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## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 214/93****of 2 February 1993****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 Economic Community,

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

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals<sup>(1)</sup>, as last amended by Regulation (EEC) No 1738/92<sup>(2)</sup>, and in particular Article 13 (5) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy<sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90<sup>(4)</sup>, and in particular Article 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<sup>(5)</sup>, and in particular Article 5 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission

Regulation (EEC) No 3873/92<sup>(6)</sup> and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 1 February 1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1820/92 to today's offer prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 3 February 1993.

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

Done at Brussels, 2 February 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 180, 1. 7. 1992, p. 1.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 390, 31. 12. 1992, p. 118.

## ANNEX

to the Commission Regulation of 2 February 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

| CN code    | Third countries <sup>(7)</sup>                       |
|------------|------------------------------------------------------|
| 0709 90 60 | 134,20 <sup>(2)</sup> <sup>(3)</sup>                 |
| 0712 90 19 | 134,20 <sup>(2)</sup> <sup>(3)</sup>                 |
| 1001 10 00 | 175,09 <sup>(1)</sup> <sup>(3)</sup> <sup>(10)</sup> |
| 1001 90 91 | 139,25                                               |
| 1001 90 99 | 139,25 <sup>(11)</sup>                               |
| 1002 00 00 | 158,04 <sup>(6)</sup>                                |
| 1003 00 10 | 125,36                                               |
| 1003 00 20 | 125,36                                               |
| 1003 00 80 | 125,36 <sup>(11)</sup>                               |
| 1004 00 00 | 114,58                                               |
| 1005 10 90 | 134,20 <sup>(2)</sup> <sup>(3)</sup>                 |
| 1005 90 00 | 134,20 <sup>(2)</sup> <sup>(3)</sup>                 |
| 1007 00 90 | 135,88 <sup>(4)</sup>                                |
| 1008 10 00 | 46,85 <sup>(11)</sup>                                |
| 1008 20 00 | 79,05 <sup>(4)</sup>                                 |
| 1008 30 00 | 37,10 <sup>(5)</sup>                                 |
| 1008 90 10 | <sup>(7)</sup>                                       |
| 1008 90 90 | 37,10                                                |
| 1101 00 00 | 207,67 <sup>(8)</sup> <sup>(11)</sup>                |
| 1102 10 00 | 233,98 <sup>(8)</sup>                                |
| 1103 11 30 | 283,71 <sup>(8)</sup> <sup>(10)</sup>                |
| 1103 11 50 | 283,71 <sup>(8)</sup> <sup>(10)</sup>                |
| 1103 11 90 | 223,13 <sup>(8)</sup>                                |

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

<sup>(2)</sup> 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.

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

<sup>(4)</sup> 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.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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 and Commission Regulation (EEC) No 2622/71.

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

<sup>(8)</sup> On importation into Portugal the levy is increased by the amount specified in Article 2 (2) of Regulation (EEC) No 3808/90.

<sup>(9)</sup> No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC, except if paragraph 4 of the same Article applies.

<sup>(10)</sup> An amount equal to the amount fixed by Regulation (EEC) No 1825/91 is to be levied in accordance with Article 101 (4) of Decision 91/482/EEC.

<sup>(11)</sup> Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

**COMMISSION REGULATION (EEC) No 215/93****of 2 February 1993****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(1)</sup>, as last amended by Regulation (EEC) No 1738/92 <sup>(2)</sup>, and in particular Article 15 (6) thereof,

Having regard to Council Regulation (EEC) No 1676/85 of 11 June 1985 on the value of the unit of account and the exchange rates to be applied for the purposes of the common agricultural policy <sup>(3)</sup>, as last amended by Regulation (EEC) No 2205/90 <sup>(4)</sup>, and in particular Article 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 <sup>(5)</sup>, and in particular Article 5 thereof,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3874/92 <sup>(6)</sup> and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 1 February 1993, as regards floating currencies, should be used to calculate the levies;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The premiums referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 3 February 1993.

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

Done at Brussels, 2 February 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(2)</sup> OJ No L 180, 1. 7. 1992, p. 1.

<sup>(3)</sup> OJ No L 164, 24. 6. 1985, p. 1.

<sup>(4)</sup> OJ No L 201, 31. 7. 1990, p. 9.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 390, 31. 12. 1992, p. 121.

## ANNEX

to the Commission Regulation of 2 February 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

(ECU/tonne)

| CN code    | Current | 1st period | 2nd period | 3rd period |
|------------|---------|------------|------------|------------|
|            | 2       | 3          | 4          | 5          |
| 0709 90 60 | 0       | 0,41       | 0,41       | 0,54       |
| 0712 90 19 | 0       | 0,41       | 0,41       | 0,54       |
| 1001 10 00 | 0       | 0          | 0          | 0          |
| 1001 90 91 | 0       | 0          | 0          | 0          |
| 1001 90 99 | 0       | 0          | 0          | 0          |
| 1002 00 00 | 0       | 0          | 0          | 0          |
| 1003 00 10 | 0       | 0          | 0          | 0          |
| 1003 00 20 | 0       | 0          | 0          | 0          |
| 1003 00 80 | 0       | 0          | 0          | 0          |
| 1004 00 00 | 0       | 0          | 0          | 0          |
| 1005 10 90 | 0       | 0,41       | 0,41       | 0,54       |
| 1005 90 00 | 0       | 0,41       | 0,41       | 0,54       |
| 1007 00 90 | 0       | 0          | 0          | 6,89       |
| 1008 10 00 | 0       | 0          | 0          | 0          |
| 1008 20 00 | 0       | 0          | 0          | 0          |
| 1008 30 00 | 0       | 0          | 0          | 0          |
| 1008 90 90 | 0       | 0          | 0          | 0          |
| 1101 00 00 | 0       | 0          | 0          | 0          |

## B. Malt

(ECU/tonne)

| CN code    | Current | 1st period | 2nd period | 3rd period | 4th period |
|------------|---------|------------|------------|------------|------------|
|            | 2       | 3          | 4          | 5          | 6          |
| 1107 10 11 | 0       | 0          | 0          | 0          | 0          |
| 1107 10 19 | 0       | 0          | 0          | 0          | 0          |
| 1107 10 91 | 0       | 0          | 0          | 0          | 0          |
| 1107 10 99 | 0       | 0          | 0          | 0          | 0          |
| 1107 20 00 | 0       | 0          | 0          | 0          | 0          |

## COMMISSION REGULATION (EEC) No 216/93

of 2 February 1993

opening a standing invitation to tender in Italy for the free supply of medium grain milled rice to Albania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1567/92 of 15 June 1992 on a second emergency measure to supply food products to the population of Albania <sup>(1)</sup>, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals <sup>(2)</sup>, as last amended by Regulation (EEC) No 1738/92 <sup>(3)</sup>, and in particular Article 7 (6) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(4)</sup>, as last amended by Regulation (EEC) No 674/92 <sup>(5)</sup>, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 1616/92 of 24 June 1992 laying down detailed rules applicable to the free supply of food products to the population of Albania <sup>(6)</sup>, as amended by Regulation (EEC) No 2098/92 <sup>(7)</sup>, provides for allocation of the supply of common wheat flour pursuant to Council Regulation (EEC) No 1567/92 to be made by invitation to tender; whereas the invitations to tender for the free supply of processed products cover the quantities of basic products to be taken from intervention stocks as payment in kind for these supplies and for the processing, transport and other related costs;

Whereas a standing invitation to tender should be opened urgently in Italy for the supply of 1 000 tonnes of medium grain milled rice;

Whereas experience has shown the need to be sure that the scheduling of deliveries is respected; whereas, there-

fore, an amount should be deducted from the performance guarantee in certain cases of delayed deliveries;

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*

Under the conditions laid down in Regulation (EEC) No 1616/92, the Italian intervention agency shall open a standing invitation to tender for the supply of 1 000 tonnes of medium grain milled rice as set out in Annex I and in accordance with the provisions of this Regulation.

*Article 2*

Tenders shall be for the quantity, in metric tonnes, of paddy rice necessary to cover the supply, transport and other costs, up to the delivery stage provided for, of the entire lot indicated in the notice of invitation to tender as provided for in Article 14 (2) of Regulation (EEC) No 1616/92.

The quantity of yaddy rice awarded as payment in kind for the supply shall be made available, at the successful tenderer's choice, from the intervention stocks designated for this purpose in the abovementioned notice of invitation to tender.

*Article 3*

1. Notwithstanding Article 12 (3) of Regulation (EEC) No 1616/92 when delivery delays occur, for each day of delay 0,05 % of the security specified in Article 8 of that Regulation shall be forfeit in respect of the quantities delivered late. If such delays exceed a period of five days, the percentage forfeit shall amount to 0,1 % for each day of delay.

2. The part of the security, referred to in Article 8 of Regulation (EEC) No 1616/92, corresponding to any additional costs incurred by the Community, pursuant to Article 9 (2) of that Regulation or to the corresponding Articles relating to the other sectors, shall also be forfeit.

<sup>(1)</sup> OJ No L 166, 20. 6. 1992, p. 1.

<sup>(2)</sup> OJ No L 281, 1. 11. 1975, p. 1.

<sup>(3)</sup> OJ No L 180, 1. 7. 1992, p. 1.

<sup>(4)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(5)</sup> OJ No L 73, 19. 3. 1992, p. 7.

<sup>(6)</sup> OJ No L 170, 25. 6. 1992, p. 18.

<sup>(7)</sup> OJ No L 210, 25. 7. 1992, p. 15.

3. The provisions of the preceding paragraphs shall apply where delivery delay is attributable to the operator.

#### *Article 4*

1. The time limit for submission of tenders for the first invitation to tender shall be 11 a. m. on 11 February 1993 (Brussels time).

2. The time limit for submission of tenders for the following partial invitation to tender shall expire at 11 a. m. each Thursday (Brussels time).

3. The time limit for submission of tenders of the last partial invitation to tender shall expire at 11 a. m. on 25 February 1993 (Brussels time).

4. Notwithstanding Article 14 of Commission Regulation (EEC) No 1616/92, the intervention agency concerned shall publish an invitation to tender at least three days before the date laid down for the first partial invitation to tender.

#### *Article 5*

Tenders shall be submitted to the intervention agency concerned. The intervention agency concerned shall forward the tenders to the Commission in accordance with the schedule specified in Annex II.

#### *Article 6*

A specimen of the takeover certificate referred to in Article 9 (3) of Regulation (EEC) No 1616/92 is given in Annex III hereto.

The certificate shall be issued after the goods have been taken over.

#### *Article 7*

1. The successful tenderer shall undertake to provide the Albanian authorities with the documents required for the purposes of the supply which shall be specified in the invitation to tender issued by the intervention agency concerned.

2. The successful tenderer shall regularly inform the Albanian authorities, the intervention agency holding the

products involved and the Commission of the progress of the supply operation as far as the takeover stage.

#### *Article 8*

For the purposes of booking the expenditure by the European Agricultural Guidance and Guarantee Fund (EAGGF), the book value of the products concerned shall be :

Rice : ECU 118,00 per tonne.

#### *Article 9*

When scrutinizing tenders, the Commission departments shall determine the value of the quantities of basic products requested as payment in kind on the basis of the intervention price applicable in the month of the last day for submission of tenders. The tender offering the lowest value for the quantity of the basic product requested as payment in kind shall be selected.

#### *Article 10*

The Member States concerned shall take all appropriate measures to ensure that no refund is applied within the framework of the supply, in particular by specifying this on the export licence.

#### *Article 11*

1. The Member States concerned shall adopt all additional provisions necessary for implementation of this Regulation.

2. The Member States concerned shall send to the Commission all information on the carrying out of the supply, in particular relating to the award of the contract, delivery times and the actual date of takeover by the Albanian authorities.

#### *Article 12*

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, 2 February 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

*ANNEX I*

1. Destination : Albania
2. Product to be mobilized : medium grain milled rice
3. Characteristics and quality of the goods<sup>(1)</sup> : OJ No C 114, 29. 4. 1991 (point IIA.1.f)
4. Total quantity : 1 000 tonnes (in bags — slung)
5. Number of lots :
  - Lot No 1 : 500 tonnes to be delivered to Durres
  - Lot No 2 : 500 tonnes to be delivered to Durres
6. Packaging<sup>(2)</sup> : OJ No C 114, 29. 4. 1991 (point IIA.2(c))
7. Marking :
  - European flag : OJ No C 114, 29. 4. 1991 (Annex I)
  - Inscriptions in Albanian :  
'RICE / EUROPEAN COMMUNITY'
8. Mobilization of the product : Italian domestic market
9. Method of transport : by sea, by rigged-up vessel (unloading possibly on barges)
10. Stage of delivery : cif ex-ship port of unloading
11. Port of unloading : 1 000 tonnes in Durres
12. Final date for supply : Durres :
  - Lot No 1 : 1. 3. 1993
  - Lot No 2 : 1. 4. 1993

If no bid has been accepted on 11 February 1993, the above dates should be postponed by seven days.  
The same should apply if no bid has been accepted on 18 February 1993.
13. Supply may be made earlier on the successful tenderer's initiative and on his own responsibility if unloading and port removal conditions in Durres allow.

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<sup>(1)</sup> The successful tenderer shall submit to the beneficiary a certificate issued by an official authority certifying that, for the product to be supplied, the standards relating to radioactivity levels have been complied with in the Member State concerned.

The radioactivity certificate must specify the caesium-134 and -137 and iodine-131 contents.

<sup>(2)</sup> With a view to possible re-bagging, the successful tenderer shall supply 2 % of empty bags of the same quality as those containing the goods, bearing the inscription followed by a capital 'R'.  
Amended by OJ No C 135, 26. 5. 1992, p. 20.

**ANNEX II**

**Standing invitation to tender for the free supply of 1 000 tonnes of medium grain milled rice to Albania**

(Regulation (EEC) No 216/93)

| Tenderer's No | Number of the lot as referred to in point 5 of Annex I | Quantity of paddy rice required as payment in kind (tonnes) |
|---------------|--------------------------------------------------------|-------------------------------------------------------------|
| 1             | 2                                                      | 3                                                           |
| 1             |                                                        |                                                             |
| 2             |                                                        |                                                             |
| 3             |                                                        |                                                             |
| 4             |                                                        |                                                             |
| etc.          |                                                        |                                                             |

**ANNEX III**

Delivery by sea

**TAKEOVER CERTIFICATE**

I, the undersigned : .....  
(name, first name, business name)

acting on behalf of the Albanian Government, hereby certify that the following goods have been taken over :

— Name of vessel : .....

— Place and date of takeover : .....

— Nature of goods : .....

— Tonnage taken over : .....

*Remarks/reservations*

.....  
.....  
.....  
.....

## COMMISSION REGULATION (EEC) No 217/93

of 2 February 1993

on olive oil storage contracts for the 1992/93 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 2046/92<sup>(2)</sup>, and in particular Article 20d (3) and (4) thereof,

Whereas Article 20d (3) of Regulation No 136/66/EEC provides that, when certain conditions are met, a decision may be taken that producer groups and associations recognized pursuant to Council Regulation (EEC) No 1360/78<sup>(3)</sup> may conclude storage contracts for olive oil; whereas the market situation during the first month of the 1992/93 marketing year has been such that the conditions laid down by Commission Regulation (EEC) No 314/88<sup>(4)</sup> are met; whereas permission to conclude storage contracts should therefore be granted for the marketing year;

Whereas Council Regulation (EEC) No 221/92<sup>(5)</sup> provides that, for the 1991/92 and 1992/93 marketing years, storage contracts for olive oil may also be concluded in Greece, Spain and Portugal by recognized producers' organizations or associations thereof within the meaning of Regulation No 136/66/EEC;

Whereas the aim behind private storage contracts is temporary withdrawal of products from a market in imbalance, without change of ownership, so that they can be put on the market again when the situation has returned to normal; whereas it should therefore be specified that storage contracts may be entered into only for olive oil produced during the current marketing year;

Whereas, in order to facilitate application of the system of contracts in all the producer Member States, ceilings should be fixed per country with the possibility of a breakdown of the quantities concerned;

Whereas only recognized groups and associations may be authorized to store oil produced by their members; whereas in order to enable them to refrain from marketing the oil that they hold aid should be granted;

Whereas the aim behind private storage must be the improved marketing of olive oil; whereas the period during which storage contracts may be concluded should therefore be restricted; whereas, moreover, the offering of oil for intervention on expiry of the storage contract should be discouraged; whereas it is accordingly desirable to reduce the storage aid if the oil is subsequently offered for intervention;

Whereas it is desirable to specify that entitlement for a storage contract is annulled by the acceptance of an export declaration;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The intervention agencies in the producer Member States shall conclude olive-oil storage contracts for the 1992/93 marketing year as provided for in this Regulation.

*Article 2*

1. Without prejudice to Regulation (EEC) No 221/92, storage contracts (hereinafter called 'contracts') shall be concluded only with recognized groups or associations within the meaning of Regulation (EEC) No 1360/78 which hold olive oil of Community origin produced by their own members and which have appropriate storage facilities at their disposal.

2. Contracts shall relate only to olive-oil qualities that may be offered for intervention and to lots of at least 100 tonnes net of the same quality. In Portugal, however, the minimum size of lots shall be 25 tonnes.

3. Contracts shall be concluded for a period of 60 days. They shall be automatically renewed for 60-day periods if the party concerned does not, before expiry of the period, ask the intervention agency to cancel the contract, always provided that the new expiry date is not later than

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

<sup>(2)</sup> OJ No L 215, 30. 7. 1992, p. 1.

<sup>(3)</sup> OJ No L 166, 23. 6. 1978, p. 1.

<sup>(4)</sup> OJ No L 31, 3. 2. 1988, p. 16.

<sup>(5)</sup> OJ No L 24, 1. 2. 1992, p. 9.

31 October 1993 and, except where the possibility of concluding new contracts or renewing them is suspended, as provided for in Regulation (EEC) No 314/88.

4. The maximum quantity that may be covered by contracts at any one time during the 1992/93 marketing year shall be 180 000 tonnes, broken down as follows:

- 76 000 tonnes in Spain,
- 70 000 tonnes in Italy,
- 30 000 tonnes in Greece,
- 4 000 tonnes in Portugal.

If the quantities covered by contract in a Member State at 12 April 1993 are below the ceiling set, the balance shall be divided by the Commission among Member States which have used up the quantities allocated to them.

### Article 3

1. With a view to conclusion of a contract, a written application must be lodged, by 18 May 1993 at the latest, with the intervention agency of the Member State in which the olive oil is located. It must be accompanied by proof that security of ECU 0,5 per 100 kilograms of oil has been lodged.

2. Applications must be lodged on Mondays or Tuesdays of each week. On Thursdays, by 2 p.m. Brussels time at the latest, Member States shall notify the Commission of the quantities for which valid applications have been made and for which contracts expired in the previous week.

The Commission shall each week total the quantities for which applications have been made and shall, until exhaustion of the maximum quantity specified in Article 2 (4), authorize Member States to accept the applications made. Should there be a risk of exhaustion of the quantity it shall authorize acceptance of quantities applied for proportionally to the quantity available.

3. After authorization by the Commission, contracts shall be concluded without discrimination and as rapidly as possible. The date of conclusion of the contract shall be that of sending notification of acceptance of the relevant application by the intervention agency. The date of commencement of the contract shall be the day following the date of conclusion, unless the applicant has requested a later date.

4. Only olive oil produced in the Community during the current marketing year may be the subject of a contract.

### Article 4

1. Contracts shall be drawn up in two copies and shall include the following information:

- (a) the business name of the co-contracting party;
- (b) its full postal address;
- (c) the name and address of the intervention agency;
- (d) the exact address of the place of storage;
- (e) the number and individual particulars of the lots covered by the contract and the net weight and quality of each lot;
- (f) the consent of the owner of the oil stored, if the co-contracting party is not himself the owner;
- (g) the date of commencement of the contract;
- (h) the reference to this Regulation;
- (i) the date of conclusion of the contract.

2. Contracts shall make the following obligations incumbent upon the co-contracting party

- (a) that of holding in store during the period stipulated the agreed quantity of the relevant product on his own behalf and at his own risk in containers specified in the contract, any change to be authorized by the intervention agency;
- (b) that of storing oils of differing qualities in separate and identifiable containers;
- (c) that of authorizing the intervention agency to verify at any time that the obligations laid down in the contract are in fact being complied with.

3. The co-contracting party may, at any time, cancel the contract by notifying the intervention agency. He shall thereby lose entitlement to aid for the current 60-day period.

4. The obligation of compliance with the quantity shown in the contract shall be deemed to be met if at least 98 % of that quantity has been maintained in store.

### Article 5

1. For each 60-day period, the following aid shall be granted:

- ECU 4,5 per 100 kilograms if the storage agency provides evidence, within 60 days following the date of expiry of the contract, that the olive oil has been marketed,
- ECU 1 per 100 kilograms in all other cases.

2. For the purposes of this Regulation 'marketed' shall mean that the oil has either been sold and delivered to a packaging plant approved pursuant to Commission Regulation (EEC) No 2677/85<sup>(1)</sup> or to a refiner or has been exported.

<sup>(1)</sup> OJ No L 254, 25. 9. 1985, p. 5.

3. An amount of ECU 1 per 100 kilograms may be paid in advance on conclusion or renewal of the contract against security for an equivalent amount.

4. The rate applicable for the conversion into national currency for the amount of the storage aid shall be the agricultural conversion rate in force on the day of conclusion of the contract.

5. The amount of the aid shall be calculated by reference to the net weight ascertained on the date of commencement of the contract.

#### Article 6

1. Subject to the provisions of Article 7, the aid shall be paid only where all the obligations in the contract have been complied with.

The aid shall be paid, and the securities specified in Articles 3 (1) and 5 (3) released after verification of compliance with the said obligations, within 60 days following expiry of the contract.

2. Acceptance of an export declaration shall terminate the storage arrangement. In this case no aid shall be paid for the period in progress at the time of such acceptance for the quantity entered in the export declaration.

#### Article 7

1. In cases of *force majeure*, the intervention agency shall determine what action is deemed necessary given the circumstances invoked. Such action may, in particular, involve payment of the aid due *pro rata* for the quantity stored and the actual period of storage.

2. Member States shall inform the Commission of all cases they deem to be cases of *force majeure* and of the action taken in each case.

#### Article 8

1. The Member States shall take all action necessary to ensure, throughout the contractual storage period, verification of compliance with the obligations laid down in the contract. Such verification shall include physical inspection of the goods in store, removed from store or placed in store and verification of the appropriate registers.

Physical inspection shall include verification that the stocks meet the requirements specified in Article 2 (2) and are capable of identification, and checks as to whether the quantities stored and marked tally with the quantities declared.

2. Failure to comply with the contractual obligation shall entail forfeiture of the security specified in Article 3 (1), without prejudice to any other penalties applicable.

3. Member States shall notify to the Commission national measures adopted in implementation of this Regulation, with a specimen of the contract.

#### Article 9

Member States shall notify the Commission by the 10th of each month:

- of the quantities and qualities of olive oil for which contracts have been concluded or renewed during the preceding month,
- by quality, of the total quantities of olive oil in storage at the end of the preceding month, and the total number of current contracts.

#### Article 10

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, 2 February 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

**COMMISSION REGULATION (EEC) No 218/93****of 2 February 1993****amending Regulation (EEC) No 133/93 introducing a countervailing charge on fresh lemons originating in Cyprus**

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

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables<sup>(1)</sup>, as last amended by Regulation (EEC) No 1754/92<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 133/93<sup>(3)</sup>, introduced a countervailing charge on fresh lemons originating in Cyprus;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas if those conditions are taken into consideration, the countervailing charge on the import of fresh lemons originating in Cyprus must be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EEC) No 133/93 ECU 13,63 is hereby replaced by ECU 8,02

*Article 2*

This Regulation shall enter into force on 3 February 1993.

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

Done at Brussels, 2 February 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 180, 1. 7. 1992, p. 23.

<sup>(3)</sup> OJ No L 18, 27. 1. 1993, p. 18.

## COMMISSION REGULATION (EEC) No 219/93

of 2 February 1993

fixing the agricultural conversion rates and other consequences of the currency  
realignment of 30 January 1993 and amending Regulation (EEC) No 204/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy <sup>(1)</sup>, and in particular Article 1 (c) and (d), Article 3 (1) and Article 12 thereof,

Whereas the second indent of Article 1 (c) of Regulation (EEC) No 3813/92 provides that the correcting factor is to be altered whenever realignment takes place within the European Monetary System, in line with the highest revaluation of the central rate of the fixed currencies against the ecu; whereas, in respect of the realignment of 30 January 1993, the alteration of the correcting factor is based on a revaluation of 0,87 %;

Whereas the agricultural conversion rates have been laid down by Commission Regulation (EEC) No 182/93 <sup>(2)</sup>;

Whereas pursuant to Article 4 (2) of Regulation (EEC) No 3813/92, it is necessary to adjust immediately the agricultural conversion rate for the Irish punt for which the currency realignment of 30 January 1993 entails a monetary gap greater than four points, and to allow only a gap less than or equal to two points to continue to exist; whereas that paragraph provides that, in the event of currency realignment, the agricultural conversion rate for a floating currency is to be adjusted where the monetary gap in relation to the representative market rate for the last reference period exceeds two points; whereas, in that case, the new agricultural conversion rate is to be fixed so as to reduce that monetary gap by half;

Whereas, as a consequence of the exchange rates recorded during the reference period from 1 to 2 February 1993, it is necessary to fix a new agricultural conversion rate for the Italian lira and the pound sterling;

Whereas Article 11 (2) of Commission Regulation (EEC) No 3819/92 of 28 December 1992 on detailed rules for determining and applying the agricultural conversion rates <sup>(3)</sup> provides that an agricultural conversion rate fixed in advance is to be adjusted if the gap between that rate

and the agricultural conversion rate in force at the time of the operative event for the amount concerned exceeds four points; whereas in this case the agricultural conversion rate fixed in advance is to be adjusted to bring it more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified;

Whereas the basic reference period referred to in Article 2 (1) of Regulation (EEC) No 3819/92 should be adjusted to take account of the fixing of agricultural conversion rates following the currency realignment of 30 January 1993;

Whereas Commission Regulation (EEC) No 204/93 <sup>(4)</sup> suspends the fixing in advance of the agricultural conversion rate for the Irish punt for applications submitted from 1 to 3 February 1993; whereas this fixing in advance may be reintroduced on the basis of the agricultural conversion rates laid down in this Regulation;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Management Committees concerned,

HAS ADOPTED THIS REGULATION:

*Article 1*

The correcting factor referred to in Article 1 (c) of Regulation (EEC) No 3813/92 is hereby fixed at 1,205454.

*Article 2*

The agricultural conversion rates are fixed in Annex I.

*Article 3*

In the case referred to in Article 11 (2) of Regulation (EEC) No 3819/92, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, listed in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance, or
- Table B, where the latter rate is lower than the rate fixed in advance.

<sup>(1)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(2)</sup> OJ No L 22, 30. 1. 1993, p. 56.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 17.

<sup>(4)</sup> OJ No L 24, 1. 2. 1993, p. 1.

*Article 4*

The basic reference period referred to in Article 2 (1) of Regulation (EEC) No 3819/92, expiring on 10 February 1993, shall commence on 3 February 1993.

*Article 5*

'1 to 3 February 1993' in Article 1 of Regulation (EEC) No 204/93 is replaced by '1 to 2 February 1993',

*Article 6*

Regulation (EEC) No 182/93 is hereby repealed.

*Article 7*

This Regulation shall enter into force on 3 February 1993.

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

Done at Brussels, 2 February 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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*ANNEX I***Agricultural conversion rates**

|         |          |                                  |
|---------|----------|----------------------------------|
| ECU 1 = | 48,5563  | Belgian and<br>Luxembourg francs |
|         | 8,97989  | Danish kroner                    |
|         | 2,35418  | German marks                     |
|         | 310,351  | Greek drachmas                   |
|         | 166,075  | Spanish pesetas                  |
|         | 7,89563  | French francs                    |
|         | 0,957268 | Irish punt                       |
|         | 2 156,72 | Italian lire                     |
|         | 2,65256  | Dutch guilders                   |
|         | 209,523  | Portuguese escudos               |
|         | 0,968391 | Pound sterling                   |

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

| Table A |          |                                  | Table B |          |                                  |
|---------|----------|----------------------------------|---------|----------|----------------------------------|
| ECU 1 = | 46,6888  | Belgian and<br>Luxembourg francs | ECU 1 = | 50,5795  | Belgian and<br>Luxembourg francs |
|         | 8,63451  | Danish kroner                    |         | 9,35405  | Danish kroner                    |
|         | 2,26363  | German marks                     |         | 2,45227  | German marks                     |
|         | 298,414  | Greek drachmas                   |         | 323,282  | Greek drachmas                   |
|         | 159,688  | Spanish pesetas                  |         | 172,995  | Spanish pesetas                  |
|         | 7,59195  | French francs                    |         | 8,22461  | French francs                    |
|         | 0,920450 | Irish punt                       |         | 0,997154 | Irish punt                       |
|         | 2 073,77 | Italian lire                     |         | 2 246,58 | Italian lire                     |
|         | 2,55054  | Dutch guilders                   |         | 2,76308  | Dutch guilders                   |
|         | 201,464  | Portuguese escudos               |         | 218,253  | Portuguese escudos               |
|         | 0,931145 | Pound sterling                   |         | 1,00874  | Pound sterling                   |

## COMMISSION REGULATION (EEC) No 220/93

of 2 February 1993

fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,  
Having regard to the Treaty establishing the European Economic 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 3814/92 <sup>(2)</sup>, 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 <sup>(3)</sup>, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 29/93 <sup>(4)</sup>, as last amended by Regulation (EEC) No 198/93 <sup>(5)</sup>;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 29/93 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 1 February 1993, 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 3 February 1993.

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

Done at Brussels, 2 February 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 387, 31. 12. 1992, p. 7.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 5, 9. 1. 1993, p. 14.

<sup>(5)</sup> OJ No L 22, 30. 1. 1993, p. 107.

## ANNEX

to the Commission Regulation of 2 February 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

| CN code    | Levy <sup>(1)</sup>  |
|------------|----------------------|
| 1701 11 10 | 39,87 <sup>(1)</sup> |
| 1701 11 90 | 39,87 <sup>(1)</sup> |
| 1701 12 10 | 39,87 <sup>(1)</sup> |
| 1701 12 90 | 39,87 <sup>(1)</sup> |
| 1701 91 00 | 45,70                |
| 1701 99 10 | 45,70                |
| 1701 99 90 | 45,70 <sup>(2)</sup> |

<sup>(1)</sup> The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

<sup>(2)</sup> 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.

<sup>(3)</sup> No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC. However, an amount equal to the amount fixed by Regulation (EEC) No 1870/91 B to be levied in accordance with Article 101 (4) of the abovementioned Decision.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 23 December 1992

on the setting-up of an Advisory Committee for coordination in the Internal Market field

(93/72/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Whereas Article 8a of the Treaty establishing the European Economic Community provides for the progressive establishment over a period expiring on 31 December 1992 on the Internal Market comprising an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured;

Whereas the Council has already adopted some measures, in order to deal with possible practical problems which may arise after the abolition of these border controls; whereas the Member States themselves have also taken some measures;

Whereas the achievement of the Internal Market as an area without internal borders requires close and efficient cooperation between the Member States and the Commission;

Whereas the Council's Resolution of 7 December 1992 on making the Single Market work invites the Member States and the Commission to consider the need for strengthened cooperation to solve any practical problems which may arise;

Whereas existing Community measures in some sectors already provide arrangements to the Commission and/or exchange information between the Member States and the Commission;

Whereas these obligations for notification and these systems for the exchange of information do not cover all the sectors in which a close and efficient cooperation

between the Member States and the Commission is necessary on completion of the Internal Market in order to resolve possible practical problems especially in its early stages;

Whereas it is therefore desirable for the Commission to be advised by a committee of representatives of Member States on matters which require close and efficient cooperation to deal with practical problems requiring urgent attention,

HAS DECIDED AS FOLLOWS:

*Article 1*

1. There shall be attached to the Commission and Advisory Committee for coordination in the Internal Market field, hereinafter referred to as 'the Committee'.
2. The Committee shall comprise two representatives of each Member State and be chaired by a representative of the Commission.

*Article 2*

1. The Committee may be consulted by the Commission on any practical problem which may arise after 1 January 1993 concerning the functioning of the Internal Market other than those which are covered by action taken in accordance with arrangements to notify to the Commission and/or exchange information between the Member States and the Commission, laid down in any other applicable Community measure or established within an existing framework for practical cooperation between the Commission and the Member States.

2. A member of the Committee may ask the Commission that the Committee should be consulted on any matter falling within the Committee's competence.

#### *Article 3*

Working groups may be established to facilitate the Commission's work.

#### *Article 4*

1. A Secretariat for the Committee shall be provided by the Commission services.
2. The chairman may invite any person with particular competence in respect of an item included on the agenda to take part in the deliberations as an expert. Experts shall take part in the deliberations only in respect of the item for which they have been invited to attend.
3. Representatives for the Commission services concerned shall take part in meetings of the Committee and its working groups.
4. The Committee shall be convened by the Commission and shall meet at Commission headquarters.

#### *Article 5*

1. The Committee shall discuss matters on which the Commission has requested an opinion. No vote shall be taken.
2. The Commission may, when seeking the opinion of the Committee, set a time limit within which such opinion shall be given.

3. The views expressed by the representatives of the Member States shall be included in the minutes.

#### *Article 6*

Without prejudice to the provisions of Article 214 of the Treaty, where the Commission informs the Committee that the opinion requested or the question raised is on a matter of a confidential nature, members of the Committee and, where appropriate, the experts referred to in Article 4 (2), shall be under an obligation not to disclose information which has come to their knowledge through the work of the Committee or of its working groups.

#### *Article 7*

This Decision shall take effect on 1 January 1993.

Done at Brussels, 23 December 1992.

*For the Commission*  
Martin BANGEMANN  
*Vice-President*

**CORRIGENDA****Corrigendum to Commission Regulation (EEC) No 109/93 of 21 January 1993 on the supply of corned beef as food aid**

*(Official Journal of the European Communities No L 15 of 23 January 1993)*

On page 12, in the Annex, point 25:

*for:* '... product code 1602 50 90 120 or 1602 50 90 320, referred to in Commission Regulation (EEC) No 3445/89 (OJ No L 336, 20. 11. 1969, p. 1) ...',

*read:* '... product code 1602 50 31 125 or 1602 50 31 325, referred to in Commission Regulation (EEC) No 3661/92 (OJ No L 370, 19. 12. 1992, p. 16)....'.

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