

Official Journal

of the European Communities

ISSN 0378-6978

L 120

Volume 36

15 May 1993

English edition

Legislation

Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 1175/93 of 10 May 1993 opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Austria, Norway and Sweden** 1
- Commission Regulation (EEC) No 1176/93 of 14 May 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal 7
- Commission Regulation (EEC) No 1177/93 of 14 May 1993 fixing the premiums to be added to the import levies on cereals, flour and malt 9
- ★ **Commission Regulation (EEC) No 1178/93 of 13 May 1993 re-establishing the levying of customs duties on products falling within CN codes 3102 30, 3102 40 and 3102 80 00, originating in Lithuania, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply** 11
- ★ **Commission Regulation (EEC) No 1179/93 of 14 May 1993 amending Regulation (EEC) No 2164/92 laying down detailed rules for the application of the specific supply arrangements for the Canary Islands relating to milk products and establishing the forecast supply balance** 12
- ★ **Commission Regulation (EEC) No 1180/93 of 14 May 1993 laying down detailed rules for the application in 1993 of the import arrangements for beef and veal provided for in the agreement between the Bilateral Community and Sweden** 14
- ★ **Commission Regulation (EEC) No 1181/93 of 14 May 1993 derogating from Regulations (EEC) No 1423/92, (EEC) No 278/93 and (EEC) No 1562/85 following the application of common prices in Portugal** 18
- Commission Regulation (EEC) No 1182/93 of 14 May 1993 fixing the import levies on rice and broken rice 20
- Commission Regulation (EEC) No 1183/93 of 14 May 1993 fixing the premiums to be added to the import levies on rice and broken rice 22

Contents (continued)

Commission Regulation (EEC) No 1184/93 of 14 May 1993 fixing the maximum buying-in price and the quantities of beef bought in for the 91st partial invitation to tender within the general intervention measures under Regulation (EEC) No 1627/89	24
Commission Regulation (EEC) No 1185/93 of 14 May 1993 fixing the maximum buying-in price and the quantities of beef bought in for the fifth partial invitation to tender within the special intervention measures under Regulation (EEC) No 1627/89	26
Commission Regulation (EEC) No 1186/93 of 14 May 1993 fixing the amount of aid for peas, field beans and sweet lupins	27
Commission Regulation (EEC) No 1187/93 of 14 May 1993 fixing the import levies on white sugar and raw sugar	30
Commission Regulation (EEC) No 1188/93 of 14 May 1993 altering the basic amount of the import levies on syrups and certain other products in the sugar sector	32
* Council Regulation (EEC) No 1189/93 of 14 May 1993 imposing definitive anti-dumping duties on imports of certain seamless pipes and tubes, of iron or non-alloy steel, originating in Hungary, Poland and the Republic of Croatia and definitively collecting provisional anti-dumping duties	34

II *Acts whose publication is not obligatory*

Commission

93/259/ECSC :

- * Commission Decision of 24 March 1993 authorizing additional aid by Germany to the coal industry for 1992 40

93/260/EEC :

- * Commission Decision of 14 May 1993 accepting undertakings offered in connection with the anti-dumping proceeding concerning imports of certain seamless pipes and tubes, of iron or non-alloy steel, originating in Hungary, Poland and the Republic of Croatia 42

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1175/93

of 10 May 1993

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Austria, Norway and Sweden

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community signed Bilateral Agreements on certain arrangements in agriculture in the form of exchanges of letters with Austria, Finland, Iceland, Norway, Sweden and Switzerland at Oporto on 2 May 1992;

Whereas these Agreements were negotiated and signed at the same time as the Agreement on the European Economic Area between the European Economic Community, the European Coal and Steel Community and their Member States, of the one part, and the European Free Trade Association (EFTA) countries, of the other part; whereas the aim of all the parties was to bring the EEA Agreement and the Bilateral Agreements on agriculture into force at the same time;

Whereas, as a result of the postponement of the entry into force of the EEA Agreement following Switzerland's decision not to ratify it, Agreements in the form of exchanges of letters were signed on 17 March 1993 between the Community and, respectively, Austria, Finland, Iceland, Norway and Sweden with the aim of bringing forward implementation of the bilateral agreements on agriculture with these countries for the period running from 15 April until 31 December 1993;

Whereas the Council has approved, by the Decision of 15 March 1993⁽¹⁾, the said Agreements;

Whereas on the basis of the arrangements annexed to the Bilateral Agreements on agriculture concluded between the Community of the one part and Austria, Norway and Sweden, respectively, of the other part, which were signed on 2 May 1992, the Community is to open annual reduced-duty and zero-duty tariff quotas for certain agri-

cultural products originating in the abovementioned countries; whereas under Annex III to the arrangement between the Community and Austria, imports into Portugal of wine originating in Austria are subject to duties equal to those applied by Portugal to imports from the Community as constituted on 31 December 1985;

Whereas the provisions annexed to the arrangements concerned provide that, should the date of entry into force of the said arrangements not coincide with the beginning of the calendar year, the provisions concerning the opening of tariff quotas shall be applied on a pro rata basis for the first year; whereas it is advisable in the interests of clarity to group together all the agricultural products which benefit from tariff quotas in Annex I to this Regulation according to their place of origin, specifying for each product the volume of tariff quotas and the rates of customs duty applicable; whereas in establishing the volume of these tariff quotas, account should be taken that during 1992 and/or 1993 some products have received the benefit of a reduced duty or zero-duty tariff quota by application to the agreements currently in force with the countries in question; whereas it is consequently appropriate to repeal, with effect from 15 April 1993, Regulations (EEC) No 1694/92⁽²⁾ and (EEC) No 221/93⁽³⁾ in their entirety and those parts of Regulation (EEC) No 303/93⁽⁴⁾ relating to the tariff quotas under order No 09.0801; whereas it is necessary, in particular, to ensure equal and uninterrupted access for all Community importers to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up;

Whereas the decision opening tariff quotas should be taken by the Community in pursuance of its international obligations; whereas, to ensure the efficient common administration of the quotas, there is no reason why Member States should not be allowed to draw from the

⁽²⁾ OJ No L 176, 30. 6. 1992, p. 54.

⁽³⁾ OJ No L 27, 4. 2. 1993, p. 1.

⁽⁴⁾ OJ No L 36, 12. 2. 1993, p. 9.

⁽¹⁾ OJ No L 109, 1. 5. 1993, p. 1.

quota-volumes the necessary quantities corresponding to actual imports; whereas this method of administration nonetheless requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any operation concerning the administration of these quotas may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From 15 April until 31 December 1993, the customs duties applicable to imports of the products listed in Annex I shall be suspended under certain conditions at the levels and within the limits of the Community tariff quotas shown below.

2. Within the time limit of the quotas referred to in Annex I (a) under order Nos 09.0803 to 09.0805, Portugal shall apply duties equal to those that it applies to imports from the Community as constituted on 31 December 1985.

3. Admission under the tariff quotas referred to in paragraph 1 under order Nos 09.0803 and 09.0805 shall be reserved for wines accompanied by the following documents:

— Document VI 1 or and extract VI 2, completed in accordance with Commission Regulation (EEC) No 3590/85⁽¹⁾. In this case, the document must include in Box 15 the following endorsement, certified by the competent Austrian organization:

'This is to certify that the wine referred to in this document is a quality wine/quality sparkling wine (*) originating in Austria and in conformity with the 1985 Wine Law of the Republic of Austria.

(*) Delete as appropriate.'

4. Imports of the wines in question shall be subject to the free-at-frontier reference price. Access for these wines to the tariff quotas shall be conditional on compliance with Article 54 of Regulation (EEC) No 822/87⁽²⁾.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take any appropriate

administrative measures to ensure that they are managed efficiently.

Article 3

Where an importer presents a product covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the entry is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the quota volume.

Requests for drawings, indicating the date on which the entries were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member States concerned accepted the entries for release for free circulation, to the extent that the available balance so permits.

If a Member State does not use a drawing in full, it shall return any unused portion to the corresponding quota volume as soon as possible.

If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants pro rata. The Commission shall inform the Member States accordingly.

Article 4

Each Member State shall ensure that importers of the products in question have equal and continuous access to the quotas for as long as the balance of the relevant quota volume so permits.

Article 5

Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6

Regulations (EEC) No 1694/92 and (EEC) No 221/93 shall be repealed with effect from 15 April 1993. The tariff quota under order No 09.0801 provided by Regulation (EEC) No 303/93 shall cease to apply as from the same date.

Article 7

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

⁽¹⁾ OJ No L 343, 20. 12. 1985, p. 20.

⁽²⁾ OJ No L 84, 27. 3. 1987, p. 1.

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

Done at Brussels, 10 May 1993.

For the Council

The President

N. HELVEG PETERSEN

ANNEX I

(a) Products originating in Austria

Order No	CN code (*)	Description (1)	Amount of quotas	Quota duty (%)
09.0807	2009 70 80 11 80 19 80 50 80 61 80 63 80 69 90 11 90 19 90 31 90 39	Fruit juices (including grape must) or vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter including :	7 141 tonnes	0 (?)
09.0808	2009 11 19 20 30 40 50 60 2009 80 32 80 34 80 39 80 80 80 83 80 85 80 93 80 95 80 99 2009 90 21 90 29 90 41 90 49 90 51 90 59 90 71 90 73 90 79 90 91 90 93 90 99	Juices other than apple or pear juice	357 tonnes	0 (?)
09.0803	ex 2204 21 25 29 35 39 49 59 90	Quality wines produced in conformity with the 1985 Wine Law of the Republic of Austria, in containers holding 2 litres or less	110 122 hl	0
09.0805	ex 2204 10 19 90	Quality sparkling wines produced in conformity with the 1985 Wine Law of the Republic Austria, in containers holding 2 litres or less	2 416 hl	0

(*) See Taric codes in Annex II.

(1) Notwithstanding the rules for interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex by the coverage of the CN codes. Where ex CN codes are indicated the preferential scheme is to be determined by application of the CN codes and corresponding description taken together.

(2) The additional sugar duty remains applicable.

(b) Products originating in Norway

Order No	CN code (*)	Description (1)	Amount of quotas	Quota duty (%)
09.0751	ex 0704 10 10	Cauliflowers, fresh or chilled, from 1 August to 31 October	2 000	0
09.0753	ex 0704 90 90	Broccoli, fresh or chilled, from 1 July to 31 October	1 000	0
09.0755	ex 0704 90 90	China cabbages, fresh or chilled, from 1 July to 31 December	2 250	0
09.0757	ex 0809 20 60 80	Cherries, fresh, from 16 July to 31 August	600	0
09.0759	ex 0809 40 11 19 90	Plums, fresh, from 1 September to 15 October	600	0
09.0761	ex 0810 10 10	Strawberries, fresh, from 15 to 31 July	750	0
09.0762	ex 0810 10 90	Strawberries, fresh, from 1 August to 15 September	750	0

(*) See Taric codes in Annex II.

(1) Notwithstanding the rules for interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex by the coverage of the CN codes. Where ex CN codes are indicated, the preferential scheme is to be determined by application of the CN codes and corresponding description taken together.

(c) Products originating in Sweden

Order No	CN code (*)	Description (1)	Amount of quotas (tonnes)	Quota duty (%)
09.0631	ex 0208 90 90 ex 0210 90 20	Reindeer meat, fresh, chilled, frozen, dried or smoked	141	Free
09.0613	0710 21 00 ex 0710 29 00	Peas, frozen	4 250	6 %
09.0635	ex 0710 30 00	Spinach, frozen	354	Free
09.0637	ex 0710 80 90	Dill and parsley, frozen	141	Free
09.0639	ex 0811 90 10 ex 0811 90 30 0811 90 50 0811 90 70 ex 0811 90 99	<i>Rubus chamaemorus</i> , <i>Vaccinium myrtillus</i> , <i>Vaccinium myrtilloides</i> and <i>Vaccinium angustifolium</i> frozen	2 833	Free (2)
09.0641	1517 10	Margarine	708	Free (2)
09.0643	ex 2004 90 99	Vegetable gratins and dietetic preparations	354	Free
09.0645	ex 2005 10 00	Homogenized vegetables, infant food preparations	177	Free
09.0647	ex 2005 20 90	Potato crisps	141	Free
09.0649	ex 2007 10 99	Jams, jellies, marmalades (<i>vaccinium myrtillus</i> , <i>Vaccinium myrtilloides</i> and <i>Vaccinium angustifolium</i> , <i>Rubus chamaemorus</i>)	354	Free (2)
09.0651	ex 2009 80 90	Fruit juices and mixtures (raspberries, <i>Vaccinium myrtillus</i> , <i>Vaccinium myrtilloides</i> and <i>Vaccinium angustifolium</i> , <i>Rubus chamaemorus</i> , redcurrants, blackcurrants)	177	Free (2)

(*) See Taric codes in Annex II.

(1) Notwithstanding the rules for the interpretation of the combined nomenclature, the wording for the description of the products is to be considered as having no more than an indicative value, the preferential scheme being determined, within the context of this Annex by the coverage of the CN codes. Where ex CN codes are indicated the preferential scheme is to be determined by application of the CN codes and corresponding description taken together.

(2) The additional sugar duty remains applicable.

(2) The variable component remains applicable.

ANNEX II

TARIC CODES

a) Products originating in Austria

Order No	CN codes	Taric codes
09.0803	ex 2204 21 25	2204 21 25*95
	ex 2204 21 29	2204 21 29*96
	ex 2204 21 35	2204 21 35*95
		*96
	ex 2204 21 39	2204 21 39*95
09.0805		*96
	ex 2204 21 49	2204 21 49*29
	ex 2204 21 59	2204 21 59*39
	ex 2204 21 90	2204 21 90*10
09.0805	ex 2204 10 19	2204 10 19*91
	ex 2204 10 90	2204 10 90*91

b) Products originating in Norway

Order No	CN codes	Taric codes
09.0751	ex 0704 10 10	0704 10 10*30
09.0753	ex 0704 90 90	0704 90 90*13
09.0755	ex 0704 90 90	0704 90 90*92
		*94
		*97
09.0757	ex 0809 20 60	0809 20 60*10
	ex 0809 20 80	0809 20 80*11
09.0759		*19
	ex 0809 40 11	0809 40 11*60
	ex 0809 40 19	0809 40 19*10
	ex 0809 40 90	0809 40 90*50
09.0761	ex 0810 10 10	0810 10 10*60
		*80
09.0762	ex 0810 10 90	0810 10 90*12
		*14

c) Products originating in Sweden

Order No	CN codes	Taric codes
09.0631	ex 0208 90 90	0208 90 90*10
	ex 0210 90 20	0210 90 20*10
09.0613	ex 0710 29 00	0710 29 00*10
09.0635	ex 0710 30 00	0710 30 00*10

Order No	CN codes	Taric codes
09.0637	ex 0710 80 90	0710 80 90*20
09.0639	ex 0811 90 10	0811 90 10*13
		90 10*50
	ex 0811 90 30	0811 90 30*13
		90 30*50
09.0643	ex 0811 90 99	0811 90 99*68
09.0645	ex 2004 90 99	2004 90 99*13
		*21
		*31
		*41
		*51
		*61
		*71
09.0647	ex 2005 10 00	*91
		2005 10 00*11
		*21
		*31
09.0649	ex 2005 20 90	*91
		2005 20 90*10
09.0651	ex 2007 10 10	2007 10 10*11
		10 10*40
		2007 10 90*11
		90*40
		2007 99 39*11
		39*20
		2007 99 59*11
		59*40
		2007 99 90*11
		90*50
09.0651	ex 2009 80	2009 80 34*21
		34*30
		39*11
		39*40
		80*11
		80*40
		85*31
		85*40
		93*11
		93*40
		99*11
		99*40
		2009 90 21*21
		21*30
09.0651	ex 2009 90	29*10
		51*20
		59*20
		91*92
		93*20
09.0651	ex 2009 90	99*20

COMMISSION REGULATION (EEC) No 1176/93**of 14 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 14 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 15 May 1993.

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

Done at Brussels, 14 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 14 May 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	137,41 ^(?) ^(?)
0712 90 19	137,41 ^(?) ^(?)
1001 10 00	180,40 ⁽¹⁾ ^(?)
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	137,41 ^(?) ^(?)
1005 90 00	137,41 ^(?) ^(?)
1007 00 90	145,50 ^(?)
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

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

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

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

(4) Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

(5) Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

(6) The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

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

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

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

COMMISSION REGULATION (EEC) No 1177/93**of 14 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 14 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 15 May 1993.

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

Done at Brussels, 14 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 14 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	0,56	0,56	0
0712 90 19	0	0,56	0,56	0
1001 10 00	0	0	0	0
1001 90 91	0	7,90	7,90	11,67
1001 90 99	0	7,90	7,90	11,67
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	0,56	0,56	0
1005 90 00	0	0,56	0,56	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	11,03	11,03	16,31

B. Malt*(ECU/tonne)*

CN code	Current 5	1st period 6	2nd period 7	3rd period 8	4th period 9
1107 10 11	0	14,06	14,06	20,77	20,77
1107 10 19	0	10,51	10,51	15,52	15,52
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 1178/93

of 13 May 1993

re-establishing the levying of customs duties on products falling within CN codes 3102 30, 3102 40 and 3102 80 00, originating in Lithuania, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries ⁽¹⁾, extended for 1993 by Regulation (EEC) No 3917/92 ⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded for 1993 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of the countries and territories concerned may at any time be re-established;

Whereas, in the case of products falling within CN codes 3102 30, 3102 40 and 3102 80 00, originating in Lithuania, the individual ceiling was fixed at ECU 1 500 000; whereas on 7 April 1993, imports of these products into the Community originating in Lithuania reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against Lithuania,

HAS ADOPTED THIS REGULATION:

Article 1

As from 18 May 1993, the levying of customs duties, suspended for 1993 pursuant to Council Regulation (EEC) No 3831/90, shall be reintroduced on imports into the Community of the following products, originating in Lithuania:

Order No	CN code	Description
10.0409	3102 30 3102 40 3102 80 00	Ammonium nitrate, mixtures of nitrate and mixtures of urea and ammonium nitrate

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

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EEC) No 1179/93**of 14 May 1993****amending Regulation (EEC) No 2164/92 laying down detailed rules for the application of the specific supply arrangements for the Canary Islands relating to milk products and establishing the forecast supply balance**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regards to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Commission Regulation (EEC) No 1695/92 ⁽³⁾, as amended by Regulation (EEC) No 2123/92 ⁽⁴⁾, lays down in particular the detailed rules for implementation of the specific arrangements for the supply of certain agricultural products to the Canary Islands;

Whereas Commission Regulation (EEC) No 2164/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for the Canary Islands relating to milk products and establishing the forecast supply balance ⁽⁵⁾, as last amended by Regulation (EEC) No 720/93 ⁽⁶⁾, establishes the forecast supply balance in milk products for the Canary Islands; whereas Article 2 of Regulation (EEC) No 1601/92 provides for a revision of this forecast supply balance during the marketing year as the needs of the region in question

involve; whereas, as a result of the experience gained and to meet the Canary Islands' immediate needs in milk and cheese it is necessary to increase the quantities laid down in the forecast supply balance from 1 May; whereas Annex I to Regulation (EEC) No 2164/92 must accordingly be amended;

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit laid down by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2164/92 is replaced by the Annex to this Regulation.

Article 2

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

It shall apply from 1 May 1993.

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

Done at Brussels, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 213, 29. 7. 1992, p. 25.

⁽⁵⁾ OJ No L 217, 31. 7. 1992, p. 17.

⁽⁶⁾ OJ No L 74, 27. 3. 1993, p. 49.

ANNEX

ANNEX I

Supply balance for the Canary Islands relating to milk products for the period 1 July 1992 to 30 June 1993

CN code	Description	Amount (tonnes)
0401	Milk and cream, not concentrated nor containing added sugar or other sweetening matter	80 000
0402	Milk and cream, concentrated or containing added sugar or other sweetening matter	19 000
0405	Butter	4 500
0406	} Cheese	} 13 000
0406 30		
0406 90 23		
0406 90 25		
0406 90 27		
0406 90 77		
0406 90 79		
0406 90 81		
0406 90 89		
1901 90 90	Milk-based preparations containing no fat	12 000
2106 90 91	Milk-based preparations for infants, containing no milk fats, etc.	800'

COMMISSION REGULATION (EEC) No 1180/93

of 14 May 1993

laying down detailed rules for the application in 1993 of the import arrangements for beef and veal provided for in the agreement between the Bilateral Community and Sweden

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1108/93 of 4 May 1993 laying down certain provisions for the application of the bilateral agreements on agriculture between the Community, of the one part and Austria, Finland, Iceland, Norway and Sweden of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽²⁾, as last amended by Regulation (EEC) No 125/93⁽³⁾, and in particular Article 15 (2) thereof,

Whereas Council Decision 93/239/EEC⁽⁴⁾ approves the Bilateral Agreement with Sweden; whereas the Agreement was signed on 17 March 1993 with a view to the advance application from 15 April 1993 of the relevant provisions of the Bilateral Agreement on agriculture signed at Oporto on 2 May 1992;

Whereas the Arrangement between the European Economic Community and the Kingdom of Sweden on reciprocal trade in beef and veal, including cooked preparations, annexed to the abovementioned agreement, provides for the opening of a tariff quota for imports, without levy or common customs tariff (CCT) duty, of 4 000 tonnes of beef and veal falling within CN code 0201 and 2 500 tonnes of products falling within CN code 1602 50 90; whereas point 5 of the Arrangement provides for the provisions to be applied on a *pro rata temporis* basis for the first year; whereas, therefore, the quantity covered by the quota for 1993 should be fixed at 71,5 % of the quantity referred to above; whereas Commission Regulation (EEC) No 2505/92 of 14 July 1992 amending Annexes I and II to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽⁵⁾ replaces CN code 1602 50 90 with CN codes 1602 50 31, 1602 50 39 and 1602 50 80;

Whereas the conversion coefficients for expressing a quantity of boned meat or cooked preparation in carcase weight should be fixed; whereas such coefficients must be established in the light of the experience gained by the beef and veal industry;

Whereas, while recalling the provisions of the agreement guaranteeing the origin of the product, management of the import system should be ensured through import licences; whereas, with that in mind, detailed rules should be laid down for the submission of applications as well as the information to be included on applications and licences, notwithstanding certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽⁶⁾, as last amended by Regulation (EEC) No 2101/92⁽⁷⁾, and Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector⁽⁸⁾, as last amended by Regulation (EEC) No 3662/92⁽⁹⁾; whereas provision should also be made for licences to be issued after a delay for consideration and, where necessary, with the application of a single percentage reduction;

Whereas, in order to ensure efficient management of the system, provision should be made for the security in respect of the import licences under the system to be fixed at ECU 10 per 100 kilograms; whereas the risk of speculation inherent in such a system in the beef and veal sector requires that access to the system should be subject to precise conditions;

Whereas the Bilateral Agreement on agriculture between Sweden and the Community is applicable from 15 April 1993; whereas provision should accordingly be made for the provisions of this Regulation to apply from the same date;

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

⁽¹⁾ OJ No L 113, 7. 5. 1993, p. 1.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽³⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽⁴⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽⁵⁾ OJ No L 267, 14. 9. 1992, p. 1.

⁽⁶⁾ OJ No L 331, 1. 12. 1988, p. 1.

⁽⁷⁾ OJ No L 210, 25. 7. 1992, p. 18.

⁽⁸⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁹⁾ OJ No L 370, 19. 12. 1992, p. 43.

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantity of beef and veal which may be imported during 1993 within the framework of the Arrangement between the Community and Sweden on reciprocal trade in beef and veal shall be:

- 2 860 tonnes, expressed as carcase weight, of beef falling within CN code 0201,
- 1 788 tonnes, expressed as carcase weight, of products falling within CN codes 1602 50 31, 1602 50 39 and 1602 50 80.

2. For the purposes of paragraph 1:

- 100 kg of boned beef falling within CN code 0201 30 shall correspond to 139 kg carcase weight,
- 100 kg of products falling within CN codes 1602 50 31, 1602 50 39 or 1602 50 80 shall correspond to 214 kg carcase weight.

3. The import levy and CCT duty shall be fixed at zero.

Article 2

1. In order to qualify under the import arrangements referred to in Article 1:

- (a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, can prove to the satisfaction of the competent authorities of the Member State concerned that they have been active in trade in beef and veal with third countries during the last 12 months and are entered in the official register of a Member State;
- (b) licence applications may be submitted only in the Member State in which the applicant is registered;
- (c) licence applications must relate either to the quantity referred to in the first indent of Article 1 (1) or to the quantity referred to in the second indent of Article 1 (1) and must cover a minimum of 15 tonnes of meat by product weight without exceeding the quantity available;
- (d) section 7 of licence applications and of the licence shall show the country of provenance (Sweden); licences shall carry with them an obligation to import from the country indicated;
- (e) section 20 of licence applications and of the licence shall show one of the following:

Reglamento (CEE) n° 1180/93,
 Forordning (EØF) nr. 1180/93,
 Verordnung (EWG) Nr. 1180/93,
 Κανονισμός (ΕΟΚ) αριθ. 1180/93,
 Regulation (EEC) No 1180/93,
 Règlement (CEE) n° 1180/93,
 Regolamento (CEE) n. 1180/93,
 Verordening (EEG) nr. 1180/93,

Regulamento (CEE) n° 1180/93;

(f) section 24 of licences shall show one of the following:

Importación sin exacción reguladora ni derechos del AAC [Reglamento (CEE) n° 1180/93]

Ingen importafgift eller told i henhold til FTT [forordning (EØF) nr. 1180/93]

Abschöpfungs- und zollfreie Einfuhr [Verordnung (EWG) Nr. 1180/93]

Άνευ εισφοράς και δασμού του ΚΑ [Κανονισμός (ΕΟΚ) αριθ. 1180/93]

No levy or CCT duty [Regulation (EEC) No 1180/93]

Pas de prélèvement ni droit du tarif douanier commun [Règlement (CEE) n° 1180/93]

Esenzione dal prelievo e dal dazio della TDC [regolamento (CEE) n. 1180/93]

Geen heffing of GDT-recht [Verordening (EEG) nr. 1180/93]

Sem direito nivelador nem direitos da Pauta Aduaneira Comum [Regulamento (CEE) n° 1180/93].

2. Notwithstanding Article 8 (2) of Regulation (EEC) No 2377/80, and with the exception of products falling within CN code 0201 30, section 16 of licence applications and licences may include one or more subheadings of CN code 0201.

Article 3

1. Licence applications shall be lodged not later than 28 May 1993.

2. If the same applicant lodges more than one application relating to the same group of products as referred to in the first or second indent of Article 1 (1), all applications from that person shall be inadmissible.

3. Member States shall notify the Commission of the applications lodged not later than 8 June 1993. Such notification shall comprise a list of applicants broken down by quantity and by CN code.

All notifications, including notifications of nil applications, shall be made by telex or fax, drawn up in accordance with the model set out in the Annex in the case where applicants have been lodged.

4. The Commission shall decide as soon as possible for each product group to extent to which quantities may be awarded in respect of licence applications. If the quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix a single percentage reduction in quantities applied for.

If the quantities in the respect of which licences have been applied for are lower than the quantities available, additional licences shall be issued for the remaining quantity. To that end, the date referred to in paragraph 1 shall be replaced by 20 September 1993 and the date referred to in paragraph 3 shall be replaced by 27 September 1993.

Licences shall be issued automatically and shall be valid throughout the Community.

Article 4

1. Without prejudice to this Regulation, Regulations (EEC) No 3719/88 and (EEC) No 2377/80 shall apply.
2. In the case of quantities imported under the terms of Article 8 (4) of Regulation (EEC) No 3719/88, the full levy and the normal CCT duties shall be collected on quantities in excess of those stated on the import licence.
3. Notwithstanding Article 9 (1) of Regulation (EEC) No 3719/88, licences issued pursuant to this Regulation shall not be transferable.
4. Notwithstanding Articles 4 and 6 of Regulation (EEC) No 2377/80, the security for licences shall be ECU 10 per 100 kilograms by weight of product and the term of validity of licences issued pursuant to the second subparagraph of Article 3 (4) of this Regulation shall expire on 31 December 1993.

Article 5

On importation into the Community, products shall be accepted under this Regulation on presentation of the

original of the proof of origin issued or drawn up in Sweden, in accordance with Annex VI of the Bilateral Agreement on agriculture concluded between the Community and Sweden.

Article 6

Products shall be accepted under this Regulation only upon presentation of a declaration from the competent Swedish authorities that no export subsidy has been paid in respect of the quantities in question.

Article 7

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

It shall apply from 15 April 1993.

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

Done at Brussels, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

APPLICATION OF REGULATION (EEC) No 1180/93

COMMISSION OF THE EUROPEAN COMMUNITIES DG VI/D/2 — BEEF AND VEAL SECTOR FAX
(EEC) 00 (32 2) 296 60 27

Application for import licences at zero levy and CCT duty

Member State

Country of origin	Serial number	Applicant (name and address)	Quantity (in tonnes)	CN code
Sweden				
		Total quantity applied for		

Member State :

Fax No :

Tel :

COMMISSION REGULATION (EEC) No 1181/93

of 14 May 1993

derogating from Regulations (EEC) No 1423/92, (EEC) No 278/93 and (EEC) No 1562/85 following the application of common prices in Portugal

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 1035/77 of 17 May 1977 laying down special measures to encourage the marketing of products processed from lemons⁽¹⁾, as last amended by Regulation (EEC) No 1199/90⁽²⁾, and in particular Article 3 thereof,

Having regard to Council Regulation (EEC) No 2601/69 of 18 December 1969 laying down special measures to encourage the processing of mandarins, satsumas, clementines and oranges⁽³⁾, as last amended by Regulation (EEC) No 3848/89⁽⁴⁾, and in particular Articles 2 (3) and 3 (2) thereof,

Whereas, on the one hand, Commission Regulation (EEC) No 1423/92⁽⁵⁾ fixes for the 1992/93 marketing year the minimum price for lemons and the amount of the financial compensation after processing of such lemons and, on the other, Commission Regulation (EEC) No 278/93⁽⁶⁾ fixes, until the end of the 1992/93 marketing year, the minimum purchase price for oranges delivered for processing and the amount of the financial compensation after processing of such oranges;

Whereas Council Regulation (EEC) No 742/93⁽⁷⁾, establishes a common basic price and buying-in price applicable in Portugal as from 1 April 1993; whereas the minimum price and the financial compensation fixed by Regulations (EEC) No 1423/92 and (EEC) No 278/93 should be adjusted accordingly; whereas it is also necessary to adjust in the light of this new situation contracts concluded before 1 April 1993 but not yet carried out at 31 March 1993 and to derogate, up to the end of the 1992/93 marketing year, from the provisions of Articles 13 and 20 of Commission Regulation (EEC) No 1562/85⁽⁸⁾, as last amended by Regulation (EEC) No 2643/91⁽⁹⁾;

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

Article 1

As from 1 April 1993,

- the minimum price fixed in Article 1 and the financial compensation fixed in Article 2 of Regulation (EEC) No 1423/92, and
- the minimum price fixed in Article 1 and the financial compensation fixed in Article 2 of Regulation (EEC) No 278/93,

applicable in Member States other than Portugal, with regard to lemons and oranges respectively, shall apply in Portugal.

Article 2

The competent authorities appointed by the Member States concerned shall ensure that the minimum price specified in contracts concluded before 1 April 1993 but not yet carried out at 31 March 1993 be adjusted in accordance with the provisions of Article 1.

Article 3

Applications for financial compensation, as referred to in Article 13 (1) of Regulation (EEC) No 1562/85, and notification by the Member States, as provided for in Article 20 of that Regulation, must differentiate between quantities delivered for processing before 1 April 1993 and quantities delivered after that date.

Article 4

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 1 April 1993.

⁽¹⁾ OJ No L 125, 19. 5. 1977, p. 3.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 61.

⁽³⁾ OJ No L 324, 27. 12. 1969, p. 21.

⁽⁴⁾ OJ No L 374, 22. 12. 1989, p. 6.

⁽⁵⁾ OJ No L 148, 29. 5. 1992, p. 21.

⁽⁶⁾ OJ No L 33, 9. 2. 1993, p. 8.

⁽⁷⁾ OJ No L 77, 31. 3. 1993, p. 8.

⁽⁸⁾ OJ No L 152, 11. 6. 1985, p. 5.

⁽⁹⁾ OJ No L 247, 5. 9. 1991, p. 21.

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

Done at Brussels, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1182/93**of 14 May 1993****fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20

and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 764/93 ⁽⁵⁾, as last amended by Regulation (EEC) No 1125/93 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 15 May 1993.

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

Done at Brussels, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 79, 1. 4. 1993, p. 6.

⁽⁶⁾ OJ No L 114, 8. 5. 1993, p. 22.

ANNEX

to the Commission Regulation of 14 May 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾) (⁽⁴⁾)	Third countries (except ACP) (⁽⁵⁾)
1006 10 21	—	156,79	320,78
1006 10 23	—	173,89	354,98
1006 10 25	—	173,89	354,98
1006 10 27	266,24	173,89	354,98
1006 10 92	—	156,79	320,78
1006 10 94	—	173,89	354,98
1006 10 96	—	173,89	354,98
1006 10 98	266,24	173,89	354,98
1006 20 11	—	196,89	400,98
1006 20 13	—	218,26	443,73
1006 20 15	—	218,26	443,73
1006 20 17	332,80	218,26	443,73
1006 20 92	—	196,89	400,98
1006 20 94	—	218,26	443,73
1006 20 96	—	218,26	443,73
1006 20 98	332,80	218,26	443,73
1006 30 21	—	243,80	511,46
1006 30 23	—	314,75	653,27
1006 30 25	—	314,75	653,27
1006 30 27	489,95	314,75	653,27
1006 30 42	—	243,80	511,46
1006 30 44	—	314,75	653,27
1006 30 46	—	314,75	653,27
1006 30 48	489,95	314,75	653,27
1006 30 61	—	260,00	544,71
1006 30 63	—	337,80	700,31
1006 30 65	—	337,80	700,31
1006 30 67	525,23	337,80	700,31
1006 30 92	—	260,00	544,71
1006 30 94	—	337,80	700,31
1006 30 96	—	337,80	700,31
1006 30 98	525,23	337,80	700,31
1006 40 00	—	82,52	171,05

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

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

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

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

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

(⁽⁶⁾) No import levy applies to products originating in the OCT pursuant to Article 101 (1) of Decision 91/482/EEC, subject to the provisions of Decision 93/127/EEC, as amended by Decision 93/211/EEC, concerning semi-milled rice falling within CN codes 1006 30 21 to 1006 30 48 originating in the Netherlands Antilles.

COMMISSION REGULATION (EEC) No 1183/93**of 14 May 1993****fixing the premiums to be added to the import levies on rice and broken rice**

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3862/92 ⁽³⁾, as last amended by Regulation (EEC) No 1126/93 ⁽⁴⁾;

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 to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 May 1993.

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

Done at Brussels, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 86.

⁽⁴⁾ OJ No L 114, 8. 5. 1993, p. 24.

ANNEX

to the Commission Regulation of 14 May 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 5	1st period 6	2nd period 7	3rd period 8
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1184/93
of 14 May 1993

**fixing the maximum buying-in price and the quantities of beef bought in for the
91st partial invitation to tender within the general intervention measures under
Regulation (EEC) No 1627/89**

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

Having regard to Council Regulation (EEC) No 805/68 of
27 June 1968 on the common organization of the market
in beef and veal ⁽¹⁾, as last amended by Regulation (EEC)
No 125/93 ⁽²⁾, and in particular Article 6 (8) thereof,

Whereas, pursuant to Commission Regulation (EEC)
No 859/89 of 29 March 1989 laying down detailed rules
for the application of general and special intervention
measures in the beef and veal sector ⁽³⁾, as last amended
by Regulation (EEC) No 685/93 ⁽⁴⁾, an invitation to tender
was opened by Article 1 (1) of Commission Regulation
(EEC) No 1627/89 of 9 June 1989 on the buying in of
beef by invitation to tender ⁽⁵⁾, as last amended by Regula-
tion (EEC) No 813/93 ⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation
(EEC) No 859/89, a maximum buying-in price is to be
fixed for quality R3, where appropriate, for each partial
invitation to tender in the light of the tenders received;
whereas, in accordance with Article 12 of that Regulation,
only tenders lower than or equal to the maximum price
are to be accepted, without, however, exceeding the
average national or regional market price plus the amount
mentioned in paragraph 1; whereas, however, pursuant to
Article 5 of that Regulation, where the intervention agen-
cies in Member States are offered meat in quantities
greater than they are able to take over forthwith, such
intervention agencies may limit buying in to the quanti-
ties they can take over;

Whereas, after the tenders submitted for the 91st partial
invitation to tender have been examined and taking
account, pursuant to Article 6 (1) of Regulation (EEC)
No 805/68, of the requirements for reasonable support of
the market and the seasonal trend in slaughterings, the
maximum buying-in price and the quantities which may
be accepted into intervention should be fixed;

Whereas the quantities offered at present exceed the
quantities which may be bought in; whereas a reducing
coefficient or, where appropriate depending on the
differences in prices and the quantities tendered for,
several reducing coefficients should accordingly be
applied to the quantities which may be bought in in
accordance with Article 11 (3) of Regulation (EEC)
No 859/89;

Whereas the quantities awarded to successful Danish
tenderers under the 90th invitation to tender have not
been delivered within the time limits laid down as a result
of strikes; whereas, in order to take account of these
exceptional circumstances, the deadline for delivery
should be extended;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 91st partial invitation to tender opened by
Article 1 (1) of Regulation (EEC) No 1627/89:

(a) for category A:

in the Member States or regions of Member States
which meet the conditions laid down in Article 6 (2)
of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at
ECU 245 per 100 kilograms of carcasses or half-
carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses
accepted is hereby fixed at 6 400 tonnes; the
quantities offered are hereby reduced by 30 and
80 % in Denmark pursuant to Article 11 (3) of
Regulation (EEC) No 859/89;

(b) for category C:

in the Member States or regions of Member States
which meet the conditions laid down in Article 6 (2)
of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at
ECU 240,85 per 100 kilograms of carcasses or half-
carcasses of quality R3,
- the maximum quantity accepted of carcasses or
half-carcasses is hereby fixed at 0 tonnes.

Article 2

Notwithstanding Article 13 (2) of Regulation (EEC)
No 859/89, the deadline for delivery for the 90th partial
invitation to tender applicable to the awards made by the
Danish intervention agency shall be extended by two
weeks.

Article 3

This Regulation shall enter into force on 17 May 1993.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 73, 26. 3. 1993, p. 9.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 82, 3. 4. 1993, p. 18.

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

Done at Brussels, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1185/93**of 14 May 1993****fixing the maximum buying-in price and the quantities of beef bought in for the fifth partial invitation to tender within the special intervention measures under Regulation (EEC) No 1627/89**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 6a (4) thereof,

Having regard to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of general and special intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 685/93 ⁽⁴⁾, and in particular Article 11 thereof,

Whereas, pursuant to Regulation (EEC) No 859/89 an invitation to tender was opened by Article 1 (3) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EEC) No 813/93 ⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for each partial invitation to tender in the light of the tenders received;

Whereas, after the tenders submitted for the fifth partial invitation to tender have been examined and taking

account of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the fifth partial invitation to tender opened by Article 1 (1) of Regulation (EEC) No 1627/89:

- the maximum buying-in price is hereby fixed at ECU 252,15 per 100 kilograms of carcasses or half-carcasses,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 60 tonnes.

Article 2

This Regulation shall enter into force on 17 May 1993.

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

Done at Brussels, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 73, 26. 3. 1993, p. 9.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 82, 3. 4. 1993, p. 18.

COMMISSION REGULATION (EEC) No 1186/93

of 14 May 1993

fixing the amount of aid for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1750/92⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1734/92⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1992/93 marketing year was fixed by Council Regulation (EEC) No 1751/92⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Council Regulation (EEC) No 1752/92⁽⁸⁾;

Whereas the abatement of the subsidy which arises from the system of maximum guaranteed quantities for the 1992/93 year, has been fixed by Commission Regulation (EEC) No 2512/92⁽⁹⁾, as amended by Regulation (EEC) No 2752/92⁽¹⁰⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas Commission Regulation (EEC) No 3328/92⁽¹⁴⁾ limits the validity of the certificate provided for in Article 4 of Council Regulation (EEC) No 2036/82 to 30 June 1993;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁵⁾ 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⁽¹⁶⁾;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 17.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 179, 1. 7. 1992, p. 120.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 18.

⁽⁸⁾ OJ No L 180, 1. 7. 1992, p. 20.

⁽⁹⁾ OJ No L 250, 29. 8. 1992, p. 15.

⁽¹⁰⁾ OJ No L 279, 23. 9. 1992, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁴⁾ OJ No L 334, 19. 11. 1992, p. 17.

⁽¹⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1899/91⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas Article 26a of Regulation (EEC) No 3540/92 has been repealed in accordance with Article 2 of Commission Regulation (EEC) No 3820/92⁽²⁾; whereas the Commission therefore publishes in the *Official Journal*

of the *European Communities* only the gross amount of aid, expressed in ecus, to be granted for 100 kilograms of the product, as soon as it is fixed; whereas the gross aid in ecus resulting from Article 3 of Regulation (EEC) No 1431/82 is to be converted directly into the national currencies at the agricultural conversion rate valid on the day of identification in the Member State in which the products are used,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated 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, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 169, 29. 6. 1991, p. 29.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 22.

ANNEX**Gross aid**

Products intended for human consumption :

	<i>(ECU per 100 kg)</i>	
	Current	1st period
	5	6
Peas used :	11,824	11,824
Field beans used :	11,824	11,824

Products used in animal feed :

	<i>(ECU per 100 kg)</i>	
	Current	1st period
	5	6
A. Peas used :	12,741	12,895
B. Field beans used :	12,741	12,895
C. Sweet lupins used :	14,870	15,074

COMMISSION REGULATION (EEC) No 1187/93

of 14 May 1993

fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 789/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 1158/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 789/93 to the information known to the Commission that the levies

at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 13 May 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 May 1993.

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

Done at Brussels, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 79, 1. 4. 1993, p. 66.

⁽⁵⁾ OJ No L 117, 13. 5. 1993, p. 18.

ANNEX

to the Commission Regulation of 14 May 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽³⁾
1701 11 10	32,92 ⁽¹⁾
1701 11 90	32,92 ⁽¹⁾
1701 12 10	32,92 ⁽¹⁾
1701 12 90	32,92 ⁽¹⁾
1701 91 00	42,75
1701 99 10	42,75
1701 99 90	42,75 ⁽²⁾

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

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

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

COMMISSION REGULATION (EEC) No 1188/93**of 14 May 1993****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

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

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 1045/93 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 1045/93 to the infor-

mation known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 13 May 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 1045/93 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 15 May 1993.

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

Done at Brussels, 14 May 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 39.

ANNEX

to the Commission Regulation of 14 May 1993 altering the basic amount of the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4275	—
1702 20 90	0,4275	—
1702 30 10	—	53,49
1702 40 10	—	53,49
1702 60 10	—	53,49
1702 60 90	0,4275	—
1702 90 30	—	53,49
1702 90 60	0,4275	—
1702 90 71	0,4275	—
1702 90 90	0,4275	—
2106 90 30	—	53,49
2106 90 59	0,4275	—

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

COUNCIL REGULATION (EEC) No 1189/93**of 14 May 1993****imposing definitive anti-dumping duties on imports of certain seamless pipes and tubes, of iron or non-alloy steel, originating in Hungary, Poland and the Republic of Croatia and definitively collecting provisional anti-dumping duties**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 12 thereof,

Having regard to the proposal submitted by the Commission, after consultations within the Advisory Committee as provided for under the above Regulation,

Whereas :

A. PREVIOUS ACTION

- (1) By Regulation (EEC) No 3296/92⁽²⁾, the Commission imposed provisional anti-dumping duties on imports of certain seamless pipes and tubes, of iron or non-alloy steel, originating in Czechoslovakia, Hungary, Poland and the Republic of Croatia. The Council, by Regulation (EEC) No 545/93⁽³⁾, extended these duties for a period not exceeding two months.

Due to the political changes as from 1 January 1993, the proceeding now concerns the Czech Republic and the Slovak Republic as successors of the former Czech and Slovak Federal Republic.

B. SUBSEQUENT PROCEDURE

- (2) Following the imposition of the provisional anti-dumping duties, the interested parties who so requested were granted an opportunity to be heard by the Commission. They also made written submissions making known their views on the findings.
- (3) The Czech, Slovak and Hungarian exporters alleged that the Commission had failed to fulfil its obligations pursuant to Articles 23, 27 (2) and 27 (3) (b) of the Interim Agreements⁽⁴⁾ on trade and trade-related matters, concluded between the European

Economic Community and the European Coal and Steel Community of the one part, and the Czech and Slovak Federal Republic and the Republic of Hungary of the other part, by omitting in particular duly to inform the Joint Committees set up under the Interim Agreements as it was required to do at certain stages of the proceeding.

- (4) As far as the initiation of the proceedings is concerned, the Council notes that at the time of the initiation of the procedure the Interim Agreements had not yet entered into force and the Joint Committees had not been set up. The Commission therefore notified the competent authorities of the countries concerned pursuant to Article 7 (1) (b) of Regulation (EEC) No 2423/88 of the initiation of the proceeding. After the imposition of provisional duties, the Joint Committees were notified pursuant to Article 27 (3) (b) of the Interim Agreements.
- (5) In this respect some exporters claimed that there was no urgency in this case for the Commission to impose provisional anti-dumping duties forthwith and that the Joint Committees should have been informed pursuant to Article 27 (2) of the Interim Agreements before adopting provisional measures.
- (6) The results of the preliminary investigation did, however, show that the dumped imports were causing material injury to the Community industry. The Council notes that in this case any further delays would have considerably increased this injury so that an urgent intervention within the meaning of Article 27 (3) (b) of the Interim Agreement was indicated.
- (7) Upon request, the parties were informed of the essential facts and considerations on the basis of which it was intended to recommend the imposition of definitive duties and the definitive collection of amounts secured by way of a provisional duty. They were also granted a period within which to make representations subsequent to the disclosure.
- (8) The oral and written comments submitted by the parties were examined and, where appropriate, considered in the Commission's findings.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No 2 328, 14. 11. 1992, p. 15.

⁽³⁾ OJ No L 58, 11. 3. 1993, p. 1.

⁽⁴⁾ Czechoslovakia : OJ No L 115, 30. 4. 1992, p. 2.
Hungary : OJ No L 116, 30. 4. 1992, p. 2.

- (9) This investigation was not concluded within the period specified in Article 7 (9) (a) of Regulation (EEC) No 2423/88 owing to the complexity of the proceeding and to the difficulties of communication and information-gathering, resulting in numerous requests from the parties concerned for extensions of deadlines, which were granted by the Commission when justified by the circumstances.

C. COMMUNITY INDUSTRY

- (10) The Hungarian exporter claimed that its products were partly purchased by certain complaining Community producers themselves and that those producers should have been excluded from the determination of injury pursuant to Article 4 (5) of Regulation (EEC) No 2423/88.
- (11) In that context, the Commission recalls its standing practice of excluding importing Community producers only when they are either shielded from the effect of the dumped imports, draw undue benefits from them or import such quantities in relation to their own production that they can no longer be considered to be committed to production in the Community.
- (12) In this case the products concerned, originating in Hungary, were not imported by complaining Community producers themselves, as was alleged. The importers were certain trading companies with which the producers had loose ties through a participation or a common holding. The imports therefore cannot be attributed to the producers themselves.
- (13) With regard to the effects of the dumped imports brought in by some related importers, the Commission found that the producers concerned could not have benefited from those transactions or have been thereby shielded from the effects of dumping. The importers in question did not function, as alleged, as sales and distribution subsidiaries on behalf of, and under the instructions of, the complaining producers but operated independently in competition with the sales activities of those producers. The imports in question were made and resold in the Community under the same conditions as other dumped imports. In addition, the quantities involved were small in relation to the output of the producers concerned. In those circumstances, the Commission concludes that any advantage which may have indirectly accrued is negligible compared to the direct injury suffered by the producers as shown in recitals 36 and 37 and that there are no reasonable grounds for excluding those

producers from the Community industry. The Council confirms this finding of the Commission.

D. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

- (14) The Commission, in recitals 9, 10 and 11 of Regulation (EEC) No 3296/92, defined the products which were the subject of the proceeding. The Hungarian exporter claimed that the Commission should have distinguished three different products, namely commercial pipe and tubes, line pipe, and cold-drawn or cold-rolled tubes — all three being technically different products for different applications.
- (15) As is set out by the Commission in Regulation (EEC) No 3296/92, all seamless tubes and pipes are manufactured by basically the same production technology, generating products which are alike in their essential physical and technical characteristics and in their end uses. While there are some quality differences between these three types of tubes, these are not such as to establish clear dividing lines between the products. Indeed, the higher-quality tubes can be, and are, used for the same applications as the lower-grade tubes. As far as like products are concerned, the Commission found that the tubes sold on the Croatian market were similar or identical to those imported from the countries concerned and that the products manufactured and sold by the Community industry were also similar in all respects. Indeed, the investigation of the Commission has revealed that all products regardless of their grade and origin compete with each other in the Community market.

Accordingly, the Commission concluded that the products concerned were to be considered 'like products' within the meaning of Article 2 (12) of Regulation (EEC) No 2423/88; whereas that conclusion is confirmed by the Council.

E. DUMPING

1. Normal value

(a) Croatia

- (16) As no new evidence has been submitted by the Croatian exporter since the imposition of provisional duties, the findings on dumping with regard to Croatia, as set out in Regulation (EEC) No 3296/92, are considered to be definitive.

(b) *Hungary, Poland and former Czechoslovakia*

- (17) The Commission considered Hungary, Poland and former Czechoslovakia during the investigation period as non-market economies and, in accordance with Article 2 (5) of Regulation (EEC) No 2423/88, based its determinations on the normal values of the products concerned in a market economy third country, in this case Croatia.
- (18) Most of the Hungarian, Polish, Czech and Slovak producers contested that determination by the Commission and claimed once again that their domestic prices or production costs should be taken into consideration, since their economies had reached a stage where they had to be treated as market economies.
- (19) The Commission considers that the fact that during the investigation period they were still listed as State-trading countries according to Regulation (EEC) No 1765/82 of 30 June 1982 on common rules for imports from State-trading countries⁽¹⁾, is decisive, and accordingly that Article 2 (5) of Regulation (EEC) No 2423/88 is applicable to the determination of normal value for those countries. The Council confirms this finding.
- (20) Several parties to the proceeding claimed that the Commission should have taken account of the change of circumstances due to the removal of those countries from the list of State-trading countries by Council Regulation (EEC) No 517/92 of 27 February 1992 amending the autonomous import arrangements for products originating in Hungary, Poland and the Czech and Slovak Federal Republic (CSFR)⁽²⁾, which entered into force in March 1992, namely by updating the investigation period.
- (21) The Commission notes that the removal of the countries concerned from the list of State-trading countries by Regulation (EEC) No 517/92 took effect on 1 March 1992, i.e. after the investigation period determined pursuant to Article 7 (1) (c) of Regulation (EEC) No 2423/88 which is the basis for the anti-dumping proceeding and the findings of the Commission. As was stated in recital 19, this leads to the conclusion that, in the present case, the countries concerned had to be treated as State trading economies. Matters would be quite different if the Commission had to fix a new investigation
- period situated entirely after the abovementioned date.
- (22) The Hungarian exporter contested once against the choice of Croatia as a suitable analogous market economy, alleging that the particular difficulties this country was and is facing, the difference in the production technology and an unrepresentative product mix and market made it an inappropriate choice. No evidence for these allegations was, however, produced. As an alternative for Croatia, the Hungarian exporter proposed Venezuela.
- (23) As far as Venezuela is concerned, the Commission has information that the main production plant was shut down three years ago. Supplies of seamless tubes to the domestic market in Venezuela are principally covered by imports. That country cannot therefore be considered as suitable.
- (24) As far as Croatia is concerned, the information made available to the Commission shows that during the investigation period the Croatian exporter had normal production. Sales activities on the domestic market continued throughout the investigation period and were representative in relation to the exports concerned. As was explained in recital 22 of Regulation (EEC) No 3296/92, prices charged showed a reasonable level in relation to production costs. For the above reasons, the Council confirms the conclusion of the Commission that it was appropriate and not unreasonable to apply the normal values established for Croatia to the Czechoslovakian, Hungarian and Polish products.
- (25) The Hungarian exporter claimed further that the Commission should not have used the domestic price lists of the Croatian producer to establish normal value but should have used actual sales prices.
- (26) As is explained in recital 14 of Regulation (EEC) No 3296/92, the Commission established that actual sales of the Croatian producer were made in conformity with the price lists. The Council confirms this finding.

2. Export price

- (27) Export prices for all four exporting countries were determined as explained in recital 23 of Regulation (EEC) No 3296/92, and, in the absence of any relevant new arguments, are considered definitive.

⁽¹⁾ OJ No L 195, 5. 7. 1982, p. 1. Regulation as last amended by Regulation (EEC) No 848/92 (OJ No L 89, 4. 4. 1992, p. 1).

⁽²⁾ OJ No L 56, 29. 2. 1992, p. 1.

3. Comparison

- (28) Normal values and export prices were compared in the manner set out in recital 24 of Regulation (EEC) No 3296/92.
- (29) Some of the exporters claimed adjustments on behalf of differences in quality between their products exported to the Community and those sold by the Croatian producer on his domestic market.
- (30) No evidence was, however, produced showing, within the same categories of tubes, any relevant differences in physical characteristics of the products manufactured in Poland, Hungary, former Czechoslovakia, Croatia or in the Community which would affect the comparison carried out by the Commission. The claim is, therefore, to be dismissed in accordance with Article 2 (9) (b) of Regulation (EEC) No 2423/88.
- (31) Some exporters submitted that normal values should have been adjusted for differences in selling expenses such as salesmen's salaries and for sales made in different quantities.
- (32) On the basis of the evidence made available to the Commission by the Croatian producer, allowances have been made for all identifiable, directly related selling expenses incurred at the level of trade on which the comparison was based. The Commission had no indication — nor did the Croatian company claim — that it had incurred allowable expenses for salesmen directly involved in the distribution of the products concerned. Instead of volume rebates, the Croatian company operates a system of graduated supplements of up to 20 % for shipments of less than a threshold quantity. As most export sales exceeded that quantity, the Commission, for the purpose of comparison, has disregarded these supplements in respect of all export sales.
- (33) The Hungarian exporter alleged that the Commission had used a government-fixed exchange rate for the Yugoslav dinar for the conversion of normal value and export prices. This is not the case. Contrary to the situation in Hungary, where a government-fixed rate for commercial transactions was operated until October 1991, the Yugoslav dinar was floating throughout the investigation period and the Commission has used the free market rate as recorded by the International Monetary Fund.

4. Dumping margins

- (34) The final examination of the facts reveals the existence of dumping for the Croatian producer, Zeljezara Sisak, as well as for the products concerned

exported by Hungary, Poland and former Czechoslovakia. The margins of dumping which vary according to the exporter are equal to the amount by which the normal values, as established, exceed the prices for export to the Community.

- (35) The weighted average margins of dumping definitively established and expressed as a percentage of the cif Community frontier prices of the imports are as follows:

— Zeljezara Sisak, Croatia	25,5 %,
— Hungary	21,8 %,
— Poland	11,7 %,
— the Czech Republic	49,6 %,
— the Slovak Republic	49,6 %.

F. INJURY

- (36) In its preliminary findings, the Commission concluded that the Community seamless tube industry had suffered material injury from the cumulated effects of the dumped imports from the countries concerned. This view was founded mainly on the convergence of economic indicators such as the decline of production and sales volume, the significant loss of market share, depression of prices in a period of rising production costs and consequent deterioration in financial results.
- (37) As far as the situation of the Community industry is concerned, no new arguments were put forward after the imposition of provisional duties. The Council therefore confirms the findings set out in recitals 36 to 42 of Regulation (EEC) No 3296/92.

G. CAUSALITY

- (38) The Polish and Hungarian exporters argued that their exports did not follow the same pattern as those of the other countries concerned and that therefore the Commission should not have established the cumulative impact of their dumped imports on the Community industry.
- (39) Contrary to this allegation, the Commission established that the increase in market share of those countries is considerable and the market share as such was not negligible. In addition, the exporters of both countries resorted to undercutting practices to gain those increased market shares. They followed, therefore, a similar pattern of market strategies. For these and the reasons given in recitals 27 and 28 of Regulation (EEC) No 3296/92, the Commission concludes, and the Council confirms, that the impact of the dumped imports has to be established cumulatively.

- (40) As far as price undercutting is concerned, several exporters alleged that, in the comparison of their resale prices in the Community with prices charged by the Community industry, certain adjustments made in the provisional determination underestimated the level of the actual costs incurred. The Commission established, however, that those adjustments corresponded to the normal transaction costs at the comparable level of trade.
- (41) With regard to other factors such as changes in demand, the influence of other imports and restructuring problems, the Commission has analysed the situation in recital 47 of Regulation (EEC) No 3296/92, which is hereby confirmed by the Council.
- (42) In the absence of further arguments, the Council confirms the findings of the Commission set out in recitals 44 to 48 of Regulation (EEC) No 3296/92.

H. COMMUNITY INTEREST

- (43) Several exporters argued that in view of the special relationship of the Community with Hungary, Poland, the Czech Republic and the Slovak Republic, as reflected in various agreements between the contracting parties and in particular the Interim Agreements on trade and trade-related matters concluded by the Community with those countries, it is not in the Community's interest to impose anti-dumping measures. To do so would bring exports to a halt and prevent the countries from developing and diversifying trade with the Community, which is the declared interest of the Community in its relations with them.
- (44) In this context, the Commission notes that the agreements explicitly provide for the application of anti-dumping measures. The Commission accepts that anti-dumping measures should not normally preclude certain exporters from trading with the Community. Indeed, given the specific circumstances of the present case, the Commission calculated the anti-dumping measures in such a way as to eliminate the price undercutting, thus ensuring that fair competition was restored on the Community market without reducing the overall level of competition.
- (45) No observations were received from any user of the products concerned imported from Hungary, Poland, Croatia, the Czech Republic and the Slovak Republic within the time limit laid down in Article 3 of Regulation (EEC) No 3296/92. The general considerations with regard to 'Community interest' (see recitals 49 to 53 of that Regulation) are accordingly confirmed by the Council.
- (46) In the circumstances, the Council considers that it is in the Community interest to impose definitive anti-dumping measures to eliminate the injurious effects of dumped imports.

I. DUTY

- (47) Provisional measures took the form of anti-dumping duties. They were imposed at rates based on the price undercutting recorded by the Commission. No arguments were raised concerning this method of calculating the duty. The findings of the Commission as expressed in recitals 34 and 35 of Regulation (EEC) No 3296/92 being confirmed by the Council, the amounts of the definitive anti-dumping duties should be the same as the amounts of the provisional duties.

J. UNDERTAKINGS

- (48) Having been informed of the final results of the investigation, the Polish, Hungarian and Croatian exporters offered undertakings within the meaning of Article 10 (2) (b) of Regulation (EEC) No 2423/88.

Following consultations within the Advisory Committee, during which no objections were raised to this solution, the undertakings were accepted by Commission Decision 93/260/EEC⁽¹⁾.

K. PROCEEDING WITH REGARD TO THE CZECH REPUBLIC AND THE SLOVAK REPUBLIC

- (49) In light of the negotiations of trade arrangements with the Czech Republic and the Slovak Republic for the years 1993 to 1995 with regard to certain sensitive steel products including welded and seamless tubes comprising also the products covered by this proceeding, it is not appropriate, at this point in time to take protective measures with regard to the Czech Republic and the Slovak Republic.

L. COLLECTION OF PROVISIONAL DUTIES

- (50) In view of the level of dumping margins found and the seriousness of the injury caused to Community producers, it is considered necessary that amounts secured by way of provisional anti-dumping duties should be collected in full with regard to all imports of the products concerned, originating in Hungary, Poland, the Republic of Croatia, the Czech Republic and the Slovak Republic for the

⁽¹⁾ See page 42 of this Official Journal.

period up to 31 December 1992. For imports effected after that date the amounts should be released, since for all known producers, undertakings or other trade measures will be applicable and are considered to eliminate the injury caused by dumping to the Community industry,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on the following imports:

- seamless pipes, of iron or steel, of a kind used for oil or gas pipelines, of an external diameter not exceeding 406,4 mm (falling within CN codes 7304 10 10 and 7304 10 30),
- seamless tubes of circular cross-section, of iron or non-alloy steel, cold-drawn or cold-rolled, other than precision tubes (falling within CN codes 7304 31 99), and
- other tubes of circular cross-section, of iron or non-alloy steel, other than threaded or threadable, of an external diameter not exceeding 406,4 mm (falling within CN codes 7304 39 91 and 7304 39 93)

originating in Hungary, Poland and Croatia.

2. The rate of the duty applicable to the net, free-at-Community-frontier price for imports of the products concerned, originating in the following countries, not cleared through customs, shall be:

	<i>Rate of duty</i>	<i>Taric additional codes</i>
— Hungary	21,7 %	8718
— Poland	10,8 %	8720
— Croatia	17,4 %	8722.

3. Notwithstanding paragraph 1, the duty shall not apply to the products concerned manufactured or exported by:

Hungary:

Csepel Tube Works, Budapest
(Taric additional code 8717)

Poland:

Centrozap, Foreign Trade Company Ltd, Katowice
(Taric additional code 8719)

Huta Andrzej, Zawadzkie
(Taric additional code 8719)

Stalexport, Foreign Trade Enterprise, Katowice
(Taric additional code 8719)

Huta im M. Buczka, Sosnowiec
(Taric additional code 8719)

Huta Czestochowa, Czestochowa
(Taric additional code 8719)

Huta Jednosc, Siemianowice Sl.
(Taric additional code 8719)

Huta Batory s.a., Chorzow
(Taric additional code 8719)

Croatia:

Zeljezara Sisak
Sisak Steel Pipe Works, Zagreb
(Taric additional code 8721).

4. The provisions in force concerning customs duties shall apply to the said duty.

Article 2

The amounts secured by way of provisional anti-dumping duty pursuant to Regulation (EEC) No 3296/92 shall be definitively collected in full for imports of the products concerned, originating in Hungary, Poland, the Republic of Croatia, the Czech Republic and the Slovak Republic for the period up to 31 December 1992. For imports effected after this date the amounts shall be released.

Article 3

This Regulation shall enter into force on the day following that 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, 14 May 1993.

For the Council

The President

N. HELVEG PETERSEN

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 March 1993

authorizing additional aid by Germany to the coal industry for 1992

(Only the German text is authentic)

(93/259/ECSC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Coal and Steel Community,

Having regard to Commission Decision No 2064/86/ECSC of 30 June 1986 establishing Community rules for State aid to the coal industry ⁽¹⁾,

Whereas :

I

In a letter dated 10 February 1993, the German Government informed the Commission, pursuant to Article 9 (3) of Decision No 2064/86/ECSC, of an additional financial measure which it intends to implement retroactively for 1992 in order to support the coal industry, concerning deliveries of coal and coke to the Community steel industry.

On 30 September 1992 the Commission adopted Decision 92/506/ECSC ⁽²⁾ ruling on financial aid by Germany to the coal industry in 1992.

As stated in that Decision, the German Government intended to grant in 1992, pursuant to Decision No 2064/86/ECSC, a total of DM 3 293 million under the

system of aid to deliveries of coking coal, coke and coal for injection into blast furnaces in the Community steel industry.

In Decision 92/506/ECSC the Commission noted that the amount of aid under the system was linked to available budgetary resources; accordingly the German Government was required to communicate any changes in the amount authorized by the Commission for 1992.

The German Government has informed the Commission that the amount of aid laid down in Decision 92/506/ECSC for the supply of coal and coke to the steel industry is insufficient. The increase necessary for 1992 over the amount authorized by the Commission is DM 330,579 million, which brings the total aid for the supply of coal and coke in 1992 to DM 3 623,579 million.

The reason for the increase in aid is that the gap between the world market price for coking coal and German production costs has proved wider than originally foreseen, on account of the drop in prices on the world market and the development of the US dollar-German Mark exchange rate.

The figure of DM 3 623,579 million for this aid is compatible with Article 4 of Decision No 2064/86/ECSC, since it serves to bridge the gap observed in 1992 between the world market price and the production costs for a volume of 20,7 million tonnes, in accordance with the conditions set out in Article 12 of that Decision.

⁽¹⁾ OJ No L 177, 1. 7. 1986, p. 1.

⁽²⁾ OJ No L 310, 27. 10. 1992, p. 29.

The contribution of the planned measure to the restructuring and rationalization of the coal industry and to solving social and regional problems in phasing the closure of loss-making installations satisfies the criteria and objectives of Article 2, first and third indents, of Decision No 2064/86/ECSC.

Consequently, the aid referred to in this Decision is compatible with the proper functioning of the common market.

This Decision does not produce any legal effects beyond the date of expiry of Decision No 2064/86/ECSC.

II

The Commission will have to ensure, pursuant to Article 11 (2) of Decision No 2064/86/ECSC, that the direct aid authorized for current production is intended solely for the purposes set out in Articles 3 to 6 of that Decision. To this end it must be informed of the amounts of payments and how they are allocated,

HAS ADOPTED THIS DECISION :

Article 1

Germany is hereby authorized to grant, for 1992, additional aid amounting to DM 330 579 000 for the supply

of coking coal, coke and coal for injection into blast furnaces in the Community steel industry, which brings the total aid for this purpose in 1992 to DM 3 623 579 000.

Article 2

Germany shall notify the Commission by 30 June 1993 of the amount of aid actually paid in 1992.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 24 March 1993.

For the Commission

Abel MATUTES

Member of the Commission

COMMISSION DECISION

of 14 May 1993

accepting undertakings offered in connection with the anti-dumping proceeding concerning imports of certain seamless pipes and tubes, of iron or non-alloy steel, originating in Hungary, Poland and the Republic of Croatia

(93/260/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, and in particular Article 10 thereof,

After consultation within the Advisory Committee as provided for by Regulation (EEC) No 2423/88,

Whereas :

- (1) On the basis of the definitive findings of the Commission, the Council adopted Regulation (EEC) No 1189/92⁽²⁾ imposing definitive antidumping duties on imports of certain seamless pipes and tubes, of iron or non-alloy steel, originating in Hungary, Poland and the Republic of Croatia, and definitively collecting provisional anti-dumping duties.
- (2) After all exporters concerned were notified of the results of the final investigation, several offered undertakings in accordance with Article 10 of Regulation (EEC) No 2423/88.
- (3) The effect of these undertakings would be that the injurious consequences of the dumped imports would be eliminated. In this respect, the Commission recalls that the most important factors of the injury caused by the dumped imports were the rapid increase in volume and the high margin of price undercutting. In addition, the Commission is of the opinion that, administratively, it will be possible to verify that the undertakings are being complied with. That being so, the Commission considers that the undertakings offered are acceptable and that the investigation concerning the exporters in question may be closed without the imposition of anti-dumping duties.

- (4) Should the undertakings in question not be complied with, or should they be withdrawn by the exporters concerned, the Commission could, in accordance with Article 10 (6) of Regulation (EEC) No 2423/88, impose provisional duties forthwith on the basis of the results and conclusions of the investigation set out in Regulation (EEC) No 1189/93. Subsequently, definitive duties could also be imposed by the Council on the basis of the facts established in that investigation.
- (5) No objections to the acceptance of the undertakings were raised within the Advisory Committee.
- (6) The Community industry concerned was informed of the main facts and considerations on the basis of which the Commission intended to accept the undertakings and did not object to them,

HAS DECIDED AS FOLLOWS :

Sole Article

The undertakings offered by :

Hungary :

Csepel Tube Works, Budapest ;

Poland :

Centrozap, Foreign Trade Company Ltd, Katowice,
Huta Andrzej, Zawadzkie,
Stalexport, Foreign Trade Enterprise, Katowice,
Huta Im M. Buczka, Sosnowiec,
Huta Czestochowa, Czestochowa,
Huta Jednosc, Siemianowice Sl.,
Huta Batory SA, Chorzow ;

Croatia :

Zeljezara Sisak, Sisak Steel Pipe Works, Zagreb,

in connection with the anti-dumping proceeding concerning imports of certain seamless pipes and tubes, of iron or non-alloy steel, originating in Hungary, Poland and the Republic of Croatia, falling within CN codes 7304 10 10, 7304 10 30, 7304 31 99, 7304 39 91 and 7304 39 93, are hereby accepted.

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ See page 34 of this Official Journal.

This acceptance of the undertakings shall take effect on the day of entry into force of the definitive duty. They shall apply to all shipments released for free circulation in the Community as from 1 January 1993.

Done at Brussels, 14 May 1993.

For the Commission

Leon BRITTAN

Member of the Commission
