparations based on these products

CN code	Description
1602	Other prepared or preserved meat, meat offal or blood
1603 00	Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates
2001 90 50	(Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid): (Other): Mushrooms
2003 10	(Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid): Mushrooms
2004 10	(Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen): Potatoes
2005 20	(Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen): Potatoes
2101 20	(Extracts, essences and concentrates, of coffee, tea or maté and preparations with a basis of these products or with a basis of coffee, tea or maté; roasted chicory and other roasted coffee substitutes, and extracts, essences and concentrates thereof): Extracts, essences and concentrates, of tea or maté, and preparations with a basis of these extracts, essences or concentrates, or with a basis of tea or maté

COMMISSION REGULATION (EC) No 3035/94

of 13 December 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⁾, amended by Regulation (EC) No 3528/93⁽⁴⁾,

Whereas the first subparagraph of Article 10 (1) of Regulation (EEC) No 1766/92 provides that a levy must be charged on imports of the products listed in Article 1 (1) (a) (b) and (c) of that Regulation and that, except for malt, the levy is equal to the threshold price less the cif price; whereas the levy applying to rye is charged in the case of triticale;

Whereas, the threshold prices for cereals, wheat and rye flours, and wheat groats and meal, are fixed for the 1994/95 marketing year by Council Regulations (EEC) No 1766/92 and (EC) No 1867/94⁽⁵⁾ and Commission Regulations (EEC) No 1580/93⁽⁶⁾, (EEC) No 1709/93⁽⁷⁾ and (EC) No 1474/94⁽⁸⁾;

Whereas, for the purpose of calculating the cif prices used to determine the levies, the Commission must take into account the factors indicated in Commission Regulation No 1621/93⁽⁹⁾, as amended by Regulation (EC) No 795/94⁽¹⁰⁾, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real market trend account being taken in particular of both the need to prevent sudden variations likely to cause abnormal disturbances on the Community market and of the quality of the goods offered, whether this quality corresponds to the standard quality laid down by Regulation (EEC) No 1580/93, or whether adjustments need to be made by

applying the coefficients of equivalence provided for in Regulation (EEC) No 1621/93;

Whereas, where information or quotations are unavailable, the cif price for certain flours may be determined by applying a coefficient to the cif price of the basic cereal; whereas this coefficient is fixed in Article 2 of Regulation (EEC) No 1621/93;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned elements, offers for other ports being adjusted, account being taken of the corrections necessitated by the differences in transport charges in relation to Rotterdam;

Whereas the cif price remains unchanged where data are lacking or under the conditions laid down in Article 1 (3) of Regulation (EEC) No 1621/93;

Whereas in the case of malt the levy is made up of a variable component and a fixed component; whereas the fixed component is determined in the second subparagraph of Article 3 of Regulation (EEC) No 1621/93; whereas the variable component is fixed, in accordance with Article 11 (1) A of Regulation (EEC) No 1766/92, account being taken of the quantity of basic cereal required to manufacture malt; whereas to this end Article 3 of Regulation (EEC) No 1621/93 fixes the coefficients applying to the levies for basic cereals;

Whereas Council Regulations (EC) No 3491/93⁽¹¹⁾ and (EC) No 3492/93⁽¹²⁾, 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 Republics of Hungary and Poland, of the other part, and Council Regulation (EEC) No 520/92 of 27 February 1992 on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech and Slovak Federal Republic, of the other part⁽¹³⁾, as amended by Regulation (EEC) No 2235/93⁽¹⁴⁾, and in particular Article 1 thereof introduce arrangements for reducing import levies on certain products; whereas Commission Regulation (EC) No 121/94⁽¹⁵⁾, as amended by Regulation (EC) No 3003/94⁽¹⁶⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards cereals;

⁽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 197, 30. 7. 1994, p. 3.

⁽⁶⁾ OJ No L 152, 24. 6. 1993, p. 14.

⁽⁷⁾ OJ No L 159, 1. 7. 1993, p. 80.

⁽⁸⁾ OJ No L 159, 28. 6. 1994, p. 30.

⁽⁹⁾ OJ No L 155, 26. 6. 1993, p. 36.

⁽¹⁰⁾ OJ No L 92, 9. 4. 1994, p. 17.

⁽¹¹⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽¹²⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽¹³⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽¹⁴⁾ OJ No L 200, 10. 8. 1993, p. 5.

⁽¹⁵⁾ OJ No L 21, 26. 1. 1994, p. 3.

⁽¹⁶⁾ OJ No L 317, 10. 12. 1994, p. 4.

Whereas Council Regulation (EC) No 774/94 of 29 March 1994⁽¹⁾ has opened Community tariff quotas for certain agricultural products and fixed the levies to be applied on imports of those products; whereas Commission Regulation (EC) No 1854/94⁽²⁾, as amended by Regulation (EC) No 2547/94⁽³⁾, has established the detailed rules of the import regime for cereals laid down in Regulation (EC) No 774/94;

Whereas the Interim Agreement on trade and trade-related matters between the Community and the Republic of Bulgaria⁽⁴⁾, signed in Brussels on 8 March 1993, entered into force on 31 December 1993; whereas the Interim Agreement on trade and trade-related matters between the Community and Romania⁽⁵⁾, signed in Brussels on 1 February 1993, entered into force on 1 May 1993; whereas the said Agreements provide for a reduction in the import levy for certain products; whereas Commission Regulation (EC) No 335/94⁽⁶⁾, as last amended by Regulation (EC) No 1606/94⁽⁷⁾, lays down detailed rules for applying the arrangements provided for in these agreements as regards cereals;

Whereas Council Regulation (EEC) No 715/90⁽⁸⁾, as last amended by Regulation (EC) No 2484/94⁽⁹⁾, lays down the arrangements applicable on agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories;

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⁽¹⁰⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas the representative market rates defined in Article 1 of Regulation (EEC) No 3813/92 are used for converting

the amount expressed in the currency of third countries and are the basis for calculating the agricultural conversion rates of the Member States' currencies; whereas the detailed rules for determining and applying the said conversions are laid down in Commission Regulation (EEC) No 1068/93⁽¹¹⁾, as amended by Regulation (EC) No 547/94⁽¹²⁾;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 12 December 1994 as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying all the provisions of the abovementioned Regulations that the levies should be fixed in accordance with the Annex to this Regulation; whereas the levy is altered only where the calculation results in a variation of ECU 1,50 or more per tonne, pursuant to the third subparagraph of Article 5 of Regulation (EEC) No 1621/93, compared to the levy previously set,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 14 December 1994.

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

Done at Brussels, 13 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽²⁾ OJ No L 192, 28. 7. 1994, p. 31.

⁽³⁾ OJ No L 270, 21. 10. 1994, p. 7.

⁽⁴⁾ OJ No L 323, 23. 12. 1993, p. 2.

⁽⁵⁾ OJ No L 81, 2. 4. 1993, p. 2.

⁽⁶⁾ OJ No L 43, 16. 2. 1994, p. 4.

⁽⁷⁾ OJ No L 168, 2. 7. 1994, p. 13.

⁽⁸⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁹⁾ OJ No L 265, 15. 10. 1994, p. 3.

⁽¹⁰⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽¹¹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹²⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 13 December 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	85,85 ⁽²⁾ ⁽³⁾
0712 90 19	85,85 ⁽²⁾ ⁽³⁾
1001 10 00	2,52 ⁽¹⁾ ⁽⁵⁾ ⁽¹¹⁾
1001 90 91	57,08
1001 90 99	57,08 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	107,59 ⁽⁶⁾
1003 00 10	87,09
1003 00 90	87,09 ⁽⁹⁾
1004 00 00	91,42
1005 10 90	85,85 ⁽²⁾ ⁽³⁾
1005 90 00	85,85 ⁽²⁾ ⁽³⁾
1007 00 90	86,25 ⁽⁴⁾
1008 10 00	31,41 ⁽⁹⁾
1008 20 00	32,62 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	115,90 ⁽⁹⁾
1102 10 00	187,90
1103 11 10	38,31
1103 11 90	137,97
1107 10 11	112,48
1107 10 19	86,80
1107 10 91	165,90 ⁽¹⁰⁾
1107 10 99	126,71 ⁽⁹⁾
1107 20 00	145,87 ⁽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 amended 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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 7 December 1994

requesting the Kingdom of Denmark to postpone the adoption of its draft regulation concerning the maximum level of certain mycotoxins in foodstuffs

(Only the Danish text is authentic)

(94/787/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 315/93 of 8 February 1993 laying down Community procedures relating to contaminants in food⁽¹⁾,

Whereas, in accordance with the procedure provided for in Article 5 (3) (b) of Regulation (EEC) No 315/93, the Danish authorities have notified the Commission of their intention to adopt a draft regulation defining the maximum limits of certain mycotoxins in foodstuffs;

Whereas the draft regulation lays down the maximum limits for certain mycotoxins in foodstuffs and food ingredients;

Whereas, in accordance with Article 5 (3) of Regulation (EEC) No 315/93, the Commission has consulted the other Member States within the framework of the Standing Committee for Foodstuffs;

Whereas, in the general view, it has been recognized that it is desirable to lay down such maximum limits for mycotoxins in certain foodstuffs;

Whereas, however, the application of such a measure unilaterally in Denmark would constitute a barrier to intra-Community trade;

Whereas this finding has prompted the Commission to express a negative opinion in accordance with Article 5 (3) of Regulation (EEC) No 315/93;

Whereas one solution to the problem posed by the Danish draft regulation would be to lay down maximum Community limits for mycotoxins in foodstuffs;

Whereas, therefore, it is necessary to postpone any national initiative in this area for an appropriate period of time;

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

HAS ADOPTED THIS DECISION:

Article 1

The Kingdom of Denmark is hereby required to postpone the adoption of its draft regulation concerning the maximum limit of certain mycotoxins in foodstuffs until 1 May 1995.

⁽¹⁾ OJ No L 37, 13. 2. 1993, p. 1.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 7 December 1994.

For the Commission

Martin BANGEMANN

Member of the Commission
