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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1160/93**of 13 May 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 12 May

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 May 1993.

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

Done at Brussels, 13 May 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 May 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	138,27 ^(*) ^(*)
0712 90 19	138,27 ^(*) ^(*)
1001 10 00	180,40 ^(*) ^(*)
1001 90 91	141,64
1001 90 99	141,64 ^(*)
1002 00 00	154,87 ^(*)
1003 00 10	141,20
1003 00 20	141,20
1003 00 80	141,20 ^(*)
1004 00 00	114,36
1005 10 90	138,27 ^(*) ^(*)
1005 90 00	138,27 ^(*) ^(*)
1007 00 90	146,53 ^(*)
1008 10 00	54,81 ^(*)
1008 20 00	103,68 ^(*)
1008 30 00	59,20 ^(*)
1008 90 10	^(*)
1008 90 90	59,20
1101 00 00	210,89 ^(*)
1102 10 00	229,42
1103 11 30	291,65
1103 11 50	291,65
1103 11 90	226,12

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

^(*) 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.

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

^(*) 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.

^(*) 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.

^(*) 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).

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

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

^(*) 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 1161/93**of 13 May 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 12 May

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 May 1993.

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

Done at Brussels, 13 May 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 May 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 5	1st period 6	2nd period 7	3rd period 8
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	6,83	6,83	10,59
1001 90 99	0	6,83	6,83	10,59
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	9,56	9,56	14,82

B. Malt

(ECU/tonne)

CN code	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	12,16	12,16	18,85	18,85
1107 10 19	0	9,08	9,08	14,08	14,08
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 1162/93**of 13 May 1993****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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⁽¹⁾, as last amended by Regulation (EEC) No 2046/92⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 1900/92⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 1901/92⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 1902/92⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 10 and 11 May 1993 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

Article 3

This Regulation shall enter into force on 14 May 1993.

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil (1)

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 (2)
1509 10 90	79,00 (2)
1509 90 00	92,00 (3)
1510 00 10	77,00 (2)
1510 00 90	122,00 (4)

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

(2) For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

- (a) Lebanon : ECU 0,60 per 100 kg ;
- (b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;
- (d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

(3) For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

(4) For imports of oil falling within this CN code :

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products (1)

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

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

COMMISSION REGULATION (EEC) No 1163/93
of 13 May 1993

on the issuing of a standing invitation to tender for the resale on the internal market of 12 000 tonnes of maize held by the Spanish intervention agency

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 7 (6) thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals ⁽³⁾, as last amended by Regulation (EEC) No 2203/90 ⁽⁴⁾, provides that cereals held by the intervention agency are to be sold by tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 966/93 ⁽⁶⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, in the present market situation, a standing invitation to tender for the resale on the internal market of 12 000 tonnes of maize held by the Spanish intervention agency should be issued;

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

The Spanish intervention agency shall issue a standing invitation to tender for the resale on the internal market

of 12 000 tonnes of maize held by it in accordance with Regulation (EEC) No 1836/82.

Article 2

1. The final date for the submission of tenders for the first partial invitation to tender shall be 27 May 1993.
2. The final date for the submission of tenders for the last partial invitation to tender shall expire on 29 July 1993.
3. Tenders must be lodged with the Spanish intervention agency:

Servicio Nacional de Productos Agrarios (SENPA)
c/Beneficencia 8, Madrid 28004 (telex 41818, 23427
SENPA E; fax 5219832, 5224387).

Article 3

Not later than Tuesday of the week following the final date for the submission of tenders, the Spanish intervention agency shall notify the Commission of the quantities and average prices of the various lots sold.

Article 4

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

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

Done at Brussels, 13 May 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 139, 24. 5. 1986, p. 36.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁵⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁶⁾ OJ No L 98, 24. 4. 1993, p. 25.

COMMISSION REGULATION (EEC) No 1164/93**of 13 May 1993****opening a standing invitation to tender for the supply to Albania of 40 000 tonnes of bread-making common wheat held in the Rouen region by the French intervention agency**

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 for the supply of food products to the population of Albania ⁽¹⁾,

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

Whereas Commission Regulation (EEC) No 1616/92 ⁽⁴⁾, as amended by Regulation (EEC) No 2098/92 ⁽⁵⁾, provides that contracts for the supply of cereals under Regulation (EEC) No 1567/92 are to be allocated by invitation to tender;

Whereas Commission Regulation (EEC) No 1570/77 ⁽⁶⁾, as last amended by Regulation (EEC) No 606/92 ⁽⁷⁾, lays down in particular quality criteria for bread-making common wheat accepted for intervention;

Whereas a standing invitation to tender should be opened for the supply of an instalment of bread-making common wheat held by the French intervention agency;

Whereas experience has shown the need to be sure that the scheduling of deliveries is respected; that therefore 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

On the terms laid down in Regulation (EEC) No 1616/92, the French intervention agency shall open a standing

invitation to tender for the supply to Albania of bread-making common wheat held in the Rouen region by the said agency.

Article 2

The invitation to tender shall cover 40 000 tonnes of bread-making common wheat in bulk to be supplied from a port in the Rouen region, cif (ex-ship), to the Albanian port of Durres.

Article 3

1. Tenders may relate only to the entire lot of 40 000 tonnes specified in the notice of invitation to tender provided for in Article 14 of Regulation (EEC) No 1616/92, in accordance with the delivery specifications in Annex III hereto.

2. Notwithstanding Article 11 (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.

3. 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.

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

Article 4

1. The time limit for the submission of tenders in response to the first partial invitation to tender shall be 11 a. m., Brussels time, on 27 May 1993.

2. The time limit for the submission of tenders in response to the last partial invitation to tender shall be 11 a. m., Brussels time, on 10 June 1993.

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

⁽¹⁾ OJ No L 166, 20. 6. 1992, p. 1.

⁽²⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽³⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 170, 25. 6. 1992, p. 18.

⁽⁵⁾ OJ No L 210, 25. 7. 1992, p. 15.

⁽⁶⁾ OJ No L 174, 14. 7. 1977, p. 18.

⁽⁷⁾ OJ No L 65, 11. 3. 1992, p. 25.

Article 5

Tenders must be submitted to the French intervention agency.

The French intervention agency shall forward tenders to the Commission in accordance with the model in Annex I hereto.

Article 6

The taking-over certificate referred to in Article 9 (3) of Regulation (EEC) No 1616/92 shall take the form shown in Annex II.

Certificates shall be issued after unloading of the goods.

Article 7

1. The successful tenderer shall undertake to provide the Albanian authorities with the documents required for supply purposes as specified in the notice of invitation to tender drawn up by the French intervention agency.

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 take-over stage.

Article 8

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 9

For the purposes of entering EAGGF expenditure in the accounts, the book value of the product referred to in Article 1 is hereby fixed at ECU 52 per tonne.

Article 10

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

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Standing invitation to tender for the supply to Albania of 40 000 tonnes of bread-making common wheat held in the Rouen region by the French intervention agency

(Regulation (EEC) No 1164/93)

Tenderer number	Quantity (tonnes)	Supply cost applied for (ECU/tonne)
1	2	3
1		
2		
3		
4		
etc.		

ANNEX II**SUPPLY BY SEA****TAKING-OVER CERTIFICATE**

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

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

— Name of vessel :

— Place and date of taking-over :

— Product :

— Tonnage taken over :

Remarks or reservations :

.....

.....

ANNEX III**Delivery specifications**

Delivery in bulk, cif (ex-ship) to the Albanian port of Durres.

One lot of 40 000 tonnes :

- The wheat shall be delivered by sea in regular instalments in line with a timetable to be agreed with the Albanian authorities. The final date for completion of deliveries shall be 15 July 1993.

COMMISSION REGULATION (EEC) No 1165/93

of 13 May 1993

laying down detailed rules for the application of the aid scheme for Portuguese producers of paddy rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3653/90 of 11 December 1990 introducing transitional measures governing the common organization of the market in cereals and rice in Portugal ⁽¹⁾, as amended by Regulation (EEC) No 738/93 ⁽²⁾, and in particular Article 10 thereof,

Whereas Regulation (EEC) No 3653/90 introduces aid for producers of paddy rice placed on the market by the producer or sold by him direct to an intervention agency; whereas the meaning of sale on the market should be defined;

Whereas, given the date of entry into force of that Regulation, the latest date of 30 June laid down for the crop declaration is not applicable for the 1992/93 marketing year; whereas special provisions should therefore be made for the aid applications and the checks in that marketing year;

Whereas, for the satisfactory operation of the aid scheme, Member States should carry out checks to ensure that the aid is granted in accordance with the conditions laid down; whereas aid applications must therefore contain a minimum amount of information for the purposes of the checks to be carried out;

Whereas, to ensure efficient application, provision should be made for random on-the-spot checks of the accuracy of applications submitted; whereas these checks should be made on a sufficiently representative number of aid applications;

Whereas provision should be made for the recovery of aid in the event of undue payment and for appropriate penalties for false declarations;

Whereas, for the satisfactory operation of the aid scheme, provision should be made for the computerization of data given in aid applications;

Whereas the intervention price for paddy rice applicable in Portugal in the 1992/93 marketing year is aligned on the intervention price applicable in the other Member States with effect from 1 April 1993, pursuant to Regulation (EEC) No 738/92; whereas the fall in prices due to the anticipated alignment of Portuguese prices on Community prices from 1 April 1993 onwards should therefore be compensated;

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

The aid referred to in Article 3 of Regulation (EEC) No 3653/90 shall be granted to Portuguese producers of paddy rice in accordance with the rules laid down in this Regulation.

Article 2

1. The aid shall be paid to producers or their authorized representatives in respect of the quantities of paddy rice referred to in Article 1 (a) of Council Regulation (EEC) No 1418/76 ⁽³⁾, harvested on the producer's holding, and for which evidence is presented that they have been sold on the market or to the intervention agency.

2. For the purposes of this Regulation, 'sale on the market' means the sale of paddy rice by producers to collection, trading and processing undertakings.

3. For the 1992/93 marketing year, the aid shall be paid in respect of sales effected from 1 April 1993 onwards.

Article 3

1. The aid shall be paid by the Portuguese authorities to the producers or their authorized agents referred to in Article 2, at their request.

2. Aid applications shall be sent to the Portuguese intervention agency and shall be accompanied by a chronological list of the sales of each type of paddy rice showing the quantity sold.

3. The final application for a marketing year shall be submitted not later than 31 August of that marketing year.

4. The Portuguese authorities shall pay the aid at the latest by the end of the month following that in which the application is received.

Article 4

1. In order to qualify for aid, producers of paddy rice must submit to the Portuguese intervention agency before a date to be fixed by the Member State, and by 30 June each year at the latest, a crop declaration showing all the areas sown with each type of paddy rice, and their location on the basis of cadastral data or an information

⁽¹⁾ OJ No L 362, 27. 12. 1990, p. 28.

⁽²⁾ OJ No L 77, 31. 3. 1993, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

source recognized as equivalent by the body responsible for checking the areas, such as a map or an aerial or satellite photograph allowing the inspection authorities to identify clearly the location of the areas.

2. The competent authority shall register the producer's declaration and allocate it a registration number.

3. Paragraphs 1 and 2 notwithstanding, the aid applications for the 1992/93 marketing year shall include only the designation of origin of the paddy rice and the location of the crop.

Article 5

The evidence referred to in Article 2 (1) shall be provided by presenting, in respect of each sale, a dated invoice showing the name of the buyer, the name of the producer and the registration number of the crop declaration, the quantity of each type of paddy rice sold and the delivery date.

However, for the 1992/93 marketing year, the registration number of the declaration shall not be required.

Article 6

The buyers referred to in Article 5 shall keep available for the competent authorities accounts containing in particular:

- (a) the names and addresses of the producers or operators who supplied them with the paddy rice;
- (b) the quantities of each type of paddy rice supplied as described above and the date of such deliveries.

Article 7

1. The Portuguese authorities shall set up a system of on-the-spot checks and administrative checks ensuring that the conditions governing the grant of the aid are met.

They shall carry out on-the-spot random checks on the accuracy of the applications submitted and on the crop declarations.

2. The on-the-spot checks on the crop declarations shall be carried out on at least:

- 5 % of the crop declarations relating to less than 25 ha,
 - 20 % of the crop declarations relating to more than 25 ha but less than 250 ha,
- and on all the crop declarations relating to more than 250 ha.

However, the checks to be undertaken for the 1992/93 marketing year must relate in particular to the origin of the paddy rice.

Article 8

1. The Portuguese authorities shall make on-the-spot checks on the buyers cited in the aid applications. The

checks shall be carried out on the accounts referred to in Article 6 and shall cover at least 20 % of the quantity of paddy rice for which aid has been requested and 10 % of the buyers concerned.

Each on-the-spot check shall be recorded in a report.

2. At the end of the marketing year the Portuguese authorities shall cross-check all the aid applications and the crop declarations relating to them. If such checking reveals a discrepancy between a producer's aid application and his production capacity, the Portuguese authorities shall conduct a thorough examination of all the applications submitted by that producer.

However, for the 1992/93 marketing year, the Portuguese authorities shall cross-check all the aid applications and information available on the crops.

Article 9

1. If the check carried out on the applications for payment of the aid reveals an excess, the producer shall be disqualified from the aid scheme for the marketing year in question.

2. In the case of undue payment of aid, the amounts concerned shall be recovered, plus interest of 15 %, calculated on the basis of the period intervening between payment of the aid and repayment by the beneficiary.

The amounts recovered shall be paid to the disbursing agency and shall be deducted from the expenditure financed by the European Agricultural Guidance and Guarantee Fund (EAGGF), Guarantee Section.

3. In the case of crop declarations, Portugal shall take the appropriate steps to impose penalties in respect of false declarations. It shall notify the Commission of any such measures taken.

Article 10

Where the aid applications contain information which is incorrect either wilfully or as a result of gross negligence, the applicant shall lose his entitlement to aid for the following marketing year.

Article 11

Portugal shall take any additional measures necessary for the application of this Regulation, in particular to ensure the reliability of the control measures. For this purpose it shall computerize the data given in the aid applications.

It may also make provision for reducing the amount of aid where the quality of the rice sold so warrants.

Article 12

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

It shall apply from 1 April 1993.

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1166/93

of 13 May 1993

fixing the amounts to be paid to recognized olive oil producer organizations and associations thereof 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⁽¹⁾, as last amended by Regulation (EEC) No 2046/92⁽²⁾, and in particular Article 20d (4) thereof,

Whereas Article 20d of Regulation No 136/66/EEC provides that a percentage of the production aid is to be withheld to help finance the work of the producer organizations and associations thereof;

Whereas Article 8 (1) of Commission Regulation (EEC) No 3061/84 of 31 October 1984 laying down detailed rules for the application of the system of production aid for olive oil⁽³⁾, as last amended by Regulation (EEC) No 1527/92⁽⁴⁾, provides that the unit amounts to be paid to producer organizations and associations thereof are to be fixed on the basis of forecasts of the overall sum to be distributed; whereas the amount withheld was fixed for the 1992/93 marketing year by Council Regulation (EEC) No 2047/92⁽⁵⁾; whereas the funds which will be available in each Member State as a result of the abovementioned amount withheld must be redistributed to those eligible in a suitable manner; whereas in Spain and Portugal the

amount withheld is less than that collected in the other Member States as a result of the lower level of production aid;

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

For the 1992/93 marketing year, the amounts provided for in Article 8 (1) (a) and (b) of Regulation (EEC) No 3061/84 shall be as follows:

- for Spain: ECU 4,5 and ECU 10 respectively,
- for Portugal: ECU 0 and ECU 4 respectively,
- for Greece: ECU 2 and ECU 2 respectively,
- for France: ECU 1 and ECU 1,5 respectively,
- for Italy: ECU 2,7 and ECU 2,7 respectively.

Article 2

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

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 288, 1. 11. 1984, p. 52.

⁽⁴⁾ OJ No L 160, 13. 6. 1992, p. 13.

⁽⁵⁾ OJ No L 215, 30. 7. 1992, p. 3.

COMMISSION REGULATION (EEC) No 1167/93

of 13 May 1993

deferring the final date for sowing oil seeds in certain areas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Economic Community,

Article 1

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, as last amended by Regulation (EEC) No 364/93⁽²⁾, and in particular Article 12 thereof,

For the 1993/94 marketing year, the final date for sowing shall be postponed to 31 May 1993 in the case of oil seeds in areas to be defined by the Member State in accordance with the seventh indent of Article 12 of Regulation (EEC) No 1765/92 and located within the regions listed in the Annex hereto.

Whereas Article 2 (1) (c) of Commission Regulation (EEC) No 2294/92⁽³⁾, as last amended by Regulation (EEC) No 819/93⁽⁴⁾, fixes 15 May as the final date applicable to the dates set by Member States for sowing and the submission of applications in respect of oil seeds, pursuant to Article 11 (3) of Regulation (EEC) No 1765/92;

Article 2

The date for submitting an 'area' aid application, as well as any relevant amendments thereto, shall be same as that fixed by the Member State, in accordance with Article 6 (2) of Regulation (EEC) No 3508/92, for the areas and crops other than those mentioned in the Annex.

Whereas the aforementioned date does not allow sowings to be undertaken, in certain cases, under suitable conditions; whereas, in accordance with the seventh indent of Article 12 of Regulation (EEC) No 1765/92, provision should therefore be made for an additional time limit by which to sow where the weather conditions in certain areas make such a time limit necessary; whereas the said time limit should not, however, compromise the efficiency required of the support system for producers of arable crops, nor upset the introduction of checks relating to this system; whereas as a result of the experience gained in 1992/93 and with account taken thereof, it is appropriate to fix 31 May as the said time limit for the areas concerned;

Article 3

Without prejudice to the provisions of Commission Regulation (EEC) No 3887/92⁽⁵⁾:

- (a) the final date for confirming sowings to the competent authority, provided for in Article 2 (2) of Regulation (EEC) No 2294/92 shall be fixed as 31 May 1993;
- (b) the Member States may introduce an implicit confirmation procedure whereby no notification on the part of the producer is equivalent to a confirmation of sowing. By the same token, producers who have not carried out the sowings projected must signal that fact.

Whereas deferring the sowing date for certain arable crops in certain areas does not constitute sufficient grounds for changing the date laid down for the lodgment of 'area' aid applications as referred to in Article 6 (2) of Council Regulation (EEC) No 3508/92 of 27 November 1992, establishing an integrated administration and control system for certain Community aid schemes⁽⁶⁾; whereas the procedure whereby producers confirm sowings to the competent authorities provided for in Article 2 (2) of Regulation (EEC) No 2294/92 may be implicitly established with a view to simplifying matters;

Article 4

The Member States shall notify the Commission, by 26 May 1993 at the latest, of the measures taken to apply this Regulation.

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

Article 5

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 3.

⁽³⁾ OJ No L 221, 6. 8. 1992, p. 22.

⁽⁴⁾ OJ No L 85, 6. 4. 1993, p. 13.

⁽⁵⁾ OJ No L 355, 5. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 391, 31. 12. 1992, p. 36.

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Crop	Member State	Region
Sunflower	Spain	Álava Albacete Alicante Ávila Badajoz Barcelona Burgos Ciudad Real Cuenca Gerona Granada Guadalajara Huesca León Lérida Madrid Murcia Navarra Palencia Salamanca Segovia Soria Teruel Valencia Valladolid Zamora Zaragoza
	Greece	Artá Cavala Evros Ionnina Preveza Rodopi Xanthi
	Portugal	Alentejo Algarve Beira Interior Beira Litoral Trás-os-Montes Ribatejo e Oeste
	United Kingdom	England Wales
Soya	Spain	Spain
	Italy	Alessandria Asti Belluno Bergamo Bologna Brescia Cremona Cuneo Ferrara Mantova Milano Modena Novara Padova Parma Pavia Piacenza Pordenone Ravenna Reggio Emilia Rovigo Torino Treviso Venezia Vercelli Verona Vicenza Udine

COMMISSION REGULATION (EEC) No 1168/93

of 13 May 1993

laying down detailed rules governing the grant of private storage aid for Pecorino Romano cheese

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EEC) No 2071/92⁽²⁾, and in particular Articles 9 (3) and 28 thereof,

Whereas Council Regulation (EEC) No 508/71 of 8 March 1971 laying down general rules on private storage aid for long-keeping cheeses⁽³⁾ permits the granting of private storage aid for sheep's milk cheeses requiring at least six months for maturing where a serious market imbalance could be eliminated or reduced by seasonal storage;

Whereas the market in Pecorino Romano cheese is at present disturbed by the existence of stocks which are difficult to sell and which are causing a lowering of prices; whereas seasonal storage should therefore be introduced for the quantities to improve the situation and allow producers time to find outlets for their cheese;

Whereas the detailed rules for the application of such measures should essentially be the same as those laid down for a similar measure during previous years;

Whereas experience of the different private storage arrangements for agricultural products indicates that it should be specified to what extent Council Regulation (EEC, Euratom) No 1182/71⁽⁴⁾ is applicable for determination of the periods, dates and time limits mentioned in these arrangements and that the dates of the beginning and end of storage under contract should be precisely defined;

Whereas experience shows that provisions on checks should be laid down, particularly as regards the documents to be submitted and checks to be made on the spot; whereas therefore, it should be provided that Member States require the costs of checks be fully or partly borne by the contractor;

Whereas it is appropriate to guarantee the continuation of the storage operations in question;

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

Article 1

Aid shall be granted in respect of the private storage of 9 000 tonnes of Pecorino Romano cheese manufactured in the Community and satisfying the requirements of Articles 2 and 3.

Article 2

1. The intervention agency shall conclude storage contracts only when the following conditions are met:

- (a) the quantity of cheese to which the contract relates is not less than two tonnes;
- (b) the cheese was manufactured at least 90 days before the date specified in the contract as being the date of commencement of storage, and after 1 November 1992;
- (c) the cheese has undergone tests which show that it meets the condition laid down in (b) and that it is of first quality;
- (d) the storer undertakes:

- to keep the cheese during the entire period of storage in premises where the maximum temperature is +16 °C,
- not, during the term of the contract, to alter the composition of the batch which is the subject of the contract without authorization from the intervention agency. If the condition concerning the minimum quantity fixed for each batch continues to be met, the intervention agency may authorize an alteration which is limited to the removal or replacement of cheeses which are found to have deteriorated to such an extent that they can no longer be stored.

In the event of release from store of certain quantities:

- (i) if the aforesaid quantities are replaced with the authorization of the intervention agency, the contract is deemed not to have undergone any alteration,
- (ii) if the aforesaid quantities are not replaced, the contract is deemed to have been concluded *ab initio* for the quantity permanently retained.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 58, 11. 3. 1971, p. 1.

⁽⁴⁾ OJ No L 124, 8. 6. 1971, p. 1.

Any supervisory costs arising from an alteration shall be met by the storer,

- to keep stock accounts and to inform the intervention agency each week of the quantity of cheese put into from storage during the previous week and of any planned withdrawals.

2. The storage contract shall be concluded :

- (a) in writing, stating the date when storage covered by the contract begins ; this may not be earlier than the day following that on which the operations connected with putting the batch of cheese covered by the contract into storage were completed ;
- (b) after completion of the operations connected with putting the batch of cheese covered by the contract into storage and at the latest 40 days after the date on which the storage covered by the contract begins.

Article 3

1. Aid shall be granted only for cheese put into storage during the period 15 May to 31 December 1993.

2. No aid shall be granted in respect of storage under contract for less than 60 days.

3. The aid payable may not exceed an amount corresponding to 150 days storage under contract terminating before 31 March 1993. By way of derogation from the second indent of Article 2 (1) (d), when the period of 60 days specified in paragraph 2 has elapsed, the storer may remove all or part of the batch under contract. The minimum quantity that may be removed shall be 500 kilograms. The Member States may, however, increase this quantity to two tonnes.

The date of the start of operations to remove cheese covered by the contract shall not be included in the period of storage under contract.

Article 4

1. The amount of aid shall be ECU 2,13 per tonne per day.

2. The amount of aid in ecus in relation to a storage contract shall be that applying on the first day of storage under contract. It shall be converted into national currency at the representative rate applicable on the last day of storage under contract.

3. Aid shall be paid not later than 90 days from the last day of storage under contract.

Article 5

The periods, dates and time limits mentioned in this Regulation shall be determined in accordance with Regulation (EEC, Euratom) No 1182/71. However, Article 3 (4)

of that Regulation shall not apply for determination of the duration of storage under contract.

Article 6

1. The Member States shall ensure that the conditions granting entitlement to payment of the aid are fulfilled.

2. The contractor shall make available to the national authorities responsible for verifying execution of the measure any documentation permitting in particular the following particulars of products placed in private storage to be verified :

- (a) ownership at the time of entry into storage ;
- (b) the origin and date of manufacture of the cheeses ;
- (c) the date of entry into storage ;
- (d) presence in the store ;
- (e) the date of removal from storage.

3. The contractor or, where applicable, the operator of the store shall keep stock accounts available at the store, covering :

- (a) identification, by contract number, of the products placed in private storage ;
- (b) the dates of entry, into and removal from storage ;
- (c) the number of cheeses and their weight shown for each lot ;
- (d) the location of the products in the store.

4. Products stored must be easily identifiable and must be identified individually by contract. A special mark shall be affixed to cheese covered by contract.

5. Without prejudice to Article 2 (1) (d), on entry into storage, the competent bodies shall conduct checks in particular to ensure that products stored are eligible, for the aid and to prevent any possibility of substitution of products during storage under contract.

6. The national authorities responsible for controls shall undertake :

- (a) an unannounced check to see that the products are present in the store. The sample concerned must be representative and must correspond to at least 10 % of the overall quantity under contract for a private storage aid measure. Such checks must include, in addition to an examination of the accounts referred to in paragraph 3, a physical check of the weight and type of product and their identification. Such physical checks must relate to at least 5 % of the quantity subject to the unannounced check ;
- (b) a check to see that the products are present at the end of the storage period under contract.

7. Checks conducted pursuant to paragraphs 5 and 6 must be the subject of a report stating :

- the date of the check,
- its duration,
- the operations conducted.

The report on checks must be signed by the official responsible and countersigned by the contractor or, where applicable, by the store operator.

8. In the case of irregularities affecting at least 5 % of the quantities of products subject to the checks the latter shall be extended to a larger sample to be determined by the competent body.

The Member States shall notify such cases to the Commission within four weeks.

9. The Member States may provide that the costs of checks will be borne partly or fully by the contractor.

Article 7

Member States shall communicate to the Commission on or before the Tuesday of each week :

(a) the quantity of cheese for which storage contracts have been concluded during the previous week ;

(b) any quantities in respect of which the authorization referred to in the second indent of Article 2 (d) has been given.

Article 8

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

It shall apply with effect from 15 May 1993.

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1169/93
of 13 May 1993
amending Regulation (EEC) No 3596/90 laying down quality standards for
peaches and nectarines as regards the sizing

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

Having regard to Council Regulation (EEC) No 1035/72
of 18 May 1972 on the common organization of the
market in fruit and vegetables ⁽¹⁾, as last amended by
Regulation (EEC) No 638/93 ⁽²⁾, and in particular
Article 2 (2) thereof,

Whereas the Annex to Commission Regulation (EEC)
No 3596/90 ⁽³⁾, as amended by Regulation (EEC)
No 1107/91 ⁽⁴⁾, lays down quality standards for peaches
and nectarines;

Whereas those standards provide for the obligation to
comply with a sizing scale; whereas the size of size group
D is no longer in line with production and marketing
requirements except for the early varieties;

Whereas the standards should be amended accordingly;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 3596/90 is amended
as follows:

in Part III 'Provisions concerning sizing' the following is
added as the second section below the sizing scale:

'Size D (51 mm and over but under 56 mm in
diameter or 16 cm and over but under 17,5 cm in
circumference) is only allowed in the period from the
beginning of the marketing period until 30 June.'

Article 2

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

For the marketing year 1993 it shall apply from 1 May
1993.

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 350, 14. 12. 1990, p. 38.

⁽⁴⁾ OJ No L 110, 1. 5. 1991, p. 63.

COMMISSION REGULATION (EEC) No 1170/93**of 13 May 1993****laying down certain detailed rules for the application of Council Regulation (EEC) No 2158/92 on protection of the Community's forests against fire**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2158/92 of 23 July 1992 on protection of the Community's forests against fire⁽¹⁾, and in particular Article 4 (4) thereof,

Whereas applications for aid submitted under the Community scheme for the protection of forests against fire, in respect of programmes or projects, should contain all the details needed for an examination of such programmes and projects in the light of the objectives and criteria of Regulation (EEC) No 2158/92;

Whereas this information should be presented in a standardized form to facilitate examination and comparison of applications;

Whereas the Member States are then to apply to the Commission for reimbursement of part of the expenditure approved; whereas detailed rules relating to reimbursement applications, and in particular the nature of the corresponding supporting documents, should be laid down;

Whereas the supporting documents are to be sent by the departments or agencies designated by the Member States; whereas in order to ensure effective monitoring of the implementation of the schemes in question it is necessary to define the role of the abovementioned departments or agencies, the nature of the supporting documents drawn up in accordance with the laws or regulations of the Member State concerned or with measures adopted by the abovementioned departments or agencies, and also the supervisory arrangements set up in each Member State;

Whereas the Commission must be informed that the schemes are being implemented in accordance with the conditions and within the time limits laid down in the decisions granting aid;

Whereas, for the payment of aid or part thereof, it is necessary to specify those documents which are to be forwarded by the departments or agencies to the Commission to enable it to establish whether all the conditions for payment are met; whereas the said documents must give full details and be presented in an identical form to facilitate rapid processing and equal treatment of payment applications;

Whereas, if the documents duly provided by the departments or agencies do not appear to the Commission to be adequate, or if they appear not to contain sufficient infor-

mation for verification of compliance with a financial or other requirement imposed, the Commission should be able to request the authorities or agencies to submit additional supporting material or documents;

Whereas, in order to ensure that any on-the-spot inspections carried out are fully effective, provision should be made for cooperation between the Commission and the Member State concerned;

Whereas the procedure for suspending, reducing or terminating Community aid should not be initiated without prior consultation of the Member State concerned or without notification of the responsible agency enabling it to submit its observations;

Whereas since the Community aid is to be paid to the agency responsible for implementation of the scheme through the departments or agencies designated for that purpose by the Member State, the documents that those authorities or agencies are to transmit to the Commission should be specified;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Standing Forestry Committee,

HAS ADOPTED THIS REGULATION:

APPLICATION FOR AID*Article 1*

1. Applications for aid from the Community for the implementation of programmes or projects within the meaning of Article 4 (1) of Regulation (EEC) No 2158/92 shall contain the information and documents specified in Annexes A and B to this Regulation.
2. Applications shall be submitted in triplicate and in the form set out in Annexes A and B.
3. Applications not meeting the requirements set out in paragraphs 1 and 2 hereof shall not be considered.

PAYMENT OF AID*Article 2*

1. The departments or agencies designated by the Member States in accordance with Article 7 of Regulation (EEC) No 2158/92 shall send to the Commission, within two months of the entry into force of this Regulation, a

⁽¹⁾ OJ No L 217, 31. 7. 1992, p. 3.

schedule of the supporting documents that the beneficiary is required to supply. Any change to that schedule shall be notified to the Commission within two months of its being adopted.

'Supporting documents' shall mean any document drawn up in accordance either with the laws or regulations of the Member State concerned, or with measures adopted by the abovementioned departments or agencies, which afford evidence that the conditions attached to a project have been met.

The schedule shall give:

- the description of each document and the provisions or measures under which it is drawn up, and
- a brief description of the content of such documents.

2. The departments or agencies shall also send the Commission, within the periods specified in paragraph 1, a detailed description of the checks to be made before the certificate set out in Annex C 1 is drawn up.

3. The Commission may request the Member States to supplement the schedule with other supporting documents that it considers necessary for verification of the eligibility of the expenditure shown in payment applications. It may, to the same end, also request the Member States to tighten up their checking procedures.

Article 3

12 months after the date of notification of a decision granting aid, the departments or agencies shall transmit to the Commission a document describing the state of progress of the work.

Where, contrary to information given in the aid application and incorporated in the decision, work has not commenced at the end of the abovementioned 12-month period, the departments or agencies shall specify the reasons therefore, and shall, where appropriate, transmit to the Commission satisfactory guarantees from the agencies responsible for the work that it will commence in the near future. Should it not be possible to give such guarantees or should the Commission decide that those given are not satisfactory, the aid shall be suspended, reduced or withdrawn.

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

Done at Brussels, 13 May 1993.

Article 4

The departments or agencies may transmit payment applications following completion of each annual instalment of work.

Such applications, to be submitted in duplicate, shall include the certificates and other information specified in Annexes C 1, C 2 and C 3.

Article 5

In order to enable an effective check to be made on the execution of the work, the departments or agencies shall transmit to the Commission, at the latter's request and within a time limit specified by it, all supporting documents or a certified copy thereof as specified in Article 2 or any other documents affording evidence that the conditions pertaining to the operation have been complied with.

Article 6

If the Commission considers it necessary to make an on-the-spot inspection, it shall notify the Member State concerned in advance and request its participation. Member States shall take whatever action is required to facilitate such inspection.

Article 7

Before initiating any procedure for suspending, reducing or terminating Community aid, the Commission shall:

- so inform the Member State on whose territory the operation was to be carried out, so that it may state its views on the matter,
- consult the department or agency designated to receive the corresponding payments, and
- call on the department or agency responsible for execution of the operation to explain, via the departments or agencies specified in Article 2, why the conditions imposed have not been complied with.

Article 8

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

For the Commission

René STEICHEN

Member of the Commission

ANNEX A

PART 1

Please read instructions before filling in the application.

Not to be completed by the applicant	No of project/programme
	No of plan concerned
1. Title of project/programme	

2. Applicant

2.1. Name or business name

2.2. Road and number or post office box

2.3. Postal code and name of locality

2.4. Telephone

2.5. Fax

2.6. Name of person to contact

3. Responsible agency

.....

.....

.....

3.1. Is the responsible agency also the applicant — No ⁽¹⁾
— Yes ⁽¹⁾

(¹) Delete as appropriate.

3.2. Name or business name

3.3. Road and number or post office box

3.4. Postal code and name of locality

3.5. Telephone

3.6. Fax

3.7. Legal status

3.8. Reference numbers of previous applications for Community aid

Four empty 10x10 grids are provided for drawing. Each grid is a square divided into 10 columns and 10 rows by thin lines.

4. General description of the project/programme

.....

.....

.....

.....

.....

4.1. Type of schemes involved

.....

4.2. Area concerned: — high fire risk (1)
— medium fire risk (1)

Date of Commission approval of the area

1 2 3 4 5 6

4.3. Forest fire protection plan ; date of approval of the plan by the Commission (2)

Reference No of plan ⁽²⁾

Age Group	Control	100 Hz	200 Hz	400 Hz
10-12	~85	~75*	~80	~85
13-15	~85	~75*	~80	~85
16-18	~85	~80	~85	~85

1	2	3	4	5	6	7	8	9	10
---	---	---	---	---	---	---	---	---	----

4.4. Scheduled dates :

Start of the work

Completion of the work

Figure 1

[illegible]

Confirmation that the work will not begin before receipt of the application for financial aid. — No (1)
— Yes (1)

(¹) Delete as appropriate.

(2) Number given by the Commission.

4.5. Total cost of the project/programme (in national currency)

4.6. Aid requested (in national currency)

i.e. | | | % of the total cost

11

4.7. Description of any other aid applied for

4.7.1. Aid 1

Origin :

Nature :

Amount (in national currency)

Age Group	Percentage
18-24	100
25-34	80
35-44	80
45-54	100
55-64	80
65-74	80
75-84	100
85+	80

4.7.2. Aid 2

Origin :

Nature :

Amount (in national currency)

4.7.3. Aid 3

Origin :

Nature :

Amount (in national currency)

Age Group	Percentage
18-24	10
25-34	20
35-44	15
45-54	30
55-64	15
65-74	15
75-84	30
85-94	10
95-104	10

4.7.4. Aid 4

Origin :

Nature :

Amount (in national currency)

4.7.5. Aid 5

Origin :

Nature :

Amount (in national currency)

Date _____

Signature and stamp

INFORMATION PROVIDED BY THE MEMBER STATE

If yes, order of priority of project/programme ...

2. Title of project/programme

3. Agency responsible for forwarding supporting documents

3.1. Name or business name

3.2. Road and number or post office box

3.3. Postal code and name of locality

3.4. Telephone

3.5. Fax

3.6. Name of person to contact

[illegible]

4. Description of aids likely to be granted by the Member State

4.1. Aid 1

Origin

Nature

Legal basis :

Amount (in national currency)

4.2. Aid 2

Origin

Nature

Legal basis :.....

Amount (in national currency)

Age Group	Number of People
13-17	10
18-24	25
25-34	20
35-44	15
45-54	10
55-64	5
65-74	5
75-84	10
85-94	5
95-104	5

(1) Delete as appropriate.

Amount (in national currency)

Age Group	Number of People
0-14	10
15-24	20
25-34	30
35-44	25
45-54	20
55-64	15
65-74	10
75-84	5
85-94	2
95-104	1

Amount (in national currency)

Age Group	Number of People
15-19	10
20-24	20
25-29	20
30-34	10
35-39	20
40-44	20
45-49	10
50-54	20
55-59	10
60-64	20
65-69	10

Amount (in national currency)

[illegible]

| |

.....
Signature and stamp

ANNEX B

1. Short description of the project/programme (see form B1).
2. Applicant.
 - 2.1. Object of the applicant's main activities.
 - 2.2. Attach, where appropriate :
 - articles of association,
 - extract from the trade register.
3. Description of the context and objectives of the project/programme.
4. Detailed description of the project/programme (form B2 to be completed also).
5. Detailed description of compatibility of the project/programme with the relevant forest protection plan approved by the Commission in accordance with Articles 3 and 4 of Regulation (EEC) No 2158/92.
6. Breakdown of costs of the project/programme.
7. Description of the projects/programmes already financed by the Community in the field and results obtained.
8. Proposed financing.
 - 8.1. Complete form B3.
 - 8.2. Desired stages of payment of the aid requested.

.....
Date

.....
Signature and stamp

B1 : Brief description of project/programme

1. Project No (1)		Plan No	
Title (1) :		Area is (2)	— high risk — medium risk

2. Applicant (name/address)

3. Type of schemes involved/compatibility with plan

4. Description of individual schemes forming part of the project and breakdown of costs by scheme

5. Total costs		national currency ⁽¹⁾		ECU	
Aid requested		national currency		ECU	
i.e.		% of total costs			

⁽¹⁾ To be completed by the Commission.
⁽²⁾ Delete as appropriate.

B2: Provisional scheduling of project

[illegible]

B3 : Proposed financing

Type of scheme	Unit	Quantity	Total cost	Non-Community contribution				Aid requested (1)
				State	Region	Other public or private funds (1)	Own funds (1)	
(a) <i>Identification of the causes of forest fires and determination of means of combating them</i> 1. Studies to identify the causes of fire and the background thereto 2. Studies to devise proposals for schemes to eliminate the causes and background 3. Campaigns to inform and educate the public	—	—						
	—	—						
	number of persons concerned							
(b) <i>Setting-up or improvement of systems of prevention</i> 1. Establishment of protective infrastructures : 1.1. — forest paths 1.2. — tracks 1.3. — water supply points 1.4. — firebreaks, cleared and felled areas 2. Launching of operations to maintain firebreaks and cleared and felled areas 3. Preventive forestry measures	km							
	km							
	number							
	hectare							
	hectare							
	hectare							
	hectare							

Type of scheme	Unit	Quantity	Total cost	Non-Community contribution				Aid requested (1)
				State	Region	Other public or private funds (1)	Own funds (1)	
(c) <i>Setting-up or improvement of forest monitoring systems</i> 1. Fixed facilities 2. Mobile facilities 3. Communications equipment	number							
	number							
	number	—						
(d) <i>Training of highly specialized personnel</i>	number of persons concerned							
(e) <i>Analytical studies, pilot projects and demonstration projects relating to new methods, techniques and technologies</i>	—	—						
Total								

EXPLANATORY NOTES AND INSTRUCTIONS FOR COMPLETING APPLICATIONS

Preliminary remarks

This Regulation is designed to describe as precisely as possible the information which the Commission needs in order to decide on aid applications in accordance with the conditions and criteria of Regulation (EEC) No 2158/92.

Taking account of the multitude of situations, it is obviously not possible to cover each individual case in detail.

There will be cases where certain information is not available or does not fully explain a particular situation. In such cases the reasons why some questions cannot be answered should be indicated on a separate sheet. The applicant may also attach supplementary explanations to each form for which he considers it necessary to explain fully the circumstances of his situation or application.

ANNEX A

General instructions for completing boxes

- (a) Only sections 2 to 4.7.5 of Part 1 are to be completed by the applicant.
- (b) The number of characters of a piece of information (including intermediate spaces) must not exceed the number provided on the form. If necessary, use abbreviations.
One character only should be written in each space.
- (c) With the exception of amounts, data should be entered beginning with the first space on the left.
- (d) Amounts :
Amounts should be given in national currency, without decimal points.

Explanatory notes to the various headings⁽¹⁾

Part 1

- 2. Applicant
- 3. Agency responsible for carrying out the programme or project
If there are several agencies the information for heading 3 is to be given for each on a separate sheet.
- 3.1. Circle the correct reply.
- 3.7. For example : cooperative, commune, limited company, etc.
- 3.8. The programme or project numbers assigned by the Commission. If there are more than four numbers, mention them afterwards at the bottom of the page.
- 4. General description of the programme or project
- 4.1. Each programme or project must fall into one of the following categories :
 - (a) Identification of the causes of forest fires and determination of means of combating them
 - Studies to identify the causes of fire and the background thereto,
 - Studies to devise proposals for schemes to eliminate the causes and background,
 - Campaigns to inform and educate the public ;
 - (b) Setting-up or improvement of systems of prevention
 - establishment of protective infrastructures
 - forest paths,
 - tracks,
 - water supply points,
 - firebreaks, cleared and felled areas,
 - launching of operations to maintain firebreaks and cleared and felled areas,
 - preventive forestry measures ;
 - (c) Setting-up or improvement of monitoring systems
 - fixed facilities
 - mobile facilities
 - communications equipment ;

⁽¹⁾ The paragraph numbers correspond to the headings in the form.

- (d) Training of highly specialized personnel ;
- (e) Analytical studies, pilot projects and demonstration projects relating to new methods, techniques and technologies.

Where the programme/project combines several categories, mention each category concerned.

- 4.2. Give the risk rating for the area covered by the project/programme as defined (medium or high risk) and approved by the Commission pursuant to Article 2 of Regulation (EEC) No 2158/92.
- 4.3. Refer to the plan for the protection of forests against fire (of which the project/programme forms part) as sent to the Commission and approved by the Commission pursuant to Articles 3 and 4 of Regulation (EEC) No 2158/92.
- 4.4. Give the month and the year.

Example :

0	4	9	2
---	---	---	---

Programmes or projects started before the application is received by the Commission cannot receive aid.

- 4.5. Origin : State, region, commune, etc.

Nature : Capital subsidy, reduced-rate loan, interest-rate subsidy, etc.

Amount : State amount only in the case of capital subsidies. The grant of aids must be confirmed by the competent authorities before the application is submitted to the Commission.

Part 2

Data provided by the Member State

- 5. If there is more than one agency, provide the information requested in section 5 for each.

ANNEX C 1

**CERTIFICATE FOR PAYMENT OF THE AMOUNT FOR ONE OR MORE ANNUAL
INSTALMENTS OF WORK**

Operation No

Beneficiary (name and address)

.....

The⁽¹⁾, responsible for the execution of measures adopted pursuant to Regulation (EEC) No 2158/92 on protection of the Community's forests against fire, in accordance with Article 7 of the said Regulation, hereby certifies that:

1. the supporting documents indicated in the descriptive list sent to the Commission pursuant to Article 1 of Regulation (EEC) No 1170/93 have been checked;
2. the work provided for by the scheme commenced on at the scheduled site;
3. the entire scheme
was completed on⁽²⁾
will be completed on⁽²⁾;
4. the actual costs of the eligible expenditure incurred total
5. the breakdown of the abovementioned costs by type of scheme is as shown in the list of accounting documents given in Annex II; a comparative table of work planned and executed is given in Annex III;
6. it has been noted in the field by that the work carried out is as specified in the dossier attached to the aid application on which the Commission decision was based;
7. the amount of recoverable value-added tax included in the declared expenditure is
8. the supporting documents are held by
9. the aid is to be paid to account No
with (name of bank)
.....
in the name of
address

Done at, Date

For the authority responsible

.....
Signature and stamp

⁽¹⁾ Name of department or agency.

⁽²⁾ Delete as appropriate.

LIST OF ACCOUNTING DOCUMENTS

(from to)

[illegible]

Type of scheme	Cost as per estimate	Accounting documents ⁽¹⁾						Payments made		
		Number	Dates ⁽²⁾	Issued by	Amount net of tax	VAT	Amount inclusive of tax	Method	Dates ⁽³⁾	Amount
(c) <i>Setting-up or improvement of forest monitoring systems</i> 1. fixed facilities 2. mobile facilities 3. communications equipment										
(d) <i>Training of highly specialized personnel</i>										
(e) <i>Analytical studies, pilot projects and demonstration projects relating the new methods, techniques and technologies</i>										
Total										

⁽¹⁾ List all documents.

⁽²⁾ For dates prior to submission of aid application, give reasons for early expenditure.

⁽³⁾ Dates payment was made and not when amount was due.

If there are too many supporting documents to list in this form, attach additional lists.

ANNEX C3

COMPARATIVE TABLE

Type of scheme	Unit	Work planned		Work completed		Reason for change
		Quantity	Costs	Quantity	Cost	
(a) <i>Identification of the causes of forest fires and determination of means of combating them:</i>						
1. Studies to identify the causes of fire and the background thereto	—	—				
2. Studies to devise proposals for schemes to eliminate the causes and background	—	—				
3. Campaigns to inform and educate the public	number of persons concerned					
(b) <i>Setting-up or improvement of systems of prevention:</i>						
1. Establishment of protective infrastructures	km					
1.1. forest paths	km					
1.2. tracks	km					
1.3. water supply points	number					
1.4. firebreaks, cleared and felled areas	hectare					
2. Launching of operations to maintain fire-breaks and felled and cleared areas	hectare					
3. Preventive forestry measures	hectare					

Type of scheme	Unit	Work planned		Work completed		Reason for change
		Quantity	Costs	Quantity	Cost	
(c) <i>Setting-up or improvement of forest monitoring systems:</i> 1. Fixed 2. Mobile 3. Communications equipment						
(d) <i>Training of highly specialized personnel</i>						
(e) <i>Analytical studies, pilot projects and demonstration projects relating to new methods, techniques and technologies</i>						
Total						

COMMISSION REGULATION (EEC) No 1171/93**of 13 May 1993****fixing the maximum export refunds on olive oil for the 12th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3143/92**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EEC) No 2046/92 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EEC) No 3143/92 ⁽⁴⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93 ⁽⁵⁾ prohibits trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas Article 6 of Regulation (EEC) No 3143/92 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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 maximum export refunds for olive oil for the 12th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3143/92 are hereby fixed in the Annex, on the basis of the tenders submitted by 9 May 1993.

Article 2

This Regulation shall enter into force on 14 May 1993.

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

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

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 1.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 313, 30. 10. 1992, p. 39.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 13 May 1993 fixing the maximum export refunds on olive oil for the 12th partial invitation to tender under the standing invitation to tender issued by Regulation (EEC) No 3143/92

(ECU/100 kg)

Product code	Amount of refund (1)
1509 10 90 100	38,85
1509 10 90 900	63,00
1509 90 00 100	48,90
1509 90 00 900	76,00
1510 00 90 100	8,45
1510 00 90 900	38,00

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

NB: The product codes and the footnotes are defined in amended 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).

COMMISSION REGULATION (EEC) No 1172/93

of 13 May 1993

fixing the export refunds on milk and milk products and amending Regulation (EEC) No 3846/87 establishing an agricultural product nomenclature for export refunds

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

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

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are

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

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

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

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

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

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

taining added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 61/92⁽²⁾;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁴⁾;

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

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88⁽⁶⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas Commission Regulation (EEC) No 3846/87⁽⁷⁾, as last amended by Regulation (EEC) No 425/93⁽⁸⁾, establishes the combined nomenclature applicable to export refunds for agricultural products; whereas mistakes have

crept into the nomenclature for milk products; whereas it is therefore necessary to amend Sector 10 of the Annex to Regulation (EEC) No 3846/87;

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

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

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾ prohibits trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.

2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

The notes in Sector 10 of the Annex to Regulation (EEC) No 3846/87 are hereby replaced by those in Annex II to this Regulation.

Article 3

This Regulation shall enter into force on 14 May 1993.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 6, 11. 1. 1992, p. 19.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 93.

⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁷⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁸⁾ OJ No L 48, 26. 2. 1993, p. 26.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

to the Commission Regulation of 13 May 1993 fixing the export refunds on milk and milk products

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

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0401 10 10 000		5,45	0402 21 91 900		154,37
0401 10 90 000		5,45	0402 21 99 100		112,91
0401 20 11 100		5,45	0402 21 99 200		113,77
0401 20 11 500		8,58	0402 21 99 300		115,34
0401 20 19 100		5,45	0402 21 99 400		124,41
0401 20 19 500		8,58	0402 21 99 500		127,51
0401 20 91 100		11,50	0402 21 99 600		139,36
0401 20 91 500		13,46	0402 21 99 700		146,46
0401 20 99 100		11,50	0402 21 99 900		154,37
0401 20 99 500		13,46	0402 29 15 200		0,6000
0401 30 11 100		17,36	0402 29 15 300		0,9748
0401 30 11 400		26,92	0402 29 15 500		1,0342
0401 30 11 700		40,59	0402 29 15 900		1,1200
0401 30 19 100		17,36	0402 29 19 200		0,6000
0401 30 19 400		26,92	0402 29 19 300		0,9748
0401 30 19 700		40,59	0402 29 19 500		1,0342
0401 30 31 100		48,39	0402 29 19 900		1,1200
0401 30 31 400		75,72	0402 29 91 100		1,1291
0401 30 31 700		83,52	0402 29 91 500		1,2441
0401 30 39 100		48,39	0402 29 99 100		1,1291
0401 30 39 400		75,72	0402 29 99 500		1,2441
0401 30 39 700		83,52	0402 91 11 110		5,45
0401 30 91 100		95,23	0402 91 11 120		11,50
0401 30 91 400		140,12	0402 91 11 310		19,17
0401 30 91 700		163,55	0402 91 11 350		23,87
0401 30 99 100		95,23	0402 91 11 370		29,47
0401 30 99 400		140,12	0402 91 19 110		5,45
0401 30 99 700		163,55	0402 91 19 120		11,50
0402 10 11 000		60,00	0402 91 19 310		19,17
0402 10 19 000		60,00	0402 91 19 350		23,87
0402 10 91 000		0,6000	0402 91 19 370		29,47
0402 10 99 000		0,6000	0402 91 31 100		23,02
0402 21 11 200		60,00	0402 91 31 300		34,83
0402 21 11 300		97,48	0402 91 39 100		23,02
0402 21 11 500		103,42	0402 91 39 300		34,83
0402 21 11 900		112,00	0402 91 51 000		26,92
0402 21 17 000		60,00	0402 91 59 000		26,92
0402 21 19 300		97,48	0402 91 91 000		95,23
0402 21 19 500		103,42	0402 91 99 000		95,23
0402 21 19 900		112,00	0402 99 11 110		0,0545
0402 21 91 100		112,91	0402 99 11 130		0,1150
0402 21 91 200		113,77	0402 99 11 150		0,1909
0402 21 91 300		115,34	0402 99 11 310		22,12
0402 21 91 400		124,41	0402 99 11 330		26,91
0402 21 91 500		127,51	0402 99 11 350		36,34
0402 21 91 600		139,36	0402 99 19 110		0,0545
0402 21 91 700		146,46	0402 99 19 130		0,1150

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0402 99 19 150		0,1909	0403 90 59 510		95,23
0402 99 19 310		22,12	0403 90 59 540		140,12
0402 99 19 330		26,91	0403 90 59 570		163,55
0402 99 19 350		36,34	0403 90 61 100		0,0545
0402 99 31 110		0,2497	0403 90 61 300		0,0858
0402 99 31 150		37,89	0403 90 63 000		0,1150
0402 99 31 300		0,4839	0403 90 69 000		0,1736
0402 99 31 500		0,8352	0404 90 11 100		60,00
0402 99 39 110		0,2497	0404 90 11 910		5,45
0402 99 39 150		37,89	0404 90 11 950		19,17
0402 99 39 300		0,4839	0404 90 13 120		60,00
0402 99 39 500		0,8352	0404 90 13 130		97,48
0402 99 91 000		0,9523	0404 90 13 140		103,42
0402 99 99 000		0,9523	0404 90 13 150		112,00
0403 10 02 000		—	0404 90 13 911		5,45
0403 10 04 200		—	0404 90 13 913		11,50
0403 10 04 300		—	0404 90 13 915		17,36
0403 10 04 500		—	0404 90 13 917		26,92
0403 10 04 900		—	0404 90 13 919		40,59
0403 10 06 000		—	0404 90 13 931		19,17
0403 10 12 000		—	0404 90 13 933		23,87
0403 10 14 200		—	0404 90 13 935		29,47
0403 10 14 300		—	0404 90 13 937		34,83
0403 10 14 500		—	0404 90 13 939		36,44
0403 10 14 900		—	0404 90 19 110		112,91
0403 10 16 000		—	0404 90 19 115		113,77
0403 10 22 100		5,45	0404 90 19 120		115,34
0403 10 22 300		8,58	0404 90 19 130		124,41
0403 10 24 000		11,50	0404 90 19 135		127,51
0403 10 26 000		17,36	0404 90 19 150		139,36
0403 10 32 100		0,0545	0404 90 19 160		146,46
0403 10 32 300		0,0858	0404 90 19 180		154,37
0403 10 34 000		0,1150	0404 90 19 900		—
0403 10 36 000		0,1736	0404 90 31 100		60,00
0403 90 11 000		60,00	0404 90 31 910		5,45
0403 90 13 200		60,00	0404 90 31 950		19,17
0403 90 13 300		97,48	0404 90 33 120		60,00
0403 90 13 500		103,42	0404 90 33 130		97,48
0403 90 13 900		112,00	0404 90 33 140		103,42
0403 90 19 000		112,91	0404 90 33 150		112,00
0403 90 31 000		0,6000	0404 90 33 911		5,45
0403 90 33 200		0,6000	0404 90 33 913		11,50
0403 90 33 300		0,9748	0404 90 33 915		17,36
0403 90 33 500		1,0342	0404 90 33 917		26,92
0403 90 33 900		1,1200	0404 90 33 919		40,59
0403 90 39 000		1,1291	0404 90 33 931		19,17
0403 90 51 100		5,45	0404 90 33 933		23,87
0403 90 51 300		8,58	0404 90 33 935		29,47
0403 90 53 000		11,50	0404 90 33 937		34,83
0403 90 59 110		17,36	0404 90 33 939		36,44
0403 90 59 140		26,92	0404 90 39 110		112,91
0403 90 59 170		40,59	0404 90 39 115		113,77
0403 90 59 310		48,39	0404 90 39 120		115,34
0403 90 59 340		75,72	0404 90 39 130		124,41
0403 90 59 370		83,52			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0404 90 39 150		127,51	0405 00 19 500		163,90
0404 90 39 900		—	0405 00 19 700		168,00
0404 90 51 100		0,6000	0405 00 90 100		168,00
0404 90 51 910		0,0545	0405 00 90 900		216,00
0404 90 51 950		22,12	0406 10 20 100		—
0404 90 53 110		0,6000	0406 10 20 200		—
0404 90 53 130		0,9748	0406 10 20 210		—
0404 90 53 150		1,0342	0406 10 20 230	028	—
0404 90 53 170		1,1200		032	—
0404 90 53 911		0,0545		400	37,08
0404 90 53 913		0,1150		404	—
0404 90 53 915		0,1736		---	45,57
0404 90 53 917		0,2692	0406 10 20 290	028	—
0404 90 53 919		0,4059		032	—
0404 90 53 931		22,12		400	37,08
0404 90 53 933		26,91		404	—
0404 90 53 935		36,34		---	45,57
0404 90 53 937		37,89	0406 10 20 610	028	12,83
0404 90 53 939		—		032	12,83
0404 90 59 130		1,1291		036	—
0404 90 59 150		1,2441		038	—
0404 90 59 930		0,5815		400	82,87
0404 90 59 950		0,8352		404	—
0404 90 59 990		0,9523		---	85,02
0404 90 91 100		0,6000	0406 10 20 620	028	19,00
0404 90 91 910		0,0545		032	19,00
0404 90 91 950		22,12		036	—
0404 90 93 110		0,6000		038	—
0404 90 93 130		0,9748		400	91,37
0404 90 93 150		1,0342		404	—
0404 90 93 170		1,1200	0406 10 20 630	---	93,22
0404 90 93 911		0,0545		028	22,80
0404 90 93 913		0,1150		032	22,80
0404 90 93 915		0,1736		036	—
0404 90 93 917		0,2692		038	—
0404 90 93 919		0,4059		400	103,84
0404 90 93 931		22,12		404	—
0404 90 93 933		26,91		---	105,25
0404 90 93 935		36,34	0406 10 20 640	028	—
0404 90 93 937		37,89		032	—
0404 90 93 939		—		036	—
0404 90 99 130		1,1291		038	—
0404 90 99 150		1,2441		400	123,50
0404 90 99 930		0,5815		404	—
0404 90 99 950		0,8352		---	123,50
0404 90 99 990		0,9523	0406 10 20 650	028	26,13
0405 00 11 100		—		032	26,13
0405 00 11 200		127,02		036	—
0405 00 11 300		159,80		038	—
0405 00 11 500		163,90		400	61,75
0405 00 11 700		168,00		404	—
0405 00 19 100		—		---	128,58
0405 00 19 200		127,02			
0405 00 19 300		159,80			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 10 20 660		—	0406 30 10 200	028	—
0406 10 20 810	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	41,34
	400	20,39		404	—
	404	—		...	46,25
	...	20,01	0406 30 10 250	028	—
0406 10 20 830	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	41,34
	400	35,74		404	—
	404	—		...	46,25
	...	34,17	0406 30 10 300	028	—
0406 10 20 850	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	60,69
	400	43,52		404	—
	404	—		...	67,85
	...	41,44	0406 30 10 350	028	—
0406 10 20 870		—		032	—
0406 10 20 900		—		036	—
0406 10 80 000		—		038	—
0406 20 90 100		—		400	41,34
0406 20 90 913	028	—		404	—
	032	—		...	46,25
	400	83,35	0406 30 10 400	028	—
	404	—		032	—
	...	80,69		036	—
0406 20 90 915	028	—		038	—
	032	—		400	60,69
	400	111,14		404	—
	404	—		...	67,85
	...	107,59	0406 30 10 450	028	—
0406 20 90 917	028	—		032	—
	032	—		036	—
	400	118,09		038	—
	404	—		400	88,38
	...	114,31		404	—
0406 20 90 919	028	—		...	98,75
	032	—	0406 30 10 500	028	—
	400	131,97	0406 30 10 550	032	—
	404	—		036	—
	...	127,77		038	—
0406 20 90 990		—		400	41,34
0406 30 10 100		—		404	19,00
0406 30 10 150	028	—		...	46,25
	032	—	0406 30 10 600	028	—
	036	—		032	—
	038	—		036	—
	400	19,03		038	—
	404	—		400	60,69
	...	21,69		404	26,60
				...	67,85

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 30 10 650	028	—	0406 30 31 730	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	88,38		400	60,69
	404	—		404	—
	***	98,75		***	67,85
0406 30 10 700	028	—	0406 30 31 910	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	88,38		400	41,34
	404	—		404	—
	***	98,75		***	46,25
0406 30 10 750	028	—	0406 30 31 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	107,86		400	60,69
	404	—		404	—
	***	120,53		***	67,85
0406 30 10 800	028	—	0406 30 31 950	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	107,86		400	88,38
	404	—		404	—
	***	120,53		***	98,75
0406 30 10 900	028	—	0406 30 39 100	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	107,86		400	41,34
	404	—		404	19,00
	***	120,53		***	46,25
0406 30 31 100	028	—	0406 30 39 300	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	19,03		400	60,69
	404	—		404	26,60
	***	21,69		***	67,85
0406 30 31 300	028	—	0406 30 39 500	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	19,03		400	60,69
	404	—		404	26,60
	***	21,69		***	67,85
0406 30 31 500	028	—	0406 30 39 700	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	41,34		400	88,38
	404	—		404	—
	***	46,25		***	98,75
0406 30 31 710	028	—	0406 30 39 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	41,34		400	88,38
	404	—		404	—
	***	46,25		***	98,75

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 30 39 950	028	—	0406 90 23 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	107,86		400	61,75
	404	—		404	—
	***	120,53		***	128,58
0406 30 90 000	028	—	0406 90 25 100	—	—
	032	—	0406 90 25 900	028	—
	036	—		032	—
	038	—		036	—
	400	107,86		038	—
	404	—		400	61,75
	***	120,53		404	—
0406 40 00 100	—	—		***	128,58
	028	—	0406 90 27 100	—	—
	032	—	0406 90 27 900	028	—
	038	—		032	—
	400	114,00		036	—
	404	—		038	—
	***	120,18		400	53,33
0406 90 13 000	028	—		404	—
	032	—		***	108,97
	036	—	0406 90 31 111	—	—
	038	—	0406 90 31 119	028	—
	400	123,50		032	—
	404	—		036	—
	***	151,37		038	14,25
0406 90 15 100	028	—		400	59,36
	032	—		404	15,20
	036	—		***	85,46
	038	—	0406 90 31 151	028	—
	400	123,50		032	—
	404	—		036	—
	***	151,37		038	—
0406 90 15 900	—	—		400	55,48
0406 90 17 100	028	—		404	14,21
	032	—		***	79,64
	036	—	0406 90 31 159	—	—
	038	—	0406 90 31 900	—	—
	400	123,50	0406 90 33 111	—	—
	404	—	0406 90 33 119	028	—
	***	151,37		032	—
0406 90 17 900	—	—		036	—
	028	—		038	14,25
	032	—		400	59,36
	036	—		404	15,20
	038	—		***	85,46
	400	123,50	0406 90 33 151	028	—
	404	—		032	—
0406 90 21 100	—	—		036	—
0406 90 21 900	028	—		038	—
	032	—		400	55,48
	036	—		404	14,21
	038	—		***	79,64
	400	123,50			
	404	—			
	***	144,10			
0406 90 23 100	—	—			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 33 159		—	0406 90 69 910	028	—
0406 90 33 911		—		032	—
0406 90 33 919	028	—		036	66,50
	032	—		400	142,50
	036	—		404	76,00
	038	14,25		...	156,75
	400	59,36	0406 90 69 990		—
	404	15,20	0406 90 73 100		—
	...	85,46	0406 90 73 900	028	—
0406 90 33 951	028	—		032	—
	032	—		036	40,53
	036	—		400	152,00
	038	—		404	114,00
	400	55,48		...	143,45
	404	14,21	0406 90 75 100		—
	...	79,64	0406 90 75 900	028	—
0406 90 33 959		—		032	—
0406 90 35 110		—		036	—
0406 90 35 190	028	—		400	61,75
	032	—		404	—
	036	40,53		...	119,66
	400	152,00	0406 90 77 100	028	22,80
	404	85,50		032	22,80
	...	150,61		036	—
0406 90 35 910		—		038	—
0406 90 35 990	028	—		400	55,83
	032	—		404	—
	036	—		...	105,25
	038	—	0406 90 77 300	028	—
	400	123,50		032	—
	404	—		036	—
	...	123,50		038	—
0406 90 61 000	028	—		400	61,75
	032	—		404	—
	036	85,50		...	128,58
	400	180,50	0406 90 77 500	028	—
	404	133,00		032	—
	...	175,75		036	—
0406 90 63 100	028	—		038	—
	032	—		400	71,25
	036	99,78		404	—
	400	209,00		...	128,58
	404	152,00	0406 90 79 100		—
	...	201,51	0406 90 79 900	028	—
0406 90 63 900	028	—		032	—
	032	—		036	—
	036	66,50		038	—
	400	142,50		400	53,33
	404	76,00		404	—
	...	156,75		...	108,97
0406 90 69 100		—	0406 90 81 100		—

Product code	Destination (°)	Amount of refund (°)	Product code	Destination (°)	Amount of refund (°)
0406 90 81 900	028	—	0406 90 89 959	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	123,50		400	123,50
	404	—		404	—
	***	123,50		***	123,50
0406 90 85 100		—	0406 90 89 971	028	26,13
0406 90 85 910	028	—		032	26,13
	032	—		036	—
	036	40,54		038	—
	400	152,00		400	70,30
	404	85,50		404	—
	***	150,61		***	128,58
0406 90 85 991	028	—	0406 90 89 972	028	—
	032	—		032	—
	036	—		400	37,08
	038	—		404	—
	400	123,50		***	45,57
	404	—	0406 90 89 979	028	26,13
0406 90 85 995	***	123,50		032	26,13
	028	26,13		036	—
	032	26,13		038	—
	036	—		400	70,30
	038	—		404	—
	400	61,75		***	128,58
0406 90 85 999	404	—	0406 90 89 990	028	—
	***	128,58		032	—
0406 90 89 100	028	12,83		036	—
	032	12,83		038	—
	036	—		400	70,30
	038	—		404	—
	400	85,02		***	128,58
	404	—	0406 90 93 000	028	—
0406 90 89 200	***	85,02		032	—
	028	19,00		036	—
	032	19,00		038	—
	036	—		400	70,30
	038	—		404	—
0406 90 89 300	400	91,37		***	128,58
	404	—	0406 90 99 000	028	—
	***	93,22		032	—
	028	22,80		036	—
	032	22,80		038	—
	036	—		400	70,30
0406 90 89 910	038	—		404	—
	400	103,84		***	128,58
	404	—	2309 10 15 010	028	—
	***	105,25		032	—
0406 90 89 951	028	—		036	—
	032	—		038	—
	036	40,53		400	70,30
	400	152,00		404	—
	404	85,50		***	128,58
	***	143,45	2309 10 15 100	028	—
				032	—
				036	—
				038	—
				400	70,30
				404	—
			2309 10 15 200	***	128,58
				028	—
				032	—
				036	—
				038	—
				400	70,30
			2309 10 15 300	404	—
				***	128,58
				028	—
				032	—
				036	—
				038	—
			2309 10 15 400	400	70,30
				404	—
				***	128,58
				028	—
				032	—
				036	—
			2309 10 15 500	038	—
				400	70,30
				404	—
				***	128,58
				028	—
				032	—
			2309 10 15 700	036	—
				038	—
				400	70,30
				404	—
				***	128,58
				028	—
			2309 10 15 900	032	—
				036	—
				038	—
				400	70,30
				404	—
				***	128,58
			2309 10 19 010	028	—
				032	—
				036	—
				038	—
				400	70,30
				404	—
			2309 10 19 100	***	128,58
				028	—
				032	—
				036	—
				038	—
				400	70,30
			2309 10 19 200	404	—
				***	128,58
				028	—
				032	—
				036	—
				038	—
			2309 10 19 300	400	70,30
				404	—
				***	128,58
				028	—
				032	—
				036	—
			2309 10 19 400	038	—
				400	70,30
				404	—
				***	128,58
				028	—
				032	—
			2309 10 19 500	036	—
				038	—
				400	70,30
				404	—
				***	128,58
				028	—
			2309 10 19 600	032	—
				036	—
				038	—
				400	70,30
				404	—
				***	128,58
			2309 10 19 700	028	—
				032	—
				036	—
				038	—
				400	70,30
				404	—
			2309 10 19 800	***	128,58
				028	—
				032	—
				036	—
				038	—
				400	70,30
			2309 10 19 900	404	—
				***	128,58
				028	—
				032	—
				036	—
				038	—
			2309 10 70 010	400	70,30
				404	—
				***	128,58
				028	—
				032	—
				036	—
			2309 10 70 100	038	—
				400	70,30
				404	—
				***	128,58
				028	—
				032	—
			2309 10 70 200	036	—
				038	—
				400	70,30
				404	—
				***	128,58
				028	—
			2309 10 70 300	032	—
				036	—
				038	—
				400	70,30
				404	—
				***	128,58

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
2309 10 70 500		36,00	2309 90 39 300		—
2309 10 70 600		42,00	2309 90 39 400		—
2309 10 70 700		48,00	2309 90 39 500		—
2309 10 70 800		52,80	2309 90 39 600		—
2309 10 70 900		—	2309 90 39 700		—
2309 90 35 010		—	2309 90 39 800		—
2309 90 35 100		—	2309 90 39 900		—
2309 90 35 200		—	2309 90 70 010		—
2309 90 35 300		—	2309 90 70 100		18,00
2309 90 35 400		—	2309 90 70 200		24,00
2309 90 35 500		—	2309 90 70 300		30,00
2309 90 35 700		—	2309 90 70 500		36,00
2309 90 35 900		—	2309 90 70 600		42,00
2309 90 39 010		—	2309 90 70 700		48,00
2309 90 39 100		—	2309 90 70 800		52,80
2309 90 39 200		—	2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 208/93.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2).

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

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

ANNEX II

- (¹) When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or casein and/or caseinates, no export refund shall be granted.

When completing customs formalities, the applicant shall state on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added to the product.

- (²) The weight of the added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation of the fat content by weight. When the product falling within this subheading is a mixture containing added whey and/or added lactose and/or added casein and/or added caseinates, the added whey and/or added casein and/or added caseinates shall not be taken into account in the calculation of the amount of refund.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished product, and in particular,
- the lactose content of the added whey.

- (³) When the product contains casein and/or caseinates that were added before or at the time of processing, no refund shall be granted.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added.

- (⁴) The weight of added non-lactic matter and/or added whey and/or added lactose and/or added casein and/or added caseinates shall not be taken into account for the purpose of calculation the fat content, by weight.

The refund per 100 kilograms of product falling within this subheading shall be equal to the sum of the following components :

- (a) the amount per kilogram shown, multiplied by the weight of the lactic part contained in 100 kilograms of product ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the product, the amount per kilogram shown shall be multiplied by the weight of lactic part excluding the weight of added whey and/or added lactose and/or added caseinates, contained in 100 kilograms of product ;
- (b) a component calculated in accordance with the provisions of Article 2 (3) of Regulation (EEC) No 1098/68 (OJ No L 184, 29. 7. 1968, p. 10).

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case ;

- the actual content by weight of whey and/or lactose and/or casein and/or caseinates added per 100 kilograms of finished products, and in particular,
- the lactose content of the added whey.

- (⁵) The refund on 100 kilograms of product falling within this subheading is equal of the sum of the following elements :

- (a) the amount per 100 kilograms shown ; however, where whey and/or lactose and/or casein and/or caseinates have been added to the products, the amount per 100 kilograms shown shall be :
 - multiplied by the weight of the lactic part other than the added whey and/or added lactose and/or added casein and/or added caseinates contained in 100 kilograms of product, and then
 - divided by the weight of the lactic part contained in 100 kilograms of product ;
- (b) a component calculated in accordance with the provisions of Article 2(3) of Regulation (EEC) No 1098/68.

When completing customs formalities, the applicant shall state, on the declaration provided for this purpose, whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :

- the actual content by weight of whey and/or lactose and/or casein and/or caseinate added per 100 kilograms of finished product, and, in particular,
- the lactose content of the added whey.

- (⁶) No refund shall be paid in respect of exported cheese of which the free-at-frontier price, before application of the refund in the exporting Member State, is less than ECU 150 per 100 kilograms. This limitation to ECU 150 per 100 kilograms does not apply to cheeses falling within subheadings 0406 90 93 and 0406 10 20 with a water content, calculated by weight, of the non-fatty matter exceeding 72 %.

- (⁷) In the case of cheeses presented in containers which also contain conserving liquid, in particular brine, the refund is granted on the net weight, the weight of the liquid being deducted.

- (⁸) When completing customs formalities, the applicant shall state on the declaration provided for this purpose :

- the skimmed-milk-powder content, by weight,
- whether or not whey and/or lactose and/or casein and/or caseinates have been added, and where this is the case :
 - the content by weight of the added whey and/or added lactose and/or added casein and/or added caseinates, and
 - the lactose content of the added whey per 100 kilograms of finished product.

(⁹) 'Special compound feedingstuffs' are compound feedingstuffs containing skimmed-milk powder and fish meal and/or more than 9 grams of iron and/or more than 1,2 grams of copper in 100 kilograms of product.

(¹⁰) Where the product contains casein and/or caseinates, the part corresponding to the added casein and/or the added caseinates will not be taken into account for the purpose of calculating the refund.

When completing customs formalities, the party concerned is to state, on the declaration provided for the purpose, whether or not casein and/or caseinates have been added per 100 kilograms and where this is the case, the actual content by weight of added casein and/or added caseinates of finished product.

(¹¹) The refund on frozen condensed milk is the same as that on products falling within CN codes 0402 91 or 0402 99.

(¹²) The refunds on frozen products in the natural state falling CN codes 0403 90 11 to 0403 90 39 are the same as those on products falling within CN codes 0403 90 51 to 0403 90 69.

COMMISSION REGULATION (EEC) No 1173/93

of 13 May 1993

suspending the preferential customs duties and re-introducing the Common Customs Tariff duty on imports of multiflorous (spray) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 4088/87 of 21 December 1987 fixing conditions for the application of preferential customs duties on imports of certain flowers originating in Cyprus, Israel, Jordan and Morocco⁽¹⁾, as amended by Regulation (EEC) No 3551/88⁽²⁾, and in particular Article 5 (2) (b) thereof,

Whereas Regulation (EEC) No 4088/87 lays down the conditions for applying a preferential duty on large-flowered roses, small-flowered roses, uniflorous (bloom) carnations and multiflorous (spray) carnations within the limit of tariff quotas opened annually for imports into the Community of fresh cut flowers;

Whereas Council Regulation (EEC) No 3341/92⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

Whereas Article 2 of Regulation (EEC) No 4088/87 provides, on the one hand, that for a given product of a given origin, the preferential customs duty is to be applicable only if the price of the imported product is at least equal to 85 % of the Community producer price; whereas, on the other hand, the preferential customs duty is, except in exceptional cases, suspended and the Common Customs Tariff duty introduced for a given product of a given origin:

(a) if, on two successive market days, the prices of the imported product are less than 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on representative import markets;

or

(b) if, over a period of five to seven successive market days, the prices of the imported product are alternatively above and below 85 % of the Community producer price in respect of at least 30 % of the quantities for which prices are available on the representative import markets and if, for three days

during that period, the prices of the import product have been below that level;

Whereas Commission Regulation (EEC) No 2960/92⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as amended by Regulation (EEC) No 3556/88⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁷⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁸⁾;

Whereas, on the basis of prices recorded pursuant to Regulations (EEC) No 4088/87 and (EEC) No 700/88, it must be concluded that the conditions laid down in Article 2 (2) of Regulation (EEC) No 4088/87 for suspension of the preferential customs duty are met for multiflorous (spray) carnations originating in Israel; whereas the Common Customs Tariff duty should be reintroduced,

HAS ADOPTED THIS REGULATION:

Article 1

For imports of multiflorous (spray) carnations (CN code ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 3341/92 is hereby suspended and the Common Customs Tariff duty is hereby reintroduced.

Article 2

This Regulation shall enter into force on 14 May 1993.

⁽¹⁾ OJ No L 298, 14. 10. 1992, p. 9.

⁽²⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽³⁾ OJ No L 311, 17. 11. 1988, p. 8.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 96.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 336, 20. 11. 1992, p. 8.

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1174/93
of 13 May 1993
fixing the import levies on milk and milk products

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

Having regard to Council Regulation (EEC) No 804/68 of
27 June 1968 on the common organization of the market
in milk and milk products ⁽¹⁾, as last amended by Regula-
tion (EEC) No 2071/92 ⁽²⁾, and in particular Article 14 (8)
thereof,

Whereas the import levies on milk and milk products
were fixed by Commission Regulation (EEC) No
759/93 ⁽³⁾, as amended by Regulation (EEC) No
1027/93 ⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 759/93 to the prices

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 referred to in Article 14 of Regulation
(EEC) No 804/68 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 May 1993.

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

Done at Brussels, 13 May 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 77, 31. 3. 1993, p. 48.

⁽⁴⁾ OJ No L 105, 30. 4. 1993, p. 33.

ANNEX

to the Commission Regulation of 13 May 1993 fixing the import levies on milk and milk products

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

CN code	Note (?)	Import levy	CN code	Note (?)	Import levy
0401 10 10		15,24	0403 10 16	(¹)	2,0436/kg + 29,16
0401 10 90		14,03	0403 10 22		23,90
0401 20 11		21,49	0403 10 24		29,65
0401 20 19		20,28	0403 10 26		73,73
0401 20 91		27,24	0403 10 32	(¹)	0,1786/kg + 27,95
0401 20 99		26,03	0403 10 34	(¹)	0,2361/kg + 27,95
0401 30 11		71,32	0403 10 36	(¹)	0,6769/kg + 27,95
0401 30 19		70,11	0403 90 11		100,44
0401 30 31		138,62	0403 90 13		175,40
0401 30 39		137,41	0403 90 19		211,61
0401 30 91		234,13	0403 90 31	(¹)	0,9319/kg + 29,16
0401 30 99		232,92	0403 90 33	(¹)	1,6815/kg + 29,16
0402 10 11	(¹)	100,44	0403 90 39	(¹)	2,0436/kg + 29,16
0402 10 19	(¹) (¹)	93,19	0403 90 51		23,90
0402 10 91	(¹) (¹)	0,9319/kg + 29,16	0403 90 53		29,65
0402 10 99	(¹) (¹)	0,9319/kg + 21,91	0403 90 59		73,73
0402 21 11	(¹)	175,40	0403 90 61	(¹)	0,1786/kg + 27,95
0402 21 17	(¹)	168,15	0403 90 63	(¹)	0,2361/kg + 27,95
0402 21 19	(¹) (¹)	168,15	0403 90 69	(¹)	0,6769/kg + 27,95
0402 21 91	(¹) (¹)	211,61	0404 10 02		27,06
0402 21 99	(¹) (¹)	204,36	0404 10 04		175,40
0402 29 11	(¹) (¹) (¹)	1,6815/kg + 29,16	0404 10 06		211,61
0402 29 15	(¹) (¹)	1,6815/kg + 29,16	0404 10 12		100,44
0402 29 19	(¹) (¹)	1,6815/kg + 21,91	0404 10 14		175,40
0402 29 91	(¹) (¹)	2,0436/kg + 29,16	0404 10 16		211,61
0402 29 99	(¹) (¹)	2,0436/kg + 21,91	0404 10 26	(¹)	0,2706/kg + 21,91
0402 91 11	(¹)	42,62	0404 10 28	(¹)	1,6815/kg + 29,16
0402 91 19	(¹)	42,62	0404 10 32	(¹)	2,0436/kg + 29,16
0402 91 31	(¹)	53,28	0404 10 34	(¹)	0,9319/kg + 29,16
0402 91 39	(¹)	53,28	0404 10 36	(¹)	1,6815/kg + 29,16
0402 91 51	(¹)	138,62	0404 10 38	(¹)	2,0436/kg + 29,16
0402 91 59	(¹)	137,41	0404 10 48	(²)	0,2706/kg
0402 91 91	(¹)	234,13	0404 10 52	(²)	1,6815/kg + 6,04
0402 91 99	(¹)	232,92	0404 10 54	(²)	2,0436/kg + 6,04
0402 99 11	(¹)	51,73	0404 10 56	(²)	0,9319/kg + 6,04
0402 99 19	(¹)	51,73	0404 10 58	(²)	1,6815/kg + 6,04
0402 99 31	(¹) (¹)	1,3499/kg + 25,54	0404 10 62	(²)	2,0436/kg + 6,04
0402 99 39	(¹) (¹)	1,3499/kg + 24,33	0404 10 72	(²)	0,2706/kg + 21,91
0402 99 91	(¹) (¹)	2,3050/kg + 25,54	0404 10 74	(²)	1,6815/kg + 27,95
0402 99 99	(¹) (¹)	2,3050/kg + 24,33	0404 10 76	(²)	2,0436/kg + 27,95
0403 10 02		100,44	0404 10 78	(²)	0,9319/kg + 27,95
0403 10 04		175,40	0404 10 82	(²)	1,6815/kg + 27,95
0403 10 06		211,61	0404 10 84	(²)	2,0436/kg + 27,95
0403 10 12	(¹)	0,9319/kg + 29,16	0404 90 11		100,44
0403 10 14	(¹)	1,6815/kg + 29,16	0404 90 13		175,40

CN code	Note (°)	Import levy	CN code	Note (°)	Import levy
0404 90 19		211,61	0406 90 31	(°) (°) (°)	177,09
0404 90 31		100,44	0406 90 33	(°) (°)	177,09
0404 90 33		175,40	0406 90 35	(°) (°) (°)	177,09
0404 90 39		211,61	0406 90 37	(°) (°) (°)	177,09
0404 90 51	(°)	0,9319/kg + 29,16	0406 90 39	(°) (°) (°)	177,09
0404 90 53	(°) (°)	1,6815/kg + 29,16	0406 90 50	(°) (°) (°)	177,09
0404 90 59	(°)	2,0436/kg + 29,16	0406 90 61	(°) (°)	402,07
0404 90 91	(°)	0,9319/kg + 29,16	0406 90 63	(°) (°)	402,07
0404 90 93	(°) (°)	1,6815/kg + 29,16	0406 90 69	(°) (°)	402,07
0404 90 99	(°)	2,0436/kg + 29,16	0406 90 73	(°) (°)	177,09
0405 00 11	(°)	241,26	0406 90 75	(°) (°)	177,09
0405 00 19	(°)	241,26	0406 90 77	(°) (°)	177,09
0405 00 90		294,34	0406 90 79	(°) (°)	177,09
0406 10 20	(°) (°)	220,52	0406 90 81	(°) (°)	177,09
0406 10 80	(°) (°)	273,81	0406 90 85	(°) (°)	177,09
0406 20 10	(°) (°) (°)	402,07	0406 90 89	(°) (°) (°)	177,09
0406 20 90	(°) (°)	402,07	0406 90 93	(°) (°)	220,52
0406 30 10	(°) (°) (°)	176,25	0406 90 99	(°) (°)	273,81
0406 30 31	(°) (°) (°)	165,83	1702 10 10		26,86
0406 30 39	(°) (°) (°)	176,25	1702 10 90		26,86
0406 30 90	(°) (°) (°)	272,97	2106 90 51		26,86
0406 40 00	(°) (°) (°)	157,28	2309 10 15		72,31
0406 90 11	(°) (°) (°)	231,80	2309 10 19		93,75
0406 90 13	(°) (°) (°)	164,13	2309 10 39		88,55
0406 90 15	(°) (°) (°)	164,13	2309 10 59		74,70
0406 90 17	(°) (°) (°)	164,13	2309 10 70		93,75
0406 90 19	(°) (°) (°)	402,07	2309 90 35		72,31
0406 90 21	(°) (°) (°)	231,80	2309 90 39		93,75
0406 90 23	(°) (°) (°)	177,09	2309 90 49		88,55
0406 90 25	(°) (°) (°)	177,09	2309 90 59		74,70
0406 90 27	(°) (°) (°)	177,09	2309 90 70		93,75
0406 90 29	(°) (°) (°)	177,09			

(°) The levy on 100 kg of product falling within this code is equal to the sum of the following:

- (a) the amount per kilogram shown, multiplied by the weight of lactic matter contained in 100 kg of product; and
- (b) the other amount indicated.

(°) The levy on 100 kg of product falling within this code is equal to:

- (a) the amount per kilogram shown, multiplied by the weight of the dry lactic matter contained in 100 kg of product plus, where appropriate,
- (b) the other amount indicated.

(°) Products falling within this code imported from a third country under special arrangements concluded between that country and the Community for which an IMA 1 certificate issued under the conditions provided for in Regulation (EEC) No 1767/82 is issued are subject to the levies in Annex I to that Regulation.

(°) The levy applicable is limited under the conditions laid down in Regulation (EEC) No 715/90.

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

(°) 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 584/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 14 April 1993

laying down the methods to be used for detecting residues of substances having a hormonal or a thyrostatic action

(93/256/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 85/358/EEC of 16 July 1985 supplementing Directive 81/602/EEC concerning the prohibition of certain substances having a hormonal or a thyrostatic action⁽¹⁾, as last amended by Directive 88/146/EEC⁽²⁾, and in particular Article 5 (2) thereof,

Whereas Article 8 (1) of Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat⁽³⁾, as last amended by Directive 92/5/EEC⁽⁴⁾, and the second subparagraph of Article 11 (4) of Council Directive 85/397/EEC of 5 August 1985 on health and animal-health problems affecting intra-Community trade in heat-treated milk⁽⁵⁾, as last amended by Directive 89/662/EEC⁽⁶⁾, provide that examinations for residues are to be carried out in accordance with proven methods which are scientifically recognized, in particular those laid down in Community directives or other international standards;

Whereas the determination of methods of sample analysis includes definition of the analytical procedures to be followed, the rules to be observed when drawing samples and the criteria to be applied when carrying out analyses;

Whereas the analytical procedures adopted must be sufficiently sensitive to detect the presence of residues of substances having a hormonal or a thyrostatic action;

Whereas sampling is an essential part of the method of analysis; whereas rules for the drawing of samples should therefore be laid down;

Whereas, for the purposes of this Decision, account should be taken of the criteria set out in point 1 of the Annex to Council Directive 85/591/EEC of 20 December 1985 concerning the introduction of Community methods of sampling and analysis for the monitoring of foodstuffs intended for human consumption⁽⁷⁾;

Whereas, taking into account developments in scientific and technical knowledge, and for the sake of clarity, it is necessary to revoke Commission Decision 87/410/EEC⁽⁸⁾;

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

The routine analytical procedures authorized for detecting residues of substances having a hormonal or a thyrostatic action shall be the following:

⁽¹⁾ OJ No L 191, 23. 7. 1985, p. 46.

⁽²⁾ OJ No L 70, 16. 3. 1988, p. 16.

⁽³⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽⁴⁾ OJ No L 57, 2. 3. 1992, p. 1.

⁽⁵⁾ OJ No L 226, 24. 8. 1985, p. 13.

⁽⁶⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽⁷⁾ OJ No L 372, 31. 12. 1985, p. 50.

⁽⁸⁾ OJ No L 223, 11. 8. 1987, p. 18.

- immunoassay,
- thin-layer chromatography,
- liquid chromatography,
- gas chromatography,
- mass spectrometry,
- spectrometry,

or any other method which fulfils comparable criteria to those laid down for related methods in the Annex.

Article 2

Samples for analysis shall be taken in accordance with the following rules :

1. the sample must be representative and of sufficient size to allow adequate analysis and to allow a repeat analysis and any confirmatory analysis ;
2. the samples must be marked in such a way that identification remains possible at all times ;
3. the sampling procedure, packaging, preservation, transport and storage of the samples must be such as to maintain their integrity and not prejudice the result of the examination. Unauthorized access to the samples must be prevented.

Article 3

The criteria applicable to routine methods for the analysis of residues of substances having a hormonal or a thyrostatic action are set out in the Annex.

Article 4

This Decision shall re-examined before 1 January 1996 in order to take account of developments in scientific and technical knowledge.

Article 5

Commission Decision 87/410/EEC is hereby revoked.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 14 April 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

1. DEFINITIONS AND GENERAL REQUIREMENTS

1.1. Definitions

1.1.1. *Routine methods of analysis*

These are methods of analysis used by Member States to implement national plans for the control of residues in food-producing animals and their products in compliance with Council Directive 86/469/EEC⁽¹⁾. Routine methods must have been validated by operational laboratories, and must fulfil the relevant criteria set out in this Annex. They may be used for screening and/or conformity purposes:

- methods used for screening purposes (screening methods) are methods which are used to detect the presence of an analyte or class of analytes at the level of interest. These methods have a high sample throughput capacity and are used to sift large numbers of samples for potential positives. They are aimed at avoiding false negative results,
- methods used for confirmatory purposes (confirmatory methods) are methods which provide full or complementary information enabling the analyte to be identified unequivocally at the level of interest. These methods are aimed at preventing false positive results as well as having an acceptable low probability of false negative results.

1.1.2. *Analyte*

This is a component of a test sample which has to be detected, identified and/or quantified. The term 'analyte' includes, where appropriate, derivatives formed from the analyte during the analysis.

A quantitative measure of an analyte has to be reported as:

- an amount, expressed as a mass quantity (e.g. μg , ng)
- or
- a content, expressed as a mass fraction (e.g. $\mu\text{g kg}^{-1}$, ng kg^{-1}), a mass concentration (e.g. $\mu\text{g l}^{-1}$) or a concentration (e.g. mol l^{-1}).

1.1.3. *Samples*

1.1.3.1. Laboratory sample

This is a sample as prepared for sending to the laboratory and intended for inspection or testing.

1.1.3.2. Test sample

This is a sample prepared from the laboratory sample and from which test portions will be taken.

1.1.3.3. Test portion

This is the quantity of material drawn from the test sample (or, if both are the same, from the laboratory sample) and on which the test or observation is actually carried out.

1.1.4. *Standard analyte*

This is a well-defined substance of declared analyte content in its highest available purity to be used as a reference in the analysis.

1.1.5. *Reference material*

This is a material of which one, or several, properties have been confirmed by a validated method, so that it can be used to calibrate an apparatus or to verify a method of measurement.

⁽¹⁾ OJ No L 275, 26. 9. 1986, p. 36.

1.1.6. Blank determinations**1.1.6.1. Sample blank determination**

This is the complete analytical procedure applied to a test portion taken from a sample from which the analyte is absent.

1.1.6.2. Reagent blank determination

This is the complete analytical procedure applied with omission of the test portion or using an equivalent amount of suitable solvent in place of the test portion.

1.1.7. Specificity

Specificity is the ability of a method to distinguish between the analyte being measured and other substances. This characteristic is predominantly a function of the measuring principle used, but can vary according to class of compound or matrix.

Details concerning specificity must relate at least to any substances which might be expected to give rise to a signal when the measuring principle described is used, e. g. homologues, analogues, metabolic products of the residue of interest. From the details concerning specificity it must be possible to derive quantitatively the extent to which the method can distinguish between the analyte and the other substances under the experimental conditions.

1.1.8. Accuracy

In this Decision this refers to accuracy of the mean. The definition which shall be used is laid down in ISO 3534-1977 under 2.83 (Accuracy of the mean : the closeness of agreement between the true value and the mean result which would be obtained by applying the experimental procedure a very large number of times).

The principal limitations on accuracy are :

- (a) random errors ;
- (b) systematic errors.

For a very large number of experiments, the accuracy of the mean approaches the systematic error. For desk review of a method, the number of experiments must be specified.

The measure of accuracy is the difference between the mean value measured for a reference material and its true value, expressed as a percentage of the true value. If no reference material is available, relevant parameters may be evaluated by analysing fortified sample material.

In cases where neither absolute defining methods nor certified reference materials are available, the analyte content of a sample may be defined by the results obtained with the aid of a method which exhibits a high degree of specificity, accuracy and precision for the analyte.

1.1.9. Precision

This is the closeness of agreement between the results obtained by applying the experimental procedure several times under prescribed conditions (ISO 3534-1977 ⁽¹⁾, 2.84), and covers repeatability and reproducibility.

Repeatability :

The closeness of agreement between mutually independent test results obtained under repeatability conditions, i.e. with the same method on identical test material in the same laboratory by the same operator using the same equipment within short intervals of time.

Reproducibility :

The closeness of agreement between mutually independent test results obtained under reproducibility conditions, i.e. with the same method on identical test material in different laboratories with different operators using different equipment.

According to the Annex to Council Directive 85/591/EEC ⁽²⁾ the precision values for methods of analysis which are to be considered for adoption under the provisions of that Directive shall be obtained from a collaborative trial which has preferably been conducted in accordance with ISO 5725-1986 ⁽³⁾. For this purpose, the terms repeatability and reproducibility are defined in ISO 5725-1986. For conducting such trials, sample materials of known analyte content ranging around the maximum residue limit to be enforced shall be used.

⁽¹⁾ International Organization for Standardization : Statistics — vocabulary and symbols.

⁽²⁾ OJ No L 372, 31. 12. 1985, p. 50.

⁽³⁾ International Organization for Standardization : Precision of test methods — determination of repeatability and reproducibility for a standard test method by inter-laboratory tests.

Until such time as the reproducibility of a method has been established by a collaborative trial, then for the purpose of pre-selection of candidate methods by desk review, it is sufficient that data on repeatability are available.

The measure of repeatability and reproducibility to be used is the coefficient of variation as defined in ISO 3534-1977, 2.35 (Coefficient of variation : the ratio of the standard deviation to the absolute value of the arithmetic mean).

1.1.10. *Limit of detection*

This is the smallest measured content from which it is possible to deduce the presence of the analyte with reasonable statistical certainty (at least 95 % for unauthorized substances — see 1.2.6.1).

The limit of detection can be calculated using different approaches :

- (a) one way is to carry out sample blank determinations on at least 20 representative blank samples. The limit of detection is calculated as the apparent content corresponding to the value of the mean plus three times the standard deviation for the blank determinations.

Note 1 : The amount of test portion typically used in the analysis should be specified.

Note 2 : If it is to be expected that factors such as species, sex, age, feeding or other environmental factors may influence the characteristics of a method, then a set of at least 20 blank samples is required for each individual homogeneous population to which the method is to be applied ;

- (b) alternatively, in the case of spectrometric determinations in which representative blank determinations give white noise only, the limit of detection is calculated as the apparent content corresponding to three times the peak-to-peak noise.

1.1.11. *Limit of determination*

This is the smallest analyte content for which the method has been validated with specified accuracy and precision.

1.1.12. *Sensitivity*

This is a measure of the ability of a method to discriminate between differences in analyte content. In this Decision, sensitivity is calculated as the slope of the calibration curve at the level of interest.

1.1.13. *Practicability*

This is a characteristic of an analytical procedure which is dependent on the scope of the method and is determined by requirements such as sample throughput and costs.

1.1.14. *Applicability*

This is a list of the sample materials and/or analytes to which the method can be applied as presented or with specified minor modifications.

1.1.15. *Interpretation of results*

1.1.15.1. Positive result

The presence of the analyte in the sample is proved, according to the analytical procedure, when the general criteria, and the criteria specified for the individual detection method, are fulfilled.

- (a) For substances with a zero tolerance, the result of the analysis is 'positive' if the identity of the analyte in the sample is proved unambiguously ;
- (b) For substances with an established maximum residue limit, the result of the analysis is 'positive' if the experimentally determined content of the analyte in the sample, (after applying any correction for recovery), is greater than that established maximum residue limit, which takes into account the acceptable probability of obtaining false positive or false negative results.

1.1.15.2. Negative result

The result of the analysis is regarded as 'negative' according to the analytical procedure, when the general criteria and the criteria specified for the individual detection method are fulfilled in the case of appropriate reference materials and blank determination and :

- (a) in the case of substances for which there is a zero tolerance, the identity of the analyte has not been proved unambiguously ; or,

- (b) in the case of substances with an established maximum residue limit, the measured content of the analyte in the sample is below the level specified in 1.1.15.1 (b) above.

Note: A negative result does not prove in case (a) that the analyte is absent from the sample, or in case (b) that the true content of the analyte is below the maximum residue limit.

1.1.16. *Co-chromatography*

This is a procedure in which the purified test solution prior to the chromatographic step(s) is divided into two parts and:

- (a) one part is chromatographed as such;
- (b) the standard analyte that is to be identified is added to the other part, and this mixed solution of test solution and standard analyte is chromatographed. The amount of added standard analyte has to be similar to the estimated amount of the analyte in the test solution.

1.1.17. *Immunogram*

In this Decision, an immunogram is defined as a graphical plot of immunochemical response versus retention time or elution volume as obtained from chromatographic separation with (in general off-line) immunochemical detection of the components of the sample extract.

1.2. **General requirements**

1.2.1. *Criteria*

In accordance with the Annex to Council Directive 85/591/EEC, the criteria set out below shall apply to the examination of methods of analysis.

1.2.2. *Screening methods*

Fixed requirements cannot be set for screening methods. The most important aspect of performance is that the incidence of false negative results at the level of interest must be minimal.

1.2.2.1. Specificity must be defined.

1.2.2.2. Accuracy and precision:

Quantification may not be necessary. Depending on whether the use of a substance is prohibited or authorised, a screening method may be qualitative or quantitative. False positive results are acceptable but false negative results at the level of interest should be minimal.

1.2.2.3. Limit of detection:

This should be appropriate for the purpose. For substances with an established maximum residue limit, it must be sufficiently low to detect residues at this level. For substances which are not authorized for use in food-producing animals, the limit of detection should be as low as possible.

1.2.2.4. Practicability:

A high sample throughput capability is desirable and costs should be low.

1.2.3. *Confirmatory methods*

1.2.3.1. Specificity:

As far as possible, confirmatory methods must provide unambiguous information on the chemical structure of the analyte. When more than one compound gives the same response, then the method cannot discriminate between these compounds.

Methods based only on chromatographic analysis without the use of molecular spectrometric detection are not suitable for use as confirmatory methods.

If a single technique lacks sufficient specificity, the desired specificity may be achieved by analytical procedures consisting of suitable combinations of clean-up, chromatographic separation(s) and spectrometric or immunochemical detection, e.g. GC-MS, LC-MS, IAC/GC-MS, GC-IR, LC-IR, LC/IMG.

1.2.3.2. Accuracy

In the case of repeated analysis of a reference material, the guideline ranges for the deviation of the mean experimentally determined content (after applying any correction for recovery) from the true value are as follows:

True content (mass fraction)	Range
$\leq 1 \mu\text{g kg}^{-1}$	- 50 % to + 20 %
$> 1 \mu\text{g kg}^{-1}$ to $10 \mu\text{g kg}^{-1}$	- 30 % to + 10 %
$> 10 \mu\text{g kg}^{-1}$	- 20 % to + 10 %

1.2.3.3. Precision:

In the case of repeated analysis of a reference material under reproducibility conditions, typical values for the inter-laboratory coefficient of variation (CV) calculated according to the Horwitz equation $[(CV(\%)) = 2^{(1-0.5 \log C)}$, where C is the content expressed as a power of 10] are as follows:

Content (mass fraction)	CV
$1 \mu\text{g kg}^{-1}$	45 %
$10 \mu\text{g kg}^{-1}$	32 %
$100 \mu\text{g kg}^{-1}$	23 %
$1 \mu\text{g kg}^{-1}$	16 %

For analyses carried out under repeatability conditions, the intra-laboratory CV would typically be between one-half and two thirds of the above values.

1.2.3.4. Limit of detection:

Adequate for the purpose (see 1.2.6.1).

1.2.3.5. Limit of determination:

Adequate for the purpose (see 1.2.6.2).

1.2.3.6. Sensitivity:

Adequate for the purpose.

1.2.3.7. Practicability:

Speed and cost are of lesser importance compared with screening methods.

For confirmatory methods, most aspects of practicability are of minor significance compared with the other criteria defined in this Decision. It is usually sufficient that the required reagents and equipment are available.

1.2.4. Calibration curves

If the method depends on a calibration curve then the following information must be given:

- the mathematical formula which describes the calibration curve,
- acceptable ranges within which the parameters of the calibration curve may vary from day to day,
- the working range of the calibration curve.

Whenever possible, suitable internal standards and reference materials should be used for the quality control of calibration curves of confirmatory methods, and details of the variance of the variables which is valid at least for the working range of the calibration curve should be given.

1.2.5. Susceptibility to interference

- 1.2.5.1. For all experimental conditions which could in practice be subject to fluctuation (e.g. stability of reagents, composition of the sample, pH, temperature) any variations which could affect the analytical result should be indicated. The method description shall include means of overcoming any foreseeable interference. If necessary, alternative detection principles suited for confirmation shall be described.

- 1.2.5.2. If co-chromatography is carried out, then only one peak should be obtained, the enhanced peak height (or area) being equivalent to the amount of added analyte. With GC or LC, the peak width at half maximum height should be within the range 90-110 % of the original width, and the retention times should be identical within a margin of 5 %. For TLC methods, the spot presumed to be due to the analyte should be intensified only; a new spot should not appear, and the visual appearance should not change.
- 1.2.5.3. It is of prime importance that interference which might arise from matrix components should be investigated.
- 1.2.6. *Relationship between permitted residue levels and analytical limits*
- 1.2.6.1. For substances which are not authorized for use in food-producing animals, the limit of detection of the analytical method must be sufficiently low that residue levels which would be expected after illegal use will be detected with at least 95 % probability.
- 1.2.6.2. For substances with an established maximum residue limit, the limit of determination of the method plus three times the standard deviation which the method produces for a sample at the maximum residue limit shall not exceed the established maximum residue limit.
- 1.2.6.3. For substances with an established maximum residue limit, the method should be validated at that limit and at one-half and twice the limit.

2. CRITERIA FOR THE IDENTIFICATION AND QUANTIFICATION OF RESIDUES

2.1. General requirement

Laboratories carrying out analyses for the final confirmation of the presence of residues of low molecular weight organic substances shall ensure that the criteria for the interpretation of results are fulfilled in accordance with the requirements of this section. The criteria are designed for the identification of the analyte and aim to prevent false positive results. For a positive conclusion, the analytical results have to fulfil the criteria laid down for the particular analytical method.

2.2. General considerations for the whole analytical method

2.2.1. *Preparation of the sample*

The sample should be obtained, handled and processed in such away that there is a maximum chance of detecting the analyte, if present.

2.2.2. *Susceptibility to interference*

Information as detailed under 1.2.5 (Susceptibility to interference) should be submitted.

2.2.3. *General criteria for the whole procedure*

- 2.2.3.1. The specificity (1.1.7) and the limits of detection (1.1.10) and determination (1.1.11) of the method for the analyte in the sample material under investigation have to be known.

Note: This information can be obtained from experimental data and/or theoretical considerations.

- 2.2.3.2. For a positive result, the physical and chemical behaviour of the analyte during the analysis should be indistinguishable from those of the corresponding standard analyte in the appropriate sample material.

- 2.2.3.3. The positive or negative result of the analysis will hold only within the borders of specificity and limits of detection and determination of the procedure for the analyte and sample material under investigation.

- 2.2.3.4. Reference or fortified material containing known amounts of analyte should preferably be carried through the entire procedure simultaneously with each batch of test samples analysed. Alternatively, an internal standard may be added to test samples.

2.2.4. *Criteria for off-line physical and/or chemical preconcentration, purification, and separation*

- 2.2.4.1. The analyte should be in the fraction which is typical for the corresponding standard analyte in the appropriate sample material under the same experimental conditions.

- 2.2.4.2. Retention data for standards, control samples and test portions should be submitted together with the final result: positive or negative.

2.2.5. *Criteria for quantitative measurements*

2.2.5.1. The recovery must be measured and specified for all quantitative measurements.

2.2.5.2. Intra-laboratory variability in recovery should be as low as possible.

2.2.5.3. It must be clearly stated whether or not final results have been corrected for recovery. If they have, then the method used for correction must be described.

2.3. **Criteria for methods of analysis which may be used for confirmatory purposes only in combination with other methods.**

2.3.1. *Quality requirements for the determination of an analyte by IA*

2.3.1.1. The working range of the calibration curve has to be specified and has in general to cover a concentration range of at least one decade.

2.3.1.2. A minimum of six calibration points is required, adequately distributed along the calibration curve.

2.3.1.3. Adequate quality control parameters have to be in line with those of preceding assays, e.g. NSB and parameters of the calibration curve.

2.3.1.4. Control samples have to be included in each assay. Concentration levels : zero and at lower, middle and upper parts of the working range. Results for these have to be in line with those of previous assays.

All raw data for the control samples and for the test portion should be submitted together with the final result : positive or negative.

2.3.2. *Criteria for the determination of an analyte by GC or LC using non-specific detection*

2.3.2.1. The analyte should elute at the retention time which is typical for the corresponding standard analyte under the same experimental conditions.

2.3.2.2. The nearest peak maximum in the chromatogram should be separated from the designated analyte peak by at least one full width at 10 % of the maximum height.

2.3.2.3. For additional information, co-chromatography may be used and chromatography using at least two columns of different polarity.

2.3.3. *Criteria for the determination of an analyte by TLC*

2.3.3.1. The R_f value(s) of the analyte should agree with the R_f value(s) typical for the standard analyte. This requirement is fulfilled when the R_f value(s) of the analyte is (are) within $\pm 3\%$ of the R_f value(s) of the standard analyte under the same experimental conditions.

2.3.3.2. The visual appearance of the analyte should be indistinguishable from that of the standard analyte.

2.3.3.3. The centre of the spot nearest to that due to the analyte should be separated from it by at least half the sum of the spot diameters.

2.3.3.4. For additional information, co-chromatography and/or two-dimensional TLC may be used.

2.4. **Criteria for methods of analysis which may be used for confirmatory purposes**

2.4.1. *Criteria for the determination of an analyte by LC/IA or LC/IMG*

2.4.1.1. For LC/IMG, the analyte peak in the IMG should be constructed from at least five LC fractions.

2.4.1.2. Criteria 2.2.4.1 and 2.2.4.2 must be fulfilled.

2.4.1.3. **Reagents**

The source and characteristics of the antibody and other reagents should be specified.

2.4.1.4. **Calibration curve**

As the method depends on calibration curves, the information itemised under 1.2.4 (Calibration curves) must be given.

The quality requirements specified for IA (2.3.1.1 to 2.3.1.4) must be fulfilled.

- 2.4.1.5. For confirmatory purposes, if the method is not used in combination with other methods, then two different LC separations or two immunograms using antibodies with different specificities must be carried out.
- 2.4.2. *Criteria for the determination of an analyte LC-SP*
- 2.4.2.1. Criteria 2.3.2.1 and 2.3.2.2 must be fulfilled.
- 2.4.2.2. The absorption maxima in the spectrum of the analyte should be at the same wavelengths as those of the standard analyte within a margin determined by the resolution of the detection system. For diode array detection this is typically within ± 2 nm.
- 2.4.2.3. The spectrum of the analyte above 220 nm should not be visually different from the spectrum of the standard analyte for those parts of the two spectra with a relative absorbance ≥ 10 %. This criterion is met when the same maxima are present and at no observed point is the difference between the two spectra more than 10 % of the absorbance of the standard analyte.
- 2.4.2.4. For confirmatory purposes, if the method is not used in combination with other methods, then co-chromatography in the LC step is mandatory. See 1.2.5.2 for the requirements to be fulfilled by co-chromatography.
- 2.4.3. *Criteria for the determination of an analyte by TLC-SP*
- 2.4.3.1. The method must fulfil the criteria specified for TLC (2.3.3.1 to 2.3.3.3).
- 2.4.3.2. The absorption maxima in the spectrum of the analyte should be at the same wavelengths as those of the standard analyte, within a margin determined by the resolution of the detection system.
- 2.4.3.3. The spectrum of the analyte should not be visually different from the spectrum of the standard analyte.
- 2.4.3.4. For confirmatory purposes, if the method is not used in combination with other methods, then co-chromatography in the TLC step is mandatory. See 1.2.5.2 for the requirements to be fulfilled by co-chromatography.
- 2.4.4. *Criteria for the determination of an analyte by GC-MS*
- 2.4.4.1. GC criteria
- 2.4.4.1.1. Criteria 2.3.2.1 and 2.3.2.2 must be fulfilled.
- 2.4.4.1.2. An internal standard should be used if a material suitable for this purpose is available. It should preferably be a stable isotope labelled form of the analyte or, if this is not available, a related standard with a retention time close to that of the analyte.
- 2.4.4.1.3. The ratio of the retention time of the analyte on GC to that of the internal standard, i.e. the relative retention time of the analyte, should be the same as that of the standard analyte in the appropriate matrix, within a margin of $\pm 0,5$ %.
- 2.4.4.1.4. For use as a confirmatory method, if no internal standard is used, then identification of the analyte must be supported by using co-chromatography.
- 2.4.4.2. Criteria for LRMS
- 2.4.4.2.1. For use as a screening method, at least the intensity of the most abundant diagnostic ion must be measured.
- 2.4.4.2.2. For use as a confirmatory method, the intensities of preferably at least four diagnostic ions should be measured. If the compound does not yield four diagnostic ions with the method used, then identification of the analyte should be based on the results of at least two independent GC-LRMS methods with different derivatives and/or ionization techniques, each producing two or three diagnostic ions.
The molecular ion should preferably be one of the diagnostic ions selected.
- 2.4.4.2.3. The relative abundances of all diagnostic ions monitored from the analyte should match those of the standard analyte, preferably within a margin of ± 10 % (EI mode) or ± 20 % (CI mode).
- Criteria for the identification of an analyte by IR*
- 2.4.5.1. Definition of adequate peaks
Adequate peaks are absorption maxima in the infrared spectrum of a standard analyte, fulfilling the following requirements.
- 2.4.5.1.1. The absorption maximum is in the wave-number range $1\,800\text{--}500\text{ cm}^{-1}$.

2.4.5.1.2. The intensity of the absorption is not less than :

- (a) a specific molar absorbance of 40 with respect to zero absorbance and 20 with respect to peak base line ;
or
- (b) a relative absorbance of 12,5 % of the absorbance of the most intense peak in the region 1 800 - 500 cm^{-1} when both are measured with respect to zero absorbance, and 5 % of the absorbance of the most intense peak in the region 1 800 - 500 cm^{-1} when both are measured with respect to their peak base line.

Note : Although adequate peaks according to (a) may be preferred from a theoretical point of view, those according to (b) are easier to determine in practice.

2.4.5.2. The number of peaks in the infrared spectrum of the analyte whose frequencies correspond with an adequate peak in the spectrum of the standard analyte, within a margin of $\pm 1 \text{ cm}^{-1}$ is determined.

2.4.5.3. IR criteria

2.4.5.3.1. Absorption must be present in all regions of the analyte spectrum which correspond with an adequate peak in the reference spectrum of the standard analyte.

2.4.5.3.2. A minimum of six adequate peaks is required in the infrared spectrum of the standard analyte. If there are less than six adequate peaks, then the spectrum at issue cannot be used as a reference spectrum.

2.4.5.3.3. The 'score', i.e. the percentage of the adequate peaks found in the infrared spectrum of the analyte, shall be at least 50.

2.4.5.3.4. Where there is no exact match for an adequate peak, the relevant region of the analyte spectrum must be consistent with the presence of a matching peak.

2.4.5.3.5. The procedure is only applicable to absorption peaks in the sample spectrum with an intensity of at least three times the peak to peak noise.

2.5. Other methods of analysis

Analytical methods or combinations of methods other than those considered in Sections 2.3 and 2.4 (e.g. LC-MS, MS-MS, GC-IR) may be used for screening or confirmatory purposes provided that they fulfil comparable criteria which permit unambiguous identification of the analyte at the level of interest.

APPENDIX

List of abbreviations and symbols

CI	= chemical ionization
EI	= electron impact ionization
g	= gram(s)
GC	= gas chromatography
IA	= immunoassay
IAC	= immunoaffinity chromatography
IMG	= immunogram
IR	= infrared spectrometry
kg	= kilogram(s) (10^3 g)
l	= litre(s)
LC	= liquid chromatography
LRMS	= low resolution mass spectrometry
mg	= milligram(s) (10^{-3} g)
MS	= mass spectrometry
ng	= nanogram(s) (10^{-9} g)
NSB	= non-specific binding
R_f	= distance moved relative to the solvent front
SP	= spectrometry, e.g. with diode array detection
TLC	= thin-layer chromatography
μg	= microgram(s) (10^{-6} g)
/	= off-line hyphenated techniques
-	= on-line hyphenated techniques
e.g. LC/GC - MS = LC off-line followed by GC with on-line MS	

COMMISSION DECISION**of 15 April 1993****laying down the reference methods and the list of national reference laboratories
for detecting residues****(93/257/EEC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 64/433/EEC of 26 June 1964 on health problems affecting intra-Community trade in fresh meat⁽¹⁾, as last amended by Directive 92/5/EEC⁽²⁾, and in particular Article 8 (1),

Having regard to Council Directive 85/397/EEC of 5 August 1985 on health and animal-health problems affecting intra-Community trade in heat-treated milk⁽³⁾, as last amended by Directive 89/662/EEC⁽⁴⁾, and in particular the third subparagraph of Article 11 (4),

Whereas Commission Decision 93/256/EEC⁽⁵⁾ lays down the methods to be used for detecting residues of substances having a hormonal or a thyrostatic action; whereas the abovementioned Decision defines procedures to be followed and criteria to be applied when carrying out the analyses; whereas a provision on reference methods should refer to the criteria laid down for confirmatory methods;

Whereas Commission Decision 90/515/EEC⁽⁶⁾ lays down the reference methods for detecting residues of heavy metals and arsenic; whereas provision should be made for reference methods for detecting residues other than heavy metals and arsenic;

Whereas the last subparagraph of Article 8 (1) of Directive 64/433/EEC provides for the designation in each Member State of at least one reference laboratory for carrying out the examination for residues;

Whereas in accordance with Article 8 (1) (b) of Council Directive 86/469/EEC of 16 September 1986 concerning the examination of animals and fresh meat for the presence of residues⁽⁷⁾, as amended by Decision 89/187/EEC⁽⁸⁾, the national reference laboratories are to be responsible for coordinating the standards and methods of analysis for each residue or group of residues

concerned, including the arrangement of periodic comparative tests of split samples by approved laboratories, and of compliance with the limits laid down;

Whereas in view of developments in scientific and technical knowledge, and for the sake of clarity, it is necessary to revoke Commission Decision 89/610/EEC⁽⁹⁾;

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

The analytical reference procedures to be applied for the confirmation of the presence of residues of the substances listed in Annex I to Directive 86/469/EEC, with the exception of chemical elements such as heavy metals and arsenic, are the following:

- immunoassay,
- thin-layer chromatography,
- liquid chromatography,
- gas chromatography,
- mass spectrometry,
- spectrometry,

or any other procedure which fulfils comparable criteria to those specified in Article 3 hereof.

Article 2

The analytical reference procedure of choice must be based:

- (a) preferably, on molecular spectrometry providing direct information concerning the molecular structure of the substance under examination; or
- (b) on a combination of independent procedures providing indirect information concerning the molecular structure of the substance under examination;

and must have appropriate limits of detection and determination.

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽²⁾ OJ No L 57, 2. 3. 1992, p. 1.

⁽³⁾ OJ No L 226, 24. 8. 1985, p. 13.

⁽⁴⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽⁵⁾ See page 64 of this Official Journal.

⁽⁶⁾ OJ No L 286, 18. 10. 1990, p. 33.

⁽⁷⁾ OJ No L 275, 26. 9. 1986, p. 36.

⁽⁸⁾ OJ No L 66, 10. 3. 1989, p. 37.

⁽⁹⁾ OJ No L 351, 2. 12. 1989, p. 39.

Article 3

The criteria applicable to analytical reference procedures are the criteria for confirmatory methods as set out in points 1.2.3. to 1.2.6. and 2.1. to 2.2.5.3. and 2.4. to 2.5. of the Annex to Decision 93/256/EEC.

Article 4

The reference laboratories in the Member States responsible for carrying out the reference analyses are listed in the Annex.

Article 5

This Decision shall be re-examined before 1 January 1996 in order to take account of developments in scientific and technical knowledge.

Article 6

Decision 89/610/EEC is hereby revoked.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 15 April 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

NATIONAL REFERENCE LABORATORIES

Member State	Reference Laboratory	Residue groups
Belgium	Institut d'hygiène et d'épidémiologie rue J. Wijtsman 14 B-1050 Bruxelles	All groups
Denmark	Veterinærdirektoratets Laboratorium Odinsvej Postboks 93 4 DK-4100 Ringsted	Group A
	Levnedsmiddelstyrelsens Centrallaboratorium Mørkhøj Bygade 19 DK-2860 Søborg	Group B
Germany	Robert von Ostertag-Institut des Bundesgesundheitsamtes Diedersdorfer Weg 1 1000-Berlin 48	β -Agonists Chloramphenicol Sulfonamides
	Landesuntersuchungsanstalt für das Gesundheits- und Veterinärwesen Institut Chemnitz Hohe Straße 27/29 O-9005 Chemnitz	Stilbenes
	Staatliches Medizinal-, Lebensmittel- und Veterinäruntersuchungsamt Druseltalstraße 63 W-3500 Kassel	Trenbolon Nortestosterone
	Staatliches Veterinäruntersuchungsamt Arnsberg Zur Taubeneiche 10-12 W-5760 Arnsberg 2	Zeranol Ethinylcestradiol Thyrostatic substances
	Staatliches Medizinal-, Lebensmittel- und Veterinäruntersuchungsamt Mittelhessen Marburger Straße 54 W-6300 Gießen	Gestagenic substances
	Landesuntersuchungsamt für das Gesundheitswesen Südbayern Veterinärstraße 2 W-8042 Oberschleißheim	Natural hormones
	Staatliches Veterinäruntersuchungsamt Hannover Eintrachtweg 17 W-3000 Hannover 1	Penicillin Tetracyclines Quinolone
	Chemische Landesuntersuchungsanstalt Stuttgart Breitscheidstraße 4 W-7000 Stuttgart 1	Nitrofuran
	Chemische Landesuntersuchungsanstalt Karlsruhe 1 Hoffstraße 3 W-7500 Karlsruhe 1	Avermectin
	Chemisches Landesuntersuchungsamt Nordrhein-Westfalen Sperlichstraße 19 W-4400 Münster	Tranquillizers and β -blockers
	Chemische Landesuntersuchungsanstalt Freiburg Biffierstraße 5 W-7800 Freiburg 1	Organochlorine PCBs
	Staatliches Veterinär- und Lebensmitteluntersuchungsamt Potsdam Pappelallee 2 O-1572 Potsdam	Heavy metals

Member State	Reference Laboratory	Residue groups
Greece	Institute of Food Hygiene Department of Residue Analysis Iera odos 75, Botanikos GR-118 55 — Athens	Group A I (b) (thyrostatic substances) Group A III (a) (antimicrobial substances) Groups B I (a) (endo- and ectoparasitic subs.) Group B I (b) (tranquillizers and β -blockers) Group B I (c) (β agonist) Group B II (b) (chlorinated pesticides, PCBs) Group B II (c) (other substances)
	Institute of Biochemistry, Toxicology and Nourishment of Animals Neapoleos, 25 Aghia Paraskeví GR-153 10 Athens	Group A I (a), (c) Group A II Group A III (b) Group B II (b) (heavy metals Pb-Cd) Group B II (a)
Spain	Centro Nacional de Alimentación Carretera Pozuelo-Majadahonda km 6,2 Majadahonda (Madrid)	Group A I (a), Group A I (c), A II Group A III (a), Group A III (b) Group B I (c) (β agonist)
	Laboratorio de Sanidad y Producción Animal Santa Fe (Granada)	Group B I (a) Except: — organochlorine, and organophosphorus compounds and B I (c)
	Laboratorio de Sanidad y Producción Animal Algete (Madrid)	Group A I (b) Group B I (b)
	Laboratorio Arbitral del Ministerio de Agricultura, Pesca y Alimentación Carretera de la Coruña km 10,7 (Madrid)	Group B II (pesticides, organo chlorine and organo phosphorus compounds, heavy metals)
France	Laboratoire de dosages hormonaux École nationale vétérinaire de Nantes CP 3028 F-44087 Nantes Cedex 03	Groups A I and II
	Laboratoire central d'hygiène alimentaire (LCHA) 43, rue de Dantzig F-75015 Paris	Groups B I (a); B II (a), (b) and (c)
	Laboratoire des médicaments vétérinaires (LMV) La haute Marche-Javené F-35133 Fougères	Groups A III (a) and (b); B I (b) and (c)
Ireland	Central Meat Control Laboratory Abbotstown, Castleknock IRL-Dublin 15	Groups A I, II and III Group B I, Except: — organochlorine, and organophosphorus compounds Group B II, Except: — polychlorinated biphenyls
	State Laboratory Abbotstown, Castleknock IRL-Dublin 15	Groups A I, I and III Groups B I and II
Italy	Istituto Superiore di Sanità Viale Regina Elena 299 I-00161 Roma	All groups
Luxembourg	Rijksinstituut voor Volksgezondheid en Milieu-hygiëne Antonie van Leeuwenhoeklaan 9 NL-3720 BA Bilthoven	All groups
	Institut d'hygiène et d'épidémiologie Rue J. Wijtsman 14 B-1050 Bruxelles	All groups
The Netherlands	Rijksinstituut voor Volksgezondheid en Milieu-hygiëne Antonie van Leeuwenhoeklaan 9 NL-3720 BA Bilthoven	All groups
	Rijkskwaliteitsinstituut voor land- en tuinbouwprodukten Bornesteeg 45 NL-6708 PD Wageningen	All groups

Member State	Reference Laboratory	Residue groups
Portugal	Laboratório Nacional de Investigação Veterinária Estrada de Benfica 701 P-1500 Lisboa	All groups
United Kingdom	Central Veterinary Laboratory New Haw, Addlestone UK-Surrey KT15 3NB	Groups A I, II and III Group B I
	Food Science Laboratory Colney Lane UK-Norwich NR4 7UA	Group A III Groups B I and II
	Veterinary Research Laboratories Stormont UK-Belfast BT4 3SD	Groups A I (a), (c), II and III Groups B I and II
	Food and Agricultural Chemistry Research Division Department of Agriculture for Northern Ireland Newforge Lane UK-Belfast BT9 5PX	Groups A I (b) and III Groups B I and II