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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 854/93

of 5 April 1993

**on transit statistics and storage statistics relating to the trading of goods
between Member States**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

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

In cooperation with the European Parliament ⁽²⁾,

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas the abolition of customs formalities, controls and documentation for all movements of goods across internal frontiers is necessary for the completion of the internal market;

Whereas, in the Member States, statistics on the trading of goods between Member States resulting from transit movements and movements into and out of warehouses may nevertheless still be needed;

Whereas Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States ⁽⁴⁾ prohibits the Member States from introducing or maintaining compulsory formalities for the purpose of keeping statistics on transit and storage; whereas it is necessary for that purpose to provide a Community legal base;

Whereas the framework in which the Member States are authorized to organize their statistical surveys on these movements must be determined in order to prevent the burden on those responsible for providing information varying excessively from one Member State to another;

Whereas, within that framework, it is necessary to determine the purpose of transit and storage statistics and the consequences for the collection of information, to ensure

that responsibility for collecting that information is directed towards existing administrative sources and to make use of the competent services of the latter to fill any gaps, without increasing the burden on those responsible for providing information;

Whereas that burden must not exceed certain limits, as regards classification, data to be declared or data media;

Whereas it is important that the burden of transit and storage statistics be alleviated, particularly for small and medium-sized enterprises; whereas this should be effected by means of statistical thresholds;

Whereas the Commission must not only adopt provisions implementing this Regulation but must also ensure that other implementing provisions adopted by the Member States do not compromise the alleviation of the burden on those responsible for providing information; whereas the Commission should be assisted in this task by the Committee on Statistics relating to the Trading of Goods between Member States,

HAS ADOPTED THIS REGULATION:

Article 1

1. With a view to compiling transit statistics and storage statistics, Member States may collect data on the trading of goods between Member States, acting in conformity with the rules laid down in this Regulation.

2. Member States which exercise this option shall accordingly inform the Commission.

Article 2

1. For the purposes of this Regulation, the definitions given in Article 2 (a), (b), (c), (d), (e) and (f) of Regulation (EEC) No 3330/91 shall apply.

⁽¹⁾ OJ No C 107, 28. 4. 1992, p. 16.

⁽²⁾ OJ No C 337, 21. 12. 1992, p. 210; and
OJ No C 72, 15. 3. 1993.

⁽³⁾ OJ No C 223, 31. 8. 1992, p. 6.

⁽⁴⁾ OJ No L 316, 16. 11. 1991, p. 1.

2. For the purpose of this Regulation :

- (a) transit : means the crossing of a given Member State by goods which are being transported between two places situated outside that Member State ;
- (b) interrupted transit : means transit during which a break in transport occurs ; this also includes transshipment ;
- (c) customs warehousing procedure : means the customs warehousing procedure as defined in Articles 1 and 2 of Council Regulation (EEC) No 2503/88 of 25 July 1988 on customs warehouses⁽¹⁾ ;
- (d) competent statistical services : means those services in each Member State which are responsible for compiling statistics on the trading of goods between Member States.

Article 3

Of the goods referred to in Article 3 of Regulation (EEC) No 3330/91, data shall be collected for the purpose of compiling statistics on transit through a given Member State on those goods which are in interrupted transit in that Member State, with the exception of goods which having entered that Member State as non-Community goods, have subsequently been put into free circulation there.

Article 4

Of the goods referred to in Article 3 of Regulation (EEC) No 3330/91, data shall be collected for the purpose of compiling storage statistics in a given Member State on :

- (a) those which, though the customs warehousing procedure has not terminated, are transferred, within the meaning of Article 20 of Regulation (EEC) No 2503/88, from a customs warehouse situated in that Member State to one situated in another Member State ;
- (b) those which, though the customs warehousing procedure has not terminated, are transferred, within the meaning of Article 20 of Regulation (EEC) No 2503/88, to a customs warehouse situated in that Member State from a customs warehouse situated in another Member State ;
- (c) those which are subject to the customs warehousing procedure in that Member State and are sent to another Member State under the procedure for external Community transit ;
- (d) those which are subject to the customs warehousing procedure in that Member State, having come from another Member State under the procedure for external Community transit.

Article 5

1. Under conditions which they themselves shall determine, Member States shall authorize those responsible for

providing statistical information to use administrative or commercial documents already required for other purposes as the statistical data medium.

However, with a view to the standardization of their basic documentation, Member States may establish exclusively statistical media provided that those required to provide statistical information are free to choose which of these media they use.

2. Member States shall inform the Commission of the media which they authorize or establish.

Article 6

1. In a given Member State, the person responsible for providing statistical information as referred to in Article 8 of Regulation (EEC) No 3330/91 shall be the natural or legal person who, engaged in that Member State in the trading of goods between Member States, draws up the administrative or commercial document designated as the statistical data medium pursuant to the first subparagraph of Article 5 (1).

In the absence of such a person and by way of derogation from Article 8 of Regulation (EEC) No 3330/91, each Member State shall designate from among the administrative services to which the document referred to in the first subparagraph is made available, one service which shall provide the information.

2. Member States shall be entitled to proceed in accordance with the second subparagraph of paragraph 1 in order to relieve persons responsible for supplying information of their obligations, in whole or in part.

3. The person or service referred to in paragraph 1 shall conform to the provisions of this Regulation, the provisions adopted pursuant to Article 30 of Regulation (EEC) No 3330/91 and the measures taken by Member States to implement those provisions.

Article 7

1. On the statistical data medium to be sent to the competent services :

— without prejudice to Article 34 of Regulation (EEC) No 3330/91, goods shall be designated according to their usual trade description in sufficiently precise terms to permit their identification and their immediate and unequivocal classification in the most detailed relevant subdivision of the current version of either the classification of the harmonized system for transit statistics or the combined nomenclature for storage statistics, irrespective of the level at which these classifications are applied ; however, this provision shall not prevent the Member States applying the standard goods classification for transport statistics — revised (NST/R) instead of the abovementioned classifications, where permissible under the rules governing the medium used,

⁽¹⁾ OJ No L 225, 15. 8. 1988, p. 1.

— the code number corresponding to the abovementioned nomenclature subdivision may also be required by type of goods.

2. On the statistical data medium, countries shall be described by the alphabetical or numerical codes laid down in Council Regulation (EEC) No 1736/75 of 24 June 1975 on the external trade statistics of the Community and statistics of trade between Member States⁽¹⁾.

For the purposes of the first subparagraph, the parties responsible for providing information shall comply with the instructions issued by the national services competent for compiling statistics on trade between Member States.

Article 8

1. Member States which compile transit statistics shall determine which of the following data are to be included on the statistical data medium, by type of goods:

- (a) the country of consignment, within the meaning of Article 9;
- (b) the country of destination, within the meaning of Article 9;
- (c) the quantity of goods in gross mass, within the meaning of Article 9;
- (d) the mode of transport in accordance with Article 9 (f) (1);
- (e) the place where the interruption in transit took place in accordance with Article 9.

2. Member States which compile storage statistics shall determine which of the following data are to be included on the statistical data medium, by type of goods:

- (a) the Member State of consignment, in the Member State which the goods enter within the meaning of Article 9;
- (b) the Member State of destination, in the Member State which goods leave within the meaning of Article 9;
- (c) the country of origin, within the meaning of Article 9; however this item may be required only as allowed by Community law;
- (d) the quantity of goods expressed in gross mass or net mass within the meaning of Article 9 and in supplementary units in accordance with the combined nomenclature, where it is used pursuant to Article 7 (1);
- (e) the customs value;
- (f) the presumed mode of transport, in accordance with Article 9 (f) (2);
- (g) the region of destination, in the Member State which the goods enter.

3. In so far as is not laid down in this Regulation, the data referred to in paragraphs 1 and 2 and the rules governing their inclusion on the statistical data medium shall be defined in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 3330/91.

Article 9

For the purposes of applying Article 8:

- (a) country/Member State of consignment: means the last country/Member State in which the goods were subject to halts or legal operations not inherent in their transport;
- (b) country/Member State of destination; means the last country/Member State to which it is known, at the time the statistical data medium is drawn up, that the goods are to be sent;
- (c) country of origin: means the country in which the goods originated within the meaning of Council Regulation (EEC) No 802/68 of 27 June 1968 on the common definition of the concept of origin of goods⁽²⁾;
- (d) gross mass: means the cumulated mass of the goods and all their packaging with the exclusion of the transport equipment, and in particular containers;
- (e) net mass: means the mass of the goods, all packaging removed;
- (f) mode of transport: means that actually used
 - 1. before or after the interruption of transit;
 - 2. on entry to or exit from the warehouse.

Modes of transport are as follows:

Code	Designation
1	Sea transport
2	Rail transport
3	Road transport
4	Air transport
5	Post
7	Fixed transport installations
8	Inland waterway transport
9	Self-propelled

If the mode of transport is given as one of those listed under codes 1, 2, 3, 4 or 8, Member States may require that it also be stated whether the goods are transported in containers within the meaning of Article 15 (3) of Regulation (EEC) No 1736/75;

⁽¹⁾ OJ No L 183, 14. 7. 1975, p. 3. Regulation as last amended by Regulation (EEC) No 1629/88 (OJ No L 147, 14. 6. 1988, p. 1).

⁽²⁾ OJ No L 148 of 28. 6. 1968, p. 1. Regulation as last amended by Regulation (EEC) No 456/91 (OJ No L 54, 28. 2. 1991, p. 4).

- (g) place of interruption of transit: means the port, airport or any other place where transit is interrupted within the meaning of Article 2 (2) (b).

Article 10

1. Where the data referred to in Articles 7 and 8 need not be shown on the administrative or commercial document referred to in the first subparagraph of Article 5 (1) for the purposes for which such documents are required, Member States shall instruct the administrative service referred to in the second subparagraph of Article 6 (1) to collect them and transmit them to the competent statistical services in accordance with procedures which they shall lay down, bearing in mind the stated requirements of these statistical services.

2. Without prejudice to the second subparagraph of Article 5 (1), Member States shall establish the media to be used by the abovementioned administrative service for transmitting these data.

Article 11

1. For the purposes of this Regulation, statistical thresholds shall be defined as limits, expressed in gross mass for transit statistics and in terms of value or in mass for storage statistics, below which the obligations on those responsible for providing information are suspended.

2. The threshold for transit statistics shall be fixed per type of goods at least:

- 50 kg in the case of air transport,
- 1 000 kg for other modes of transport.

3. The threshold for storage statistics shall be fixed at least ECU 800 per type of goods, irrespective of the mass of the goods, or at least 50 kg per type of goods in the case of air transport or at least 1 000 kg per type of goods for other modes of transport, irrespective of the value of the goods.

Article 12

1. The provisions necessary for implementing this Regulation shall be adopted in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 3330/91.

2. Member States may adopt the provisions required for collecting information in order to compile transit and storage statistics where such provisions are not laid down in this Regulation or adopted in accordance with paragraph 1.

However, if the effect of these national arrangements is to compromise the alleviation of the burden on those responsible for providing information, provisions to restore the conditions for alleviating that burden shall be adopted in accordance with the abovementioned Article.

Article 13

Member States shall communicate to the Commission the measures which they take to implement this Regulation.

Article 14

The Committee on Statistics relating to the Trading of Goods between Member States, set up by Article 29 of Regulation (EEC) No 3330/91, may examine any question, relating to the implementation of this Regulation raised by its chairman, either on his own initiative or at the request of the representative of a Member State.

Article 15

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

The Regulation shall remain in force until 31 December 1996. No later than three months before this date, the Commission shall present a report on the application of this Regulation and if necessary put forward a proposal.

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

Done at Luxembourg, 5 April 1993.

For the Council

The President

J. TRØJBORG

COMMISSION REGULATION (EEC) No 855/93

of 13 April 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 Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 13 (5) 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⁾, 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 762/93 ⁽⁴⁾ 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 8 April

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 762/93 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 14 April 1993.

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

Done at Brussels, 13 April 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁴⁾ OJ No L 79, 1. 4. 1993, p. 11.

ANNEX

to the Commission Regulation of 13 April 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	141,75 ⁽²⁾ ⁽³⁾
0712 90 19	141,75 ⁽²⁾ ⁽³⁾
1001 10 00	179,35 ⁽¹⁾ ⁽³⁾
1001 90 91	144,20
1001 90 99	144,20 ⁽²⁾
1002 00 00	153,48 ⁽⁴⁾
1003 00 10	137,79
1003 00 20	137,79
1003 00 80	137,79 ⁽²⁾
1004 00 00	115,80
1005 10 90	141,75 ⁽²⁾ ⁽³⁾
1005 90 00	141,75 ⁽²⁾ ⁽³⁾
1007 00 90	148,84 ⁽⁴⁾
1008 10 00	52,63 ⁽²⁾
1008 20 00	96,46 ⁽⁴⁾
1008 30 00	56,99 ⁽³⁾
1008 90 10	⁽⁷⁾
1008 90 90	56,99
1101 00 00	214,52 ⁽²⁾
1102 10 00	226,74
1103 11 30	290,53
1103 11 50	290,53
1103 11 90	230,20

⁽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, 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 856/93

of 13 April 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 15 (6) 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⁾, 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 ⁽⁴⁾ 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 8 April

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 14 April 1993.

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

Done at Brussels, 13 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 121.

ANNEX

to the Commission Regulation of 13 April 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	Current	1st period	2nd period	3rd period
	4	5	6	7
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	1,79
1001 90 99	0	0	0	1,79
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	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	2,50

B. Malt

CN code	Current	1st period	2nd period	3rd period	4th period
	4	5	6	7	8
1107 10 11	0	0	0	3,19	3,19
1107 10 19	0	0	0	2,38	2,38
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 857/93

of 13 April 1993

amending Regulation (EEC) No 3663/92 with regard to the minimum total acidity of table wines produced in Portugal and covered by long-term private storage contracts for the 1992/93 wine year

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, and in particular Articles 90 (1) and 257 (1) thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1756/92⁽²⁾, and in particular Article 32 (5) thereof,

Whereas Commission Regulation (EEC) No 3663/92⁽³⁾ provides for the possibility of concluding long-term private storage contracts for table wines and other products for the 1992/93 wine year; whereas Article 2 of and the Annex to the said Regulation lay down the minimum quality requirements for red and white table wines, in particular, the minimum total acidity (expressed as tartaric acid);

Whereas the period fixed in Articles 90 (1) and 257 (1) of the Act of Accession has been extended until 31 December 1993 by Council Regulation (EEC) No 4007/87⁽⁴⁾, as last amended by Regulation (EEC) No 3876/92⁽⁵⁾;

Whereas the conditions of production for table wines in Portugal are the same as those accepted in Spain;

whereas, therefore, with regard to the minimum total acidity, the same quantity of tartaric acid should be laid down for table wines produced in Spain and in Portugal; whereas that provision must take effect on the date of entry into force of the said Regulation providing for the possibility of concluding private storage contracts;

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

The Annex to Regulation (EEC) No 3663/92 is hereby replaced by the Annex 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 19 December 1992.

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

Done at Brussels, 13 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 370, 19. 12. 1992, p. 44.

⁽⁴⁾ OJ No L 378, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 391, 31. 12. 1992, p. 2.

*ANNEX***MINIMUM QUALITY CONDITIONS FOR TABLE WINES****I. White wines**

- | | |
|--|---|
| (a) minimum actual alcoholic strength : | 10,5 % vol ; |
| (b) minimum total acidity (expressed as tartaric acid) : | 5 grams per litre and 4 grams per litre
for table wines produced in Spain and
in Portugal ; |
| (c) maximum volatile acidity : | 9 milliequivalents per litre ; |
| (d) maximum sulphur dioxide content : | 155 milligrams per litre. |

II. Red wines

- | | |
|--|---|
| (a) minimum actual alcoholic strength : | 10,5 % vol ; |
| (b) minimum total acidity (expressed as tartaric acid) : | 5 grams per litre and 4 grams per litre
for table wines produced in Spain and
in Portugal ; |
| (c) maximum volatile acidity : | 11 milliequivalents per litre ; |
| (d) maximum sulphur dioxide content : | 115 milligrams per litre. |

Rosé wines must comply with the conditions laid down above for red wines except as regards their sulphur dioxide content to which the same maximums as those fixed for white wines apply.

Conditions (a) and (d) do not apply to table wines of types R III, A II and A III.

COMMISSION REGULATION (EEC) No 858/93
of 13 April 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 ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 789/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 850/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 789/93 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 8 April 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 14 April 1993.

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

Done at Brussels, 13 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 79, 1. 4. 1993, p. 66.

⁽⁵⁾ OJ No L 88, 8. 4. 1993, p. 38.

ANNEX

to the Commission Regulation of 13 April 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	36,28 ⁽¹⁾
1701 11 90	36,28 ⁽¹⁾
1701 12 10	36,28 ⁽¹⁾
1701 12 90	36,28 ⁽¹⁾
1701 91 00	44,33
1701 99 10	44,33
1701 99 90	44,33 ⁽²⁾

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

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

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

COMMISSION REGULATION (EEC) No 859/93
of 13 April 1993
fixing the aid for cotton

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 2053/92 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 3868/92 ⁽⁴⁾, as last amended by Regulation (EEC) No 851/93 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3868/92 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 69,620 per 100 kilograms.

Article 2

This Regulation shall enter into force on 14 April 1993.

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

Done at Brussels, 13 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 12.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 106.

⁽⁵⁾ OJ No L 88, 8. 4. 1993, p. 40.

COMMISSION REGULATION (EEC) No 860/93**of 13 April 1993****altering the import levies on products processed from cereals and rice**

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 ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 14 (4) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 674/92 ⁽⁴⁾, and in particular Article 12 (4) thereof,Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽⁵⁾, and in particular Article 5 thereof,Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 756/93 ⁽⁶⁾, as amended by Regulation (EEC) No 791/93 ⁽⁷⁾;Whereas Council Regulation (EEC) No 1906/87 ⁽⁸⁾, amended Council Regulation (EEC) No 2744/75 ⁽⁹⁾, as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 8 April 1993, as regards floating currencies, should be used to calculate the levies;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹¹⁾, the levies at present in force must therefore 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 processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 756/93 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 14 April 1993.

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

Done at Brussels, 13 April 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁶⁾ OJ No L 77, 31. 3. 1993, p. 39.⁽⁷⁾ OJ No L 79, 1. 4. 1993, p. 71.⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.⁽¹¹⁾ OJ No L 202, 26. 7. 1978, p. 8.

ANNEX

to the Commission Regulation of 13 April 1993 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (*)	
	ACP	Third countries (other than ACP)
1102 30 00	161,13	164,15
1103 14 00	161,13	164,15
1103 29 50	161,13	164,15
1104 19 91	273,62	279,66
1108 19 10	231,06	261,89

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

COMMISSION REGULATION (EEC) No 861/93

of 13 April 1993

altering the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 19 (1) and (2) thereof,

Whereas the rates of the refunds applicable from 1 March 1993 to the products listed in the Annex, exported in the form of goods not covered by Annex II to the Treaty, were fixed by Commission Regulation (EEC) No 779/93 ⁽³⁾;

Whereas it follows from applying the rules and criteria contained in Regulation (EEC) No 779/93 to the informa-

tion at present available to the Commission that the export refunds at present applicable should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of refund fixed by Regulation (EEC) No 779/93 are hereby altered as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 April 1993.

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

Done at Brussels, 13 April 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 79, 1. 4. 1993, p. 41.

ANNEX

to the Commission Regulation of 14 April 1993 altering the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

Rate of refund in ECU/100 kg:

White sugar :	37,70	
Raw sugar :	34,68	
Syrups of beet sugar or cane sugar containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$37,70 \times \frac{S^{(1)}}{100}$	or
If those syrups are obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	The rate fixed above for 100 kg of white or raw sugar used for the dissolution	
Molasses :	—	
Isoglucose ⁽²⁾ :	37,70 ⁽³⁾	

(1) 'S' represents per 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

COMMISSION REGULATION (EEC) No 862/93

of 13 April 1993

altering the export refunds on white sugar and raw sugar exported in the natural state

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⁽¹⁾, as last amended by Regulation (EEC) No 3814/92⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 767/93⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 767/93 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾ are used to convert amounts expressed in third country currenciesand are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 3819/92⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EEC) No 767/93 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 April 1993.

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

Done at Brussels, 13 April 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.⁽³⁾ OJ No L 79, 1. 4. 1993, p. 12.⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 13 April 1993 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	34,68 ⁽¹⁾
1701 11 90 910	31,98 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	34,68 ⁽¹⁾
1701 12 90 910	31,98 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3770
	— ECU/100 kg —
1701 99 10 100	37,70
1701 99 10 910	37,70
1701 99 10 950	37,70
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3770

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

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

⁽³⁾ Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

COMMISSION REGULATION (EEC) No 863/93**of 13 April 1993****altering the export refunds on syrups and certain other sugar sector products
exported in the natural state**

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 18 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 19 (4) thereof,Whereas the refunds on syrups and certain other sugar products were fixed by Regulation (EEC) No 769/93 ⁽³⁾;

Whereas it follows from applying the rules, criteria and other provisions contained in amended Regulation (EEC)

No 769/93 to the information at present available to the Commission that the export refunds at present in force should be altered as shown in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The refunds to be granted on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, as fixed in the Annex to Regulation (EEC) No 769/93 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 14 April 1993.

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

Done at Brussels, 13 April 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.⁽³⁾ OJ No L 79, 1. 4. 1993, p. 16.

ANNEX

to the Commission Regulation of 13 April 1993 altering the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	37,70 ⁽²⁾ ⁽³⁾
1702 60 10 000	37,70 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 000	0,3770 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	37,70 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3770 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3770 ⁽¹⁾ ⁽³⁾
1702 90 90 900	0,3770 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	37,70 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3770 ⁽¹⁾ ⁽³⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

⁽³⁾ Refunds for exports to the Republics of Serbia and Montenegro may only be granted for humanitarian aid supplied by charitable organizations fulfilling the conditions laid down in Article 2 (a) and Article 3 of Council Regulation (EEC) No 1432/92.

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92.

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 252/93 (OJ No L 28, 5. 2. 1993, p. 48).

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DIRECTIVE 93/8/EEC

of 15 March 1993

amending Council Directive 82/711/EEC laying down the basic rules necessary for testing migration of constituents of plastic materials and articles intended to come into contact with foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 89/109/EEC of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs⁽¹⁾, and in particular Article 3 thereof,

Whereas the Community measures envisaged by this Directive are not only necessary but also indispensable for the attainment of the objectives of the internal market; whereas these objectives cannot be achieved by Member States individually, and whereas furthermore their attainment at Community level is already provided for by Directive 89/109/EEC;

Whereas Commission Directive 90/128/EEC of 23 February 1990 relating to plastic materials and articles intended to come into contact with foodstuffs⁽²⁾, as amended by Directive 92/39/EEC⁽³⁾, provides the possibility of carrying out the migration tests either on foodstuffs or on food simulants, whilst Council Directive 82/711/EEC⁽⁴⁾ requires the migration tests to be carried out only on food simulants unless the method of analysis which enables migration into foodstuffs to be established has been adopted officially; whereas this discrepancy is capable of affecting the proper application of the Directives and whereas it is therefore necessary to eliminate it;

Whereas the increasing use of microwave ovens makes it necessary to establish new specific test conditions;

Whereas it is necessary to remove the possibility given to the Member States to adopt national rules for high-temperature testing in order to eliminate the existing discrepancies;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Foodstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 82/711/EEC is amended as follows:

1. Articles 2 and 3 are replaced by the following:

Article 2

The overall and specific migration levels of constituents of the materials and articles referred to in Article 1 into or onto foodstuffs or food simulants must not exceed the limits laid down in Commission Directive 90/128/EEC⁽⁵⁾ or in any other relevant specific directive.

Article 3

1. Verification of compliance of migration into foodstuffs with the migration limits shall be carried out under the most extreme conditions of time and temperature foreseeable in actual use.

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 38.

⁽²⁾ OJ No L 75, 21. 3. 1990, p. 19, rectified by OJ No L 349, 13. 12. 1990, p. 26.

⁽³⁾ OJ No L 168, 23. 6. 1992, p. 21.

⁽⁴⁾ OJ No L 297, 23. 10. 1982, p. 26.

Verification of compliance of migration into food simulants with the migration limits shall be carried out using conventional migration tests, the basic rules for which are laid down in the Annex to this Directive.

2. (a) However, where a Member State, as a result of new information or of a reassessment of existing information made since this Directive was adopted, has detailed grounds for establishing that for a given plastic material or article the basic rules laid down in the Annex for migration tests are technically unsuitable or because the actual conditions of use are basically different from the test conditions specified in the table in the Annex, that Member State may, within its territory and only for the particular case, temporarily suspend application of the basic rules referred to in the Annex and permit the use of more appropriate basic rules. It shall immediately inform the other Member States and the Commission thereof and give the reasons for its decision.
- (b) The Commission shall examine, as soon as possible, the reasons given by the Member States concerned and shall consult the Member States within the Standing Committee for Food-stuffs and shall then deliver its opinion forthwith and amend this Directive, if necessary. In that case, the Member State which has adopted the more appropriate basic rules may retain them until the said amendments enter into force.

(*) OJ No L 75, 21. 3. 1990, p. 19, amended by OJ No L 349, 13. 12. 1990, p. 26.

2. The Annex is replaced by the Annex hereto.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive as from 1 April 1994. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 15 March 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

ANNEX

BASIC RULES FOR TESTING MIGRATION IN FOOD SIMULANTS

The determination of migration in food simulants shall be carried out using the food simulants laid down in Chapter I of Annex and under the test conditions specified in Chapter II of Annex. However the determination of migration shall be restricted to the food simulant(s) and to the condition(s) of test which, in the specific case under examination, may be considered to be the most severe on the basis of experience.

CHAPTER I

Food simulants

1. *General case: plastic materials and articles intended to come into contact with foodstuffs of all types*

The tests shall be carried out using the food simulants mentioned below, taking a fresh sample of the plastic material or article for each simulant:

- distilled water or water of equivalent quality (= simulant A),
- 3 % acetic acid (w/v) in aqueous solution (= simulant B),
- 15 % ethanol (v/v) in aqueous solution (= simulant C),
- rectified olive oil ⁽¹⁾ (= simulant D); if for technical reasons connected with the method of analysis it is necessary to use different food simulants, olive oil shall be replaced by a mixture of synthetic triglycerides ⁽²⁾ or by sunflower oil. If all the food simulants provided in this indent are inappropriate, other food simulants and conditions of time and temperature may be used.

However, the simulant A shall be used only in the cases mentioned specifically in the Table of this Annex.

2. *Special case: plastic materials and articles intended to come into contact with a single foodstuff or a specific group of foodstuffs*

The tests shall be carried out:

- using only the food simulant(s) specified as appropriate for the foodstuff or group of foodstuffs in the Directive 85/572/EEC ⁽³⁾,
- where the foodstuff or group of foodstuffs is not included in the list referred to in the first indent, selecting the food simulant(s) prescribed in Section 1 which correspond most closely to the extractive capacity of the foodstuff or group of foodstuffs.

CHAPTER II

Test conditions (times and temperatures)

1. The migration tests are to be carried out, selecting from the times and temperatures specified in the table those which correspond most closely to, but are not less than, the normal or foreseeable conditions of contact for the plastic materials or articles being studied.
2. Where a material or article passes a test at a given time and temperature, it need not to be tested for a shorter time at the same temperature, nor for the same time at a lower temperature.
3. However if a plastic material or article is intended for a food contact application covered by two or more combinations of time and temperature taken from the Table, migration will be determined by subjecting that material or article successively to all the applicable test conditions, using the same aliquot of food simulant.

⁽¹⁾ Characteristics of rectified olive oil:

- iodine index (Wijs) = 80 to 88,
- refraction index at 25 °C = 1,4665 to 1,4679,
- acidity (expressed in % of oleic acid) = 0,5 % maximum,
- peroxide index (expressed in milli-equivalents of oxygen per kg of oil) = 10 maximum.

⁽²⁾ Characteristics of the standard synthetic triglycerides mixture as described in K. Figge's article, 'Food Cosmet. Toxicol' 10 (1972) 81.5.

⁽³⁾ OJ No L 372, 31. 12. 1985, p. 14.

4. If a plastic material or article is intended to come into contact with foodstuffs at any condition of time, the conditions for testing will be the following :
 - (a) where the plastic material or article may in actual use be employed at any temperature up to and including 70 °C and that is indicated by an appropriate labelling or instructions, only the 10 day test(s) at 40 °C shall be carried out ;
 - (b) where a plastic material or article may in actual use be employed at a temperature above 70° C :
 - (i) where no labelling or instructions are given to indicate temperature expected in real use, simulants B and C shall be used at reflux temperature, if possible, or at two-hour test(s) at 100° C and simulant D shall be used for two hours at 175° C ;
 - (ii) where labelling or instructions are given to indicate conditions expected in real use, time and temperatures from the Table shall be selected.
5. By derogation from the conditions provided in the table and in paragraph 2, if the plastic material or article may in actual use be employed for periods of less than 15 minutes at temperatures between 70° C and 100° C and that is indicated by an appropriate labelling or instructions, only the two-hour test at 70° C and the 10-day test at 40° C shall be carried out. These tests shall be carried out separately taking different samples. For each of these two types of test, use a new sample of the same material or article to be examined.
6. If it is found that carrying out the tests under the conditions specified in the table causes physical or other changes in the plastic material or article which do not occur under normal or foreseeable conditions of use of that material or article, the migration tests shall be carried out under conditions more appropriate to the specific case.
7. For materials and articles intended for use in microwave ovens, migration testing shall use a conventional oven and appropriate time and temperature conditions selected from the Table.

Table

Conditions of contact in actual use	Test condition
<i>Contact time</i>	<i>Test time</i>
t ≤ 0,5 hour	0,5 hour
0,5 hour < t ≤ 1 hour	1 hour
1 hour < t ≤ 2 hours	2 hours
2 hours < t ≤ 24 hours	24 hours
t > 24 hours	10 days
<i>Contact temperature</i>	<i>Test temperature</i>
T ≤ 5 °C	5 °C
5 °C < T ≤ 20 °C	20 °C
20 °C < T ≤ 40 °C	40 °C
40 °C < T ≤ 70 °C	70 °C
70 °C < T ≤ 100 °C	100 °C or reflux temperature
100 °C < T ≤ 121 °C	121 °C (*)
121 °C < T ≤ 130 °C	130 °C (*)
130 °C < T ≤ 150 °C	150 °C (**)
T > 150 °C	175 °C (**)

(*) Use simulant C at reflux temperature.

(**) Use simulant D at 150° C or 175° C, in addition to simulants A, B and C used as appropriate at 100° C or at reflux temperature.

COMMISSION DIRECTIVE 93/9/EEC

of 15 March 1993

amending Directive 90/128/EEC relating to plastic materials and articles intended to come into contact with foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 89/109/EEC⁽¹⁾ of 21 December 1988 on the approximation of the laws of the Member States relating to materials and articles intended to come into contact with foodstuffs, and in particular Article 3 thereof,

After consulting the Scientific Committee for Food,

Whereas the Community measures envisaged by this Directive are not only necessary but also indispensable for the attainment of the objectives of the internal market; whereas these objectives cannot be achieved by Member States individually, and whereas furthermore their attainment at Community level is already provided for by Directive 89/109/EEC;

Whereas Commission Directive 90/128/EEC⁽²⁾, as amended by Directive 92/39/EEC⁽³⁾, and in particular Article 3 (4) thereof, provides for the revision of Annex II and particularly Section B;

Whereas, on the basis of the available information, certain substances provisionally admitted at national level may be included in the Community list, while others must be definitively prohibited;

Whereas certain substances provisionally admitted at national level may continue to be permitted for a further specified period since the data requested by the Scientific Committee for Food are not yet available but the required studies are ongoing or are planned;

Whereas other substances have been requested for use following the adoption of Directive 90/128/EEC and the technical data supplied permit their inclusion in the Community list;

Whereas, for certain substances, the restrictions already set out should be amended according to the available information;

Whereas it is necessary to permit the continued use of certain well-defined substances contained in those groups of substances which are not well-defined and are now

deleted, pending a decision on their inclusion in the Community list;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Foodstuffs,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 90/128/EEC is amended as follows:

1. The following paragraph 3 is added to Article 5:

'3. The verification of compliance with the specific migration limits provided for in paragraph 1 shall not be compulsory, if it can be established that, by assuming complete migration of the residual substance in the material or article, it cannot exceed the specific limit of migration.'

2. Annex II is amended as follows:

(a) Point 8 is hereby amended as follows:

— the following text is inserted after 'QM (T) = maximum permitted quantity of the "residual" substance in the material or article expressed as total of moiety or substance(s) indicated':

'For the purpose of this Directive "QM (T)" means that the maximum permitted quantity of the "residual" substance in the material or article should be determined by a validated method of analysis at the specified limit. If such a method does not currently exist, an analytical method with appropriate performance characteristics at the specified limit may be used, pending the development of a validated method.'

— the following text is inserted after 'SML (T) = specific migration limit in food or in food simulant expressed as total of moiety or substance(s) indicated':

'For the purpose of this Directive "SML (T)" means that the specific migration of the substances should be determined by a validated method of analysis at the specified limit. If such a method does not currently exist, an analytical method with appropriate performance characteristics at the specified limit may be used, pending the development of a validated method.'

⁽¹⁾ OJ No L 40, 11. 2. 1989, p. 38.

⁽²⁾ OJ No L 75, 21. 3. 1990, p. 19, rectified by

OJ No L 349, 13. 12. 1990, p. 26.

⁽³⁾ OJ No L 168, 23. 6. 1992, p. 21.

(b) Section A:

- the substances appearing in Annex I to this Directive are added,
- the content of the column 'Restrictions' for the substances appearing in Annex II to this Directive is amended as indicated therein;

(c) Section B:

- the substances appearing in Annex III to this Directive are added, as a replacement for those groups of substances which are not well defined and which are deleted by this Directive,
- the substances appearing in Annex IV to this Directive are deleted;

- (d) the substances appearing in Annex V to this Directive are transferred from Section B to A and are now subject to the restrictions, if any, specified.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive as from 1 April 1994. They shall immediately inform the Commission thereof.

Member States shall:

- permit, as from 1 April 1994, the trade in and use of plastic materials and articles intended to come into contact with foodstuffs complying with this Directive,
- prohibit, as from 1 April 1996, the trade in and use of plastic materials and articles intended to come into contact with foodstuffs and which do not comply with this Directive.

2. When Member States adopt the measures referred to in paragraph 1, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive is addressed to the Member States.

Done at Brussels, 15 March 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX I

LIST OF MONOMERS AND OTHER STARTING SUBSTANCES ADDED TO SECTION A

PM/REF No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
15565	000106-46-7	1,4-Dichlorobenzene	SML = 12 mg/kg
15820	000345-92-6	4,4'-Difluorobenzophenone	SML = 0,05 mg/kg
17160	000097-53-0	Eugenol	SML = 0,01 mg/kg
22390	000840-65-3	2,6-Naphtalenedicarboxylic acid, dimethyl ester	SML = 0,05 mg/kg
24057	000089-32-7	Pyromellitic anhydride	SML = 0,05 mg/kg (expressed as pyromellitic acid)
24475	001313-82-2	Sodium sulphide	
24540	009005-25-8	Starch, edible	
24888	003965-55-7	5-Sulphoisophthalic acid, monosodium salt, dimethyl ester	SML = 0,05 mg/kg

ANNEX II

LIST OF MONOMERS AND OTHER STARTING SUBSTANCES IN SECTION A FOR WHICH
THE CONTENT OF THE COLUMN 'RESTRICTIONS' IS MODIFIED

PM/REF No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
12788	002432-99-7	11-Aminoundecanoic acid	SML = 5 mg/kg

ANNEX III

LIST OF MONOMERS AND OTHER STARTING SUBSTANCES ADDED TO SECTION B

PM/REF No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
10599/90A	061788-89-4	Acids, fatty, unsaturated (C18), dimers, distilled	
10599/91	061788-89-4	Acids, fatty, unsaturated (C 18), dimers, non-distilled	
10599/92A	068783-41-5	Acids, fatty, unsaturated (C 18), dimers, hydrogenated, distilled	
10599/93	068783-41-5	Acids, fatty, unsaturated (C 18), dimers, hydrogenated, non-distilled	

ANNEX IV

LIST OF MONOMERS AND OTHER STARTING SUBSTANCES DELETED

PM/REF No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
10599/90	061788-89-4	Acids, fatty, unsaturated (C 18), dimers	
10599/92	068783-41-5	Acids, fatty, unsaturated (C 18), dimers, hydrogenated	
10600	—	Acids, linear, with an even number of carbon atoms (C 8-C 22), and the dimers and trimers of the unsaturated acids	
10720	000999-55-3	Acrylic acid, allyl ester	
10775	084100-23-2	Acrylic acid, 4-tert-butylcyclohexyl ester	
10990	002156-96-9	Acrylic acid, decyl ester	
11005	012542-30-2	Acrylic acid, dicyclopentenyl ester	
11010	024447-78-7	Acrylic acid, diester with 2,2-bis (4-hydroxyphenyl)propane (2-hydroxyethyl) ether	
11020	019485-03-1	Acrylic acid, diester with 1,3-butanediol	
11080	004074-88-8	Acrylic acid, diester with diethyleneglycol	
11110	002274-11-5	Acrylic acid, diester with ethyleneglycol	
11140	013048-33-4	Acrylic acid, diester with 1,6-hexanediol	
11170	026570-48-9	Acrylic acid, diester with polyethyleneglycol	
11200	002426-54-2	Acrylic acid, 2-(diethylamino) ethyl ester	
11230	002439-35-2	Acrylic acid, 2-(dimethylamino) ethyl ester	
11260	000106-90-1	Acrylic acid, 2,3-epoxypropyl ester	
11532	002761-08-2	Acrylic acid, 3-hydroxypropyl ester	
11860	—	Acrylic acid, monoester with propyleneglycol	
11875	004813-57-4	Acrylic acid, octadecyl ester	
12640	000106-92-3	Allyl 2,3-epoxypropyl ether	
13210	001761-71-3	Bis (4-aminocyclohexyl) methane	
14008	000098-52-2	4-tert-Butylcyclohexanol	
14035	001746-23-2	4-tert-Butylstyrene	
14560	000126-99-8	2-Chloro-1,3-butadiene	
14650	000079-38-9	Chlorotrifluoroethylene	
14833	000623-43-8	Crotonic acid, methyl ester	
14980	001631-25-0	N-Cyclohexylmaleimide	
15030	000931-88-4	Cyclooctene	
15060	000142-29-0	Cyclopentene	
15260	000646-25-3	1,10-Diaminododecane	
15270	002783-17-7	1,12-Diaminododecane	
15295	000373-44-4	1,8-Diaminooctane	
16120	000110-97-4	Diisopropanolamine	
16180	005205-93-6	N- (Dimethylaminopropyl) methacrylamide	
16252	000110-03-2	2,5-Dimethyl-2,5-hexanediol	
16510	000138-86-3	Dipentene	
16719	003813-52-3	Endomethylenetetrahydrophthalic acid	
16900	013036-41-4	N-(Ethoxymethyl)acrylamide	
17116	005877-42-9	4-Ethyl-1-octyn-3-ol	
17150	000078-27-3	1-Ethynylcyclohexanol	
17305	000141-02-6	Fumaric acid, bis (2-ethylhexyl) ester	
17320	002807-54-7	Fumaric acid, diallyl ester	
17380	000623-91-6	Fumaric acid, diethyl ester	
17398	007283-68-3	Fumaric acid, dioctadecyl ester	

PM/REF No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
17800	—	Glucosides obtained from glucose and pentaerythritol	
17830	—	Glucosides obtained from glucose and polyethyleneglycol (molecular weight greater than 200)	
17860	—	Glucosides obtained from glucose and polypropyleneglycol (molecular weight greater than 400)	
18436	001687-30-5	Hexahydrophthalic acid	
18490	015511-81-6	Hexamethylenediamine adipate	
18610	006422-99-7	Hexamethylenediamine sebacate	
18850	000107-41-5	Hexyleneglycol	
18865	003031-66-1	3-Hexyn-2,5-diol	
19140	026952-21-6	Isooctanol	
19480	002146-71-6	Lauric acid, vinyl ester	
19660	000141-05-9	Maleic acid, diethyl ester	
19690	014234-82-3	Maleic acid, diisobutyl ester	
19720	001330-76-3	Maleic acid, diisooctyl ester	
19750	000624-48-6	Maleic acid, dimethyl ester	
19915	000925-21-3	Maleic acid, monobutyl ester	
20095	046729-07-1	Methacrylic acid, 4-tert-butylcyclohexyl ester	
20200	001888-94-4	Methacrylic acid, 2-chloroethyl ester	
20320	003179-47-3	Methacrylic acid, decyl ester	
20455	006606-59-3	Methacrylic acid, diester with 1,6-hexanediol	
20560	000142-90-5	Methacrylic acid, dodecyl ester	
20830	—	Methacrylic acid, ester with 1,2-propanediol	
20920	000688-84-6	Methacrylic acid, 2-ethylhexyl ester	
20945	004664-49-7	Methacrylic acid, 2-hydroxyisopropyl ester (= methacrylic acid, 2-hydroxy-1-methylethyl ester)	
20965	002761-09-3	Methacrylic acid, 3-hydroxypropyl ester	
20980	007534-94-3	Methacrylic acid, isobornyl ester	
21040	029964-84-9	Methacrylic acid, isodecyl ester	
21070	028675-80-1	Methacrylic acid, isooctyl ester	
21170	000997-46-6	Methacrylic acid, monoester with 1,4-butanediol	
21250	002157-01-9	Methacrylic acid, n-octyl ester	
21430	004245-37-8	Methacrylic acid, vinyl ester	
21670	000563-46-2	2-Methyl-1-butene	
21733	000115-19-5	2-Methyl-3-butyne-2-ol	
21736	002549-61-3	alpha-Methyl-epsilon-caprolactone	
21739	002549-60-2	beta-Methyl-epsilon-caprolactone	
21742	002549-58-8	delta-Methyl-epsilon-caprolactone	
21745	002549-59-9	epsilon-Methyl-epsilon-caprolactone	
21748	002549-42-0	gamma-Methyl-epsilon-caprolactone	
21850	000095-71-6	Methylhydroquinone	
21880	000717-27-1	Methylhydroquinone diacetate	
22465	000112-05-0	Nonanoic acid	
22690	001806-26-4	4-Octylphenol	
22811	000591-93-5	1,4-Pentadiene	
22842	002590-16-1	Pentaerythritol diallyl ether	
22858	005343-92-0	1,2-Pentanediol	
22861	000111-29-5	1,5-Pentanediol	
22901	000109-68-2	2-Pentene	
22935	003823-94-7	Perfluoromethyl vinyl ether	
22940	006996-01-6	Perfluoropropyl vinyl ether	
23140	000092-69-3	4-Phenylphenol	
25158	000088-98-2	1,2,3,6-Tetrahydrophthalic acid	
25630	037275-47-1	1,1,1-Trimethylolpropane diacrylate	

PM/REF No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
25645	000682-09-7	1,1,1-Trimethylolpropane diallyl ether	
25780	025723-16-4	1,1,1-Trimethylolpropane, propoxylated	
25930	001067-53-4	Tris (2-methoxyethoxy) vinylsilane	
26200	002867-48-3	N-Vinyl-N-methylformamide	
26260	001184-84-5	Vinylsulphonic acid	

ANNEX V

LIST OF MONOMERS AND OTHER STARTING SUBSTANCES TRANSFERRED TO
SECTION A

PM/REF No	CAS No	Name	Restrictions
(1)	(2)	(3)	(4)
10750	002495-35-4	Acrylic acid, benzyl ester	SML = 5 mg/kg SML = 0,05 mg/kg SML(T) = 7,5 mg/kg (expressed as terephthalic acid) SML = 0,05 mg/kg
11890	002499-59-4	Acrylic acid, n-octyl ester	
15095	000334-48-5	Decanoic acid	
15790	000111-40-0	Diethylenetriamine	
19210	001459-93-4	Isophthalic acid, dimethyl ester	
20080	002495-37-6	Methacrylic acid, benzyl ester	
21280	002177-70-0	Methacrylic acid, phenyl ester	
24940	000100-20-9	Terephthalic acid dichloride	
25120	000116-14-3	Tetrafluoroethylene	

COMMISSION DECISION

of 7 April 1993

concerning the importation into the Community of certain live animals and their products originating from certain European countries in relation to foot-and-mouth disease

(93/210/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽¹⁾, as last amended by Decision 92/438/EEC ⁽²⁾, and in particular Article 18 (6) thereof,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries ⁽³⁾, as last amended by Directive 92/118/EEC ⁽⁴⁾, and in particular Article 19 (6) thereof,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽⁵⁾, as last amended by Directive 92/118/EEC, and in particular Article 10 thereof,

Whereas foot-and-mouth disease has been confirmed in cattle recently imported into Italy; whereas, however, investigation has shown that the infection was probably introduced in cattle imported from eastern Europe;

Whereas it has not been possible to establish the exact origin of infection;

Whereas the possible occurrence of foot-and-mouth disease in eastern European countries presents a serious threat to the herds of Member States, in view of trade in and import of live animals and their products;

Whereas evidence of false or fraudulent certification has emerged concerning exports of animals from certain countries in eastern Europe to the Community;

Whereas it is necessary therefore to implement a temporary prohibition on imports and transit of live animals of susceptible species and certain animal products coming

from or via these countries, pending clarification of the disease situation in eastern Europe and establishment of reinforced controls on imports from these countries;

Whereas, however, after evaluation of the situation, it is possible to permit transit of fresh meat and milk through these countries and imports and transit of certain heat-treated products originating in these countries;

Whereas the Commission, by Decision 93/143/EEC ⁽⁶⁾ concerning the importation into the Community of certain live animals and their products originating in or coming via Slovenia, Croatia and the Yugoslav Republics, has prohibited imports from and transit through the countries concerned of animals and products of susceptible species;

Whereas the Commission, by Decision 91/449/EEC ⁽⁷⁾ laying down the specimen animal health certificates in respect of meat products imported from third countries, concerning certain eastern European countries, as last amended by Decision 93/139/EEC ⁽⁸⁾, has established the model of health certificate to use for importation of meat products, in particular from Croatia; whereas it is appropriate to refer to this model certificate to provide guarantees that only certain types of meat products which do not present an animal health risk shall be imported into the Community;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall not authorize the introduction into the territory of the Community of live animals of the bovine, ovine, caprine and porcine and other biungulate species, originating in or coming via the territory of the countries mentioned in the Annex.

2. Member States shall not send live animals of the bovine, ovine, caprine and porcine and other biungulate species to other Member States via the territory of the countries mentioned in the Annex.

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽²⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽³⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁵⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽⁶⁾ OJ No L 56, 9. 3. 1993, p. 47.

⁽⁷⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽⁸⁾ OJ No L 56, 9. 3. 1993, p. 39.

Article 2

Member States shall not authorize the importation of fresh meat of the bovine, ovine, caprine, porcine and other biungulate species originating in the territory of the countries mentioned in the Annex.

Article 3

1. Member States shall not authorize the importation of meat products of the bovine, ovine, caprine, porcine and other biungulate species originating in the territory of the countries mentioned in the Annex.

2. The prohibition referred to in paragraph 1 shall not apply to meat products, containing meat of animals of the bovine, ovine, caprine and porcine and other biungulate species, which have been subjected to one of the following treatments:

- (a) heat treatment carried out in a hermetically sealed container with an F_0 value of 3,00 or more;
- (b) heat treatment of a type different from that referred to in (a) in which the centre temperature is raised to at least 70 °C.

3. The model certificate as laid down in Decision 91/449/EEC should be annotated in accordance with paragraph 2, as regards importation of meat products, in order to guarantee that only those products subjected to treatment as laid down in the said paragraph may be imported.

Article 4

1. Member States shall not authorize the importation of milk of the bovine, ovine, caprine, porcine and other biungulate species originating in the territory of the countries mentioned in the Annex.

2. The prohibition referred to in paragraph 1 shall not apply to milk of the bovine, ovine, caprine and porcine and other biungulate species which have been subjected to 71,7 °C for 15 seconds or an equivalent heat treatment.

3. Member States shall ensure that health certificates for milk to be sent from the countries mentioned in the Annex shall bear the following words:

'Milk conforming to Commission Decision 93/210/EEC of 7 April 1993 concerning the importation into the Community of certain live animals and their products originating from certain European countries in relation to foot-and-mouth disease'.

Article 5

1. Member States shall not authorize the importation of milk products of the bovine, ovine, caprine, porcine and

other biungulate species originating in the territory of the countries mentioned in the Annex.

2. The prohibition referred to in paragraph 1 shall not apply to milk products of the bovine, ovine, caprine and porcine and other biungulate species which have been subjected to 71,7 °C for 15 seconds or an equivalent heat treatment, or prepared from milk which has been subjected to the heat treatment described in Article 4 (2).

3. Member States shall ensure that health certificates for milk products to be sent from the countries mentioned in the Annex shall bear the following words:

'Milk products conforming to Commission Decision 93/210/EEC of 7 April 1993 concerning the importation into the Community of certain live animals and their products originating from certain European countries in relation to foot-and-mouth disease'.

Article 6

1. Member States shall not authorize the introduction into the territory of the Community of animal products of the bovine, ovine, caprine and porcine and other biungulate species not mentioned in Articles 1, 2, 3, 4 and 5, originating in or coming via the territory of the countries mentioned in the Annex.

2. Member States shall not send animal products of the bovine, ovine, caprine and porcine and other biungulate species not mentioned in Articles 1, 2, 3, 4 and 5 to other Member States via the territory of the countries mentioned in the Annex.

Article 7

This Decision shall be applicable until 10 May 1993.

Article 8

Commission Decision 93/143/EEC is hereby repealed.

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 7 April 1993.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX***COUNTRIES SUBJECT TO RESTRICTIONS**

Slovenia	Hungary
Croatia	Romania
The former Yugoslav Republic of Macedonia	Albania
Serbia	Poland
Montenegro	Estonia
Bosnia-Herzegovina	Latvia
Belarus	Lithuania
The Czech Republic	Russia
The Slovak Republic	Bulgaria

COMMISSION DECISION**of 13 April 1993****modifying Decision 93/127/EEC concerning safeguard measures in respect of
rice originating in the Netherlands Antilles****(93/211/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community, and in particular Article 109 thereof⁽¹⁾,

Having consulted the Committee set up by Article 1 (2) of Annex IV to that Decision,

Whereas Commission Decision 93/127/EEC⁽²⁾ has submitted the release for free circulation in the Community free of import duties of semi-milled rice falling within CN-codes 1006 30 21 to 1006 30 48 originating in the Netherlands Antilles to a minimum price equivalent to 120 % of the levy applying to semi-milled rice ;

Whereas the market situation has improved after the adoption of the safeguard measures and a relaxation of such measures ;

Whereas when safeguard measures are adopted pursuant to Article 109 of Decision 91/482/EEC priority should be given to provisions which should least disturb the functioning of the association and the Community, and, moreover, which do not exceed the limit of what is strictly necessary to remedy the difficulties that have arisen ;

Whereas it is therefore appropriate to fix the minimum price at a lower level,

HAS ADOPTED THIS DECISION :

Article 1

Article 1 of Decision 93/127/EEC is replaced by the following text :

'Article 1

Semi-milled rice falling within CN codes 1006 30 21 to 1006 30 48 originating in the Netherlands Antilles may be released for free circulation in the Community free of import duties provided the customs value is not less than a minimum price of ECU 550 per tonne. The conversion rate is the agricultural conversion rate applying at the time of completion of customs formalities on imports of the goods into the Community.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 April 1993.

For the Commission

Manuel MARÍN

Member of the Commission⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.⁽²⁾ OJ No L 50, 2. 3. 1993, p. 27.

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops

(Official Journal of the European Communities No L 181 of 1 July 1992)

On page 18 in Article 17 (2), second line:

for: '... replace those ...',

read: '... supersede those ...'.
