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Contents

I *Acts whose publication is obligatory*

- ★ **Council Regulation (EEC) No 1607/93 of 24 June 1993 extending the provisional anti-dumping duty on imports of bicycles originating in the People's Republic of China** 1
- ★ **Council Regulation (EEC) No 1608/93 of 24 June 1993 introducing an embargo concerning certain trade between the European Economic Community and Haiti** 2
- Commission Regulation (EEC) No 1609/93 of 25 June 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal 5
- Commission Regulation (EEC) No 1610/93 of 25 June 1993 fixing the premiums to be added to the import levies on cereals, flour and malt 7
- ★ **Commission Regulation (EEC) No 1611/93 of 24 June 1993 concerning the classification of certain goods in the combined nomenclature** 9
- ★ **Commission Regulation (EEC) No 1612/93 of 24 June 1993 re-establishing the levying of customs duties on products of category 76 (order No 40.0760), originating in Pakistan, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply** 11
- ★ **Commission Regulation (EEC) No 1613/93 of 24 June 1993 re-establishing the levying of customs duties on products of category 67 (order No 40.0670), originating in Indonesia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply** 13
- ★ **Commission Regulation (EEC) No 1614/93 of 24 June 1993 re-establishing the levying of customs duties on products falling within CN code ex 3904, originating in Mexico, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply** 15

Price : ECU 18

(Continued overleaf)

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other Acts are printed in bold type and preceded by an asterisk.

* Commission Regulation (EEC) No 1615/93 of 25 June 1993 amending for the second time Regulation (EEC) No 1652/92 fixing, in respect of 1988, 1989 and 1990 crops, export refunds for baled tobacco	16
* Commission Regulation (EEC) No 1616/93 of 25 June 1993 extending for the second time Regulation (EEC) No 3779/91 fixing the export refunds on baled tobacco from the 1991 harvest	17
* Commission Regulation (EEC) No 1617/93 of 25 June 1993 on the application of Article 85 (3) of the Treaty to certain categories of agreements and concerted practices concerning joint planning and coordination of schedules, joint operations, consultations on passenger and cargo tariffs on scheduled air services and slot allocation at airports	18
* Commission Regulation (EEC) No 1618/93 of 25 June 1993 amending Regulation (EEC) No 83/91 on the application of Article 85 (3) of the Treaty to certain categories of agreements between undertakings relating to computer reservation systems for air transport services	23
* Commission Regulation (EEC) No 1619/93 of 25 June 1993 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 regarding the arrangements applicable to cereal-based compound feedingstuffs	24
* Commission Regulation (EEC) No 1620/93 of 25 June 1993 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 and Regulation (EEC) No 1418/76 regarding the import and export system for products processed from cereals and rice respectively	29
* Commission Regulation (EEC) No 1621/93 of 25 June 1993 laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 regarding the system for fixing the import levies for cereals	36
* Commission Regulation (EEC) No 1622/93 of 25 June 1993 fixing the number of young male bovine animals which may be imported on special terms in the second quarter of 1993 and derogating from Regulation (EEC) No 2377/80 in respect of that quarter as regards the allocation of the quantities available	44
Commission Regulation (EEC) No 1623/93 of 25 June 1993 fixing the import levies on rice and broken rice	47
Commission Regulation (EEC) No 1624/93 of 25 June 1993 fixing the premiums to be added to the import levies on rice and broken rice	49
Commission Regulation (EEC) No 1625/93 of 25 June 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments	51
Commission Regulation (EEC) No 1626/93 of 25 June 1993 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands	53
Commission Regulation (EEC) No 1627/93 of 25 June 1993 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira	55
Commission Regulation (EEC) No 1628/93 of 25 June 1993 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid	57

Contents (continued)

Commission Regulation (EEC) No 1629/93 of 25 June 1993 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat	59
Commission Regulation (EEC) No 1630/93 of 25 June 1993 fixing the import levies on frozen sheepmeat and goatmeat	61
Commission Regulation (EEC) No 1631/93 of 25 June 1993 fixing the import levies on white sugar and raw sugar	63
Commission Regulation (EEC) No 1632/93 of 26 June 1993 fixing the maximum buying-in price and the quantities of beef bought in for the eighth partial invitation to tender within the special intervention measures under Regulation (EEC) No 1627/89	65
Commission Regulation (EEC) No 1633/93 of 25 June 1993 fixing the maximum buying-in price and the quantities of beef bought in for the 94th partial invitation to tender within the general intervention measures under Regulation (EEC) No 1627/89	66
Commission Regulation (EEC) No 1634/93 of 25 June 1993 altering the import levies on products processed from cereals and rice	68
Commission Regulation (EEC) No 1635/93 of 25 June 1993 amending Regulation (EEC) No 1453/93 introducing a countervailing charge on fresh lemons originating in Argentina	70
Commission Regulation (EEC) No 1636/93 of 25 June 1993 amending Regulation (EEC) No 846/93 introducing a countervailing charge on apples originating in Chile	71

II *Acts whose publication is not obligatory*

European Parliament

93/366/Euratom, ECSC, EEC :

- * **Decision of the European Parliament of 21 April 1993 giving discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1991 financial year as regards Sections I — Parliament, II — Council, III — Commission, IV — Court of Justice and V — Court of Auditors** 72

Resolution containing the comments which form part of the Decision giving discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1991 financial year 75

93/367/EEC :

- * **Decision of the European Parliament of 22 April 1993 giving discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1991 financial year** 82

93/368/EEC :

- * **Decision of the European Parliament of 22 April 1993 giving discharge to the Commission in respect of the financial management of the sixth European Development Fund for the 1991 financial year** 83

93/369/EEC :

- * **Decision of the European Parliament of 22 April 1993 giving discharge to the Commission in respect of the financial management of the seventh European Development Fund for the 1991 financial year** 84

Resolution containing the comments which form part of the decisions granting discharge to the Commission in respect of the financial management of the fifth, sixth and seventh European Development Funds for the 1991 financial year 85

(Continued overleaf)

- * Decision of the European Parliament of 22 April 1993 giving discharge to the Management Board of the European Centre for the Development of Vocational Training in respect of the implementation of its budget for the 1991 financial year 87

- * Decision of the European Parliament of 22 April 1993 giving discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the 1991 financial year 89

Commission

- * Commission Decision of 24 June 1993 concerning protection measures in relation to foot-and-mouth disease in Bulgaria, amending for the third time Decision 93/242/EEC and repealing Decision 93/343/EEC 91

Corrigenda

- * Corrigendum to Commission Regulation (EEC) No 1283/93 of 27 May 1993 laying down detailed rules for the application of the import arrangements provided for by Council Regulation (EEC) No 929/93 in the beef and veal sector (OJ No L 131 of 28. 5. 1993) 93

Corrigendum to Commission Regulation (EEC) No 1600/93 of 24 June 1993 fixing the export refunds on milk and milk products (OJ No L 153 of 25. 6. 1993) 93

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1607/93**of 24 June 1993****extending the provisional anti-dumping duty on imports of bicycles originating in the People's Republic of China**

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 11 thereof,

Having regard to the proposal from the Commission,

Whereas Commission Regulation (EEC) No 550/93⁽²⁾ imposed a provisional anti-dumping duty on imports of bicycles originating in the People's Republic of China;

Whereas examination of the facts has not yet been completed and the Commission has informed the exporters known to be concerned of its intention to propose an

extension of the validity of the provisional duty for an additional period of two months;

Whereas the exporters have raised no objection,

HAS ADOPTED THIS REGULATION:

Article 1

The validity of the provisional anti-dumping duty on imports of bicycles originating in the People's Republic of China imposed by Regulation (EEC) No 550/93 is hereby extended for a period of two months. It shall cease to apply if, before the expiry of that period, the Council adopts definitive measures or the proceeding is terminated under Article 9 of Regulation (EEC) No 2423/88.

Article 2

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

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

Done at Luxembourg, 24 June 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.
⁽²⁾ OJ No L 58, 11. 3. 1993, p. 12.

COUNCIL REGULATION (EEC) No 1608/93

of 24 June 1993

introducing an embargo concerning certain trade between the European Economic Community and Haiti

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Whereas the Security Council of the United Nations has determined that the continuation of the situation with regard to Haiti threatens international peace and security in the region;

Whereas the Community and its Member States, meeting within the framework of political cooperation, have repeatedly expressed their concern about the persistence absence of democracy and the rule of law in Haiti and the need for effective action to end this situation.;

Whereas on 16 June 1993 the Security Council, acting under Chapter VII of the Charter of the United Nations, adopted Resolution 841 (1993) which obliges all States to restrict trade with Haiti in conformity with paragraphs 5 to 14 of the Resolution in order to obtain the solution of the crisis desired by the international community;

Whereas the Security Council has also decided that this restriction shall apply notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to 23 June 1993, and therefore the fourth ACP-EEC Convention, to which the Community and Haiti are parties, does not pose an obstacle to the implementation of the said Security Council decision;

Whereas the Community and its Member States, meeting within the framework of political cooperation, have expressed their strong support for the measures decided by the Security Council;

Whereas under these conditions the Community has to restrict trade with Haiti;

Whereas the Community and its Member States have agreed to have recourse to a Community instrument, *inter alia*, in order to ensure uniform implementation throughout the Community of certain of the measures decided by the Security Council;

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

Having regard to the proposal from the Commission,

HAS ADOPTED THIS REGULATION:

Article 1

As from 00.01 EST (New York time) on 23 June 1993, the following shall be prohibited:

- (a) the sale or supply of petroleum and petroleum products listed in the Annex to any person or body in Haiti or to any person or body for the purpose of any business carried on in, or operated from, Haiti;
- (b) any activity the object or effect of which is directly or indirectly to promote the transactions mentioned under (a);
- (c) the entering of the territory of the territorial sea of Haiti by any means of transport carrying petroleum or petroleum products listed in the Annex.

Article 2

The prohibition imposed by Article 1 shall not apply to the export of petroleum or petroleum products, including propane gas for cooking, when authorized on an exceptional case-by-case basis (under a no-objection procedure by the under Nations Security Council Committee established by paragraph 10 of Resolution 841 (1993)).

Article 3

The sale or supply to Haiti of petroleum and petroleum products which are not prohibited under Article 1 shall be subject to prior authorization to be issued by the competent authorities of the Member States.

Article 4

Article 1 shall apply notwithstanding any rights or applications conferred or imposed by any international agreement or any contract into or any licence or permit granted before 23 June 1993.

Article 5

Each Member State shall determine the sanctions to be imposed where the provisions of this Regulation are infringed.

Article 6

This Regulation shall apply within the territory of the Community, including its air space and in any aircraft or vessel under the jurisdiction of a Member State, and to any person elsewhere who is a national of a Member State and any body elsewhere which is incorporated or constituted under the law of a Member State.

Article 7

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

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

Done at Luxembourg, 24 June 1993.

For the Council

The President

B. WESTH

ANNEX

CN code	Product description
2709	Petroleum oils and oils obtained from bituminous minerals, crude
2710	Petroleum oils and oils obtained from bituminous minerals, other than crude ; preparations not elsewhere specified or included, containing by weight 70 % or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations
2711	Petroleum gases and other gaseous hydrocarbons
2712 10	Petroleum jelly
2712 20 00	Paraffin wax containing by weight less than 75 % of oil
ex 2712 90	'Slack wax', 'scale wax'
2713	Petroleum coke, petroleum bitumen and other residues of petroleum oils or of oils obtained from bituminous minerals
2714	Bitumen and asphalt, natural ; bituminous or oil shale and tar sands ; asphaltites and asphaltic rocks
2715	Bituminous mixtures based on natural asphalt, on natural bitumen, on petroleum bitumen, on mineral tar or on mineral tar pitch (for example, bituminous mastics, cut-backs)
2901	Acyclic hydrocarbons
2902 11 00	Cyclohexane
2902 20	Benzene
2902 30	Toluene
2902 41 00	o-Xylene
2902 42 00	m-Xylene
2902 43 00	p-Xylene
2902 44	Mixed xylene isomers
2902 50 00	Styrene
2902 60 00	Ethylbenzene
2902 70 00	Cumene
2905 11 00	Methanol (methyl alcohol)
3403 19 10	Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations containing, as basic constituents, 70 % or more by weight of petroleum oils or of oils obtained from bituminous minerals but not as the basic constituent
3811 21 00	Additives for lubricating oils containing petroleum oils or oils obtained from bituminous minerals
3823 90 10	Petroleum sulphonates, excluding petroleum sulphonates of alkali metals, of ammonium or of ethanolamines ; thiophenated sulphonic acids of oils obtained from bituminous minerals, and their salts

COMMISSION REGULATION (EEC) No 1609/93

of 25 June 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 24 June

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 26 June 1993.

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

Done at Brussels, 25 June 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 25 June 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	137,36 ⁽²⁾ ⁽³⁾
0712 90 19	137,36 ⁽²⁾ ⁽³⁾
1001 10 00	174,90 ⁽¹⁾ ⁽⁵⁾
1001 90 91	148,85
1001 90 99	148,85 ⁽²⁾
1002 00 00	152,08 ⁽⁶⁾
1003 00 10	136,91
1003 00 20	136,91
1003 00 80	136,91 ⁽²⁾
1004 00 00	115,65
1005 10 90	137,36 ⁽²⁾ ⁽³⁾
1005 90 00	137,36 ⁽²⁾ ⁽³⁾
1007 00 90	142,33 ⁽⁴⁾
1008 10 00	46,86 ⁽²⁾
1008 20 00	101,26 ⁽⁴⁾
1008 30 00	50,90 ⁽⁷⁾
1008 90 10	⁽⁷⁾
1008 90 90	50,90
1101 00 00	220,99 ⁽²⁾
1102 10 00	224,51
1103 11 30	283,13
1103 11 50	283,13
1103 11 90	237,02

⁽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 1610/93

of 25 June 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 24 June

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 26 June 1993.

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

Done at Brussels, 25 June 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 25 June 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 6	1st period 7	2nd period 8	3rd period 9
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	2,82	2,82	2,82
1003 00 20	0	2,82	2,82	2,82
1003 00 80	0	2,82	2,82	2,82
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	5,02	5,02	5,02	5,02
1107 10 99	0	3,75	3,75	3,75	3,75
1107 20 00	0	4,37	4,37	4,37	4,37

COMMISSION REGULATION (EEC) No 1611/93
of 24 June 1993
concerning the classification of certain goods in the combined nomenclature

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

Having regard to Council Regulation (EEC) No 2658/87⁽¹⁾ on the tariff and statistical nomenclature and on the Common Customs Tariff, as last amended by Commission Regulation (EEC) No 1001/93⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and these rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivisions to it and which is established by specific Community provisions, with a view to the application of tariff or other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is appropriate that, subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 6 of Commission Regulation (EEC)

No 3796/90⁽³⁾, as last amended by Regulation (EEC) No 2674/92⁽⁴⁾, by the holder thereof during a certain period if such holder has concluded a contract as referred to in points (a) or (b) of the second paragraph of Article 14, (3) of Council Regulation (EEC) No 1715/90⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Subject to the measures in force in the Community relating to double checking systems and to prior and retrospective Community surveillance of textile products on importation into the Community, binding tariff information in the matter of classification of goods in the combined nomenclature issued by the customs authorities of the Member States which no longer conform to this Regulation may continue to be invoked in accordance with the provisions of Article 6 of Regulation (EEC) No 3796/90 by the holder thereof during a period of 60 days from the date of application of this Regulation if such holder has concluded a contract referred to in points (a) or (b) of the second subparagraph of Article 14 of Regulation (EEC) No 1715/90.

Article 3

This Regulation shall enter into force on the 21st 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, 24 June 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.
⁽²⁾ OJ No L 104, 29. 4. 1993, p. 28.

⁽³⁾ OJ No L 365, 28. 12. 1990, p. 17.
⁽⁴⁾ OJ No L 271, 16. 9. 1992, p. 5.
⁽⁵⁾ OJ No L 160, 26. 6. 1990, p. 1.

ANNEX

Description	CN code	Reasons
(1)	(2)	(3)
1. Pieces of tubular weft knitted or crocheted fabric, bleached, of various textile fibres, roughly cut. These pieces are approximately 65 cm in diameter and vary between 2,50 m and 6 m in length. The pieces, some of which are creased or wrinkled, are put up in bales.	6002 91 00 6002 92 10 6002 93 31 6002 93 99 6002 99 00	Classification is determined by the provisions of the general rules 1 and 6 for the interpretation of the combined nomenclature and the texts of CN codes 6002, 6002 91 00, 6002 92, 6002 92 10, 6002 93, 6002 93 31, 6002 93 99 and 6002 99 00 depending on the composition. The textile products in question cannot be classified as rags because they are not worn, soiled, torn, of small dimensions or fit only for the recovery of the fibres, the manufacture of paper or plastics, the manufacture of polishing materials or for use as industrial wipers.
2. Lightweight knitted garment (85 % polyamide, 15 % elastomeric yarn), with narrow adjustable shoulder straps intended to cover the body down to the crotch. The front of the garment is of an openwork knitted fabric and the garment is elasticated around the legs and at the back. The crotch of the garment, which has a knitted cotton lining, is fastened by means of three press studs. The upper part of the garment resembles a brassiere and is wired for support. (See photograph No 525) (*)	6212 90 00	Classification is determined by the provisions of general rules 1 and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 6212 and 6212 90 00. See also the explanatory notes to the harmonized system concerning heading 6212.



(*) Photographs are of a purely illustrative nature.

COMMISSION REGULATION (EEC) No 1612/93

of 24 June 1993

re-establishing the levying of customs duties on products of category 76 (order No 40.0760), originating in Pakistan, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

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

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries⁽¹⁾, extended for 1993 by Council Regulation (EEC) No 3917/92⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded for 1993 for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of category 76 (order No 40.0760), originating in Pakistan, the relevant ceiling amounts to 169 tonnes;

Whereas on 1 March 1993 imports of the products in question into the Community, originating in Pakistan, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Pakistan,

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 June 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Pakistan:

Order No	Category (unit)	CN code	Description
40.0760	76 (tonnes)	6203 22 10	Men's or boys' industrial or occupational clothing; other than knitted or crocheted; women's or girls' aprons, smock-overalls and other industrial or occupational clothing, other than knitted or crocheted
		6203 23 10	
		6203 29 11	
		6203 32 10	
		6203 33 10	
		6203 39 11	
		6203 42 11	
		6203 42 51	
		6203 43 11	
		6203 43 31	
		6203 49 11	
		6203 49 31	
		6204 22 10	
		6204 23 10	
		6204 29 11	
		6204 32 10	
		6204 33 10	
		6204 39 11	
		6204 62 11	
		6204 62 51	
		6204 63 11	
		6204 63 31	
		6204 69 11	
		6204 69 31	
		6211 32 10	
		6211 33 10	
		6211 42 10	
		6211 43 10	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

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, 24 June 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 1613/93

of 24 June 1993

re-establishing the levying of customs duties on products of category 67 (order No 40.0670), originating in Indonesia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

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

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries⁽¹⁾, extended for 1993 by Council Regulation (EEC) No 3917/92⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded for 1993 for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the

products in question once the relevant individual ceilings have been reached at Community level;

Whereas, in respect of products of category 67 (order No 40.0670), originating in Indonesia, the relevant ceiling amounts to 85 tonnes;

Whereas on 14 May 1993 imports of the products in question into the Community, originating in Indonesia, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

Whereas it is appropriate to re-establish the levying of customs duties for the products in question with regard to Indonesia,

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 June 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Indonesia:

Order No	Category (unit)	CN code	Description
40.0670	67 (tonnes)	5807 90 90	Knitted or crocheted clothing accessories other than for babies, household linen of all kinds, knitted or crocheted; curtains (including drapes) and interior blinds, curtain or bed valances and other furnishing articles knitted or crocheted blankets and travelling rugs, other knitted or crocheted articles including parts of garments or of clothing accessories
		6113 00 10	
		6117 10 00	
		6117 20 00	
		6117 80 10	
		6117 80 90	
		6117 90 00	
		6301 20 10	
		6301 30 10	
		6301 40 10	
		6301 90 10	
		6302 10 10	
		6302 10 90	
		6302 40 00	
		ex 6302 60 00	
		6303 11 00	
		6303 12 00	
		6303 19 00	
		6304 11 00	
		6304 91 00	
		ex 6305 20 00	
		6305 31 10	
		ex 6305 39 00	
		ex 6305 90 00	
		6307 10 10	
		6307 90 10	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

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, 24 June 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EEC) No 1614/93
of 24 June 1993

re-establishing the levying of customs duties on products falling within CN code ex 3904, originating in Mexico, 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 code ex 3904, originating in Mexico, the individual ceiling was fixed at ECU 5 513 000; whereas on 19 May 1993 imports of these products into the Community originating in Mexico 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 Mexico,

HAS ADOPTED THIS REGULATION:

Article 1

As from 30 June 1993, the levying of customs duties, suspended for 1993 pursuant to Council Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products, originating in Mexico:

Order No	CN code	Description
10.0458	3904 10 00 3904 21 00 3904 22 00	Polymers of vinyl chloride or of other halogenated olefins, in primary forms — Polyvinyl chloride, not mixed with any other substances: — — Non-plasticized — — Plasticized

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, 24 June 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 1615/93**of 25 June 1993****amending for the second time Regulation (EEC) No 1652/92 fixing, in respect of
1988, 1989 and 1990 crops, export refunds for baled tobacco**

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

Having regard to Council Regulation (EEC) No 727/70 of
21 April 1970 on the common organization of the market
in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC)
No 860/92 ⁽²⁾, and in particular the first sentence of the
third subparagraph of Article 9 (2) thereof,

Whereas export refunds were fixed in respect of certain
varieties of tobacco from the 1988, 1989 and 1990 crops
by Commission Regulation (EEC) No 1652/92 ⁽³⁾,
amended by Regulation (EEC) No 3686/92 ⁽⁴⁾;

Whereas the final date for granting those refunds was set
at 31 December 1992 for the 1988 harvest and at 30 June
1993 for the 1989 and 1990 harvests; whereas, in respect
of certain varieties of that tobacco, export possibilities
after that date have presented themselves; whereas it is
advisable to grant refunds in respect of the varieties in
question from the 1989 and 1990 harvests, in order to
enable those exports to be carried out;

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

HAS ADOPTED THIS REGULATION:

Article 1

The text in Article 2, second subparagraph, of Regulation
(EEC) No 1652/92 shall be replaced by the following
text:

'It shall apply until 31 December 1992 for the 1988
harvest and until 31 December 1993 for the 1989 and
1990 harvests.'

Article 2

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 91, 7. 4. 1992, p. 1.

⁽³⁾ OJ No L 172, 27. 6. 1992, p. 42.

⁽⁴⁾ OJ No L 374, 22. 12. 1992, p. 10.

COMMISSION REGULATION (EEC) No 1616/93**of 25 June 1993****extending for the second time Regulation (EEC) No 3779/91 fixing the export
refunds on baled tobacco from the 1991 harvest**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 860/92 ⁽²⁾, and in particular the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas export refunds were fixed in respect of certain varieties of tobacco from the 1991 crop by Commission Regulation (EEC) No 3779/91 ⁽³⁾, extended by Regulation (EEC) No 3684/92 ⁽⁴⁾;

Whereas the final date for granting those refunds was set at 30 June 1993; whereas, in respect of certain varieties of that tobacco, export possibilities after that date have presented themselves; whereas it is advisable to grant

refunds in respect of the varieties in question from the 1991 harvest in order to enable those exports to be carried out;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 of Regulation (EEC) No 3779/91, '30 June 1993' is hereby replaced by '31 December 1993'.

Article 2

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 91, 7. 4. 1992, p. 1.

⁽³⁾ OJ No L 356, 24. 12. 1991, p. 54.

⁽⁴⁾ OJ No L 374, 22. 12. 1992, p. 5.

COMMISSION REGULATION (EEC) No 1617/93

of 25 June 1993

on the application of Article 85 (3) of the Treaty to certain categories of agreements and concerted practices concerning joint planning and coordination of schedules, joint operations, consultations on passenger and cargo tariffs on scheduled air services and slot allocation at airports

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3976/87 of 14 December 1987 on the application of Article 85 (3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector⁽¹⁾, as last amended by Regulation (EEC) No 2411/92⁽²⁾, and in particular Article 2 thereof,

Having published a draft of this Regulation⁽³⁾,

Having consulted the Advisory Committee on Agreements and Dominant Positions in Air Transport,

Whereas :

- (1) Regulation (EEC) No 3976/87 empowers the Commission to apply Article 85 (3) of the Treaty by regulation to certain categories of agreements, decisions or concerted practices relating directly or indirectly to the provision of air transport services.
- (2) Agreements, decisions or concerted practices concerning joint planning and coordination of schedules, joint operations, consultations on tariffs and slot allocation at airports are liable to restrict competition and affect trade between Member States.
- (3) Joint planning and coordination of the schedule of an air service can help to ensure the maintenance of services at less busy times of the day, during less busy periods or on less busy routes, and to develop onward connections, thus benefiting air transport users. However, any clauses concerning extra flights

must not require the approval of the other parties or involve financial penalties. The arrangements must also allow parties to withdraw from them at reasonably short notice.

- (4) Arrangements whereby a smaller airline receives marketing and financial support from another airline may help that smaller airline to operate air services on new or less busy routes. However, in order to avoid restrictions which are not indispensable to the attainment of that aim, the duration of such joint operations must be limited to the time necessary to gain sufficient commercial standing. The block exemption must not be granted to joint operations where both parties could reasonably be expected to operate the air service independently. Those conditions are without prejudice to the possibility, in appropriate cases, of an application made under Article 5 of Council Regulation (EEC) No 3975/87⁽⁴⁾, as last amended by Regulation (EEC) No 2410/92⁽⁵⁾, with a view to obtaining an individual exemption where the conditions are not met or where the parties need to extend the duration of the joint operation. In particular where the parties wish to avail themselves, a joint operation, through of the market access opportunities created by Council Regulation (EEC) No 2408/92⁽⁶⁾ on routes which are neither new nor less busy, but which otherwise fulfil the conditions set forth herein, an individual exemption may be warranted.

- (5) Consultations on passenger and cargo tariffs may contribute to the generalized acceptance of interlinable fares and rates to the benefit of air carriers as well as air transport users. However, consultations must not exceed the aim of facilitating interlining. Council Regulation (EEC) No 2409/92 of 23 July

⁽¹⁾ OJ No L 374, 31. 12. 1987, p. 9.

⁽²⁾ OJ No L 240, 24. 8. 1992, p. 19.

⁽³⁾ OJ No C 253, 30. 9. 1992, p. 5.

⁽⁴⁾ OJ No L 374, 31. 12. 1987, p. 1.

⁽⁵⁾ OJ No L 240, 24. 8. 1992, p. 18.

⁽⁶⁾ OJ No L 240, 24. 8. 1992, p. 8.

1992 on fares and rates for air services⁽¹⁾, is based on the principle of free pricing and therefore increases the possibility of price competition in air transport. Hence, competition may not be eliminated thereby. Consultations between air carriers on passenger and cargo tariffs may therefore be permitted for the time being, provided that they are limited to fares and rates which give rise to actual interlining, that the participation in such consultations is optional, that they do not lead to an agreement in respect of fares, rates or related conditions, that in the interests of transparency the Commission and the Member States concerned can send observers to them, and that air carriers participating in the consultation mechanism are obliged to interline with all other carriers concerned, at the tariffs applied by the carrying airline for the tariff category under discussion.

The Commission will reassess the effects of tariff consultations on price competition in the light of the operation of Regulation (EEC) No 2409/92 and in the light of the development of the Community air transport industry, and may make appropriate changes to the exemption in the course of its lifetime;

- (6) Arrangements on slot allocation at airports and airport scheduling can improve the utilization of airport capacity and airspace, facilitate air-traffic control and help to spread the supply of air transport services from the airport. However, if competition is to be eliminated, entry to congested airports must remain possible. In order to provide a satisfactory degree of security and transparency, such arrangements can only be accepted if all air carriers concerned can participate in the negotiations, and if the allocation is made on a non-discriminatory and transparent basis.
- (7) In accordance with Article 4 of Regulation (EEC) No 3976/87, this Regulation should apply with retroactive effect to agreements, decisions and concerted practices in existence on the date of entry into force of this Regulation, provided that they meet the conditions for exemption set out in this Regulation.
- (8) In conformity with Article 7 of Regulation (EEC) No 3976/87, this Regulation should also specify the circumstances in which the Commission may withdraw the block exemption in individual cases.
- (9) No applications under Article 3 or 5 of Regulation (EEC) No 3975/87 need be made in respect of

agreements automatically exempted by this Regulation. However, when real doubt exists, undertakings may request the Commission to declare whether their arrangements comply with this Regulation.

- (10) This Regulation is without prejudice to the application of Article 86 of the Treaty,

HAS ADOPTED THIS REGULATION :

TITLE I

EXEMPTIONS

Article 1

Pursuant to Article 85 (3) of the Treaty and subject to the provisions of this Regulation, it is hereby declared that Article 85 (1) of the Treaty shall not apply to agreements between undertakings in the air transport sector, decisions by associations of such undertakings and concerted practices between such undertakings which have as their purpose one or more of the following:

- joint planning and coordination of the schedule of an air service between Community airports,
- the joint operation of a scheduled air service on a new or on a low-density route between Community airports,
- the holding of consultations on tariffs for the carriage of passengers, with their baggage, and of freight on scheduled air services between Community airports,
- slot-allocation and airport scheduling in so far as they concern air services between airports in the Community.

TITLE II

SPECIAL PROVISIONS

Article 2

Special provisions for joint planning and coordination of schedules

The exemption concerning joint planning and coordination of the schedule of an air service shall apply only if the following conditions are met :

⁽¹⁾ OJ No L 240, 24. 8. 1992, p. 15.

(a) the planning and coordination are intended

- (i) to ensure by means of a non-binding arrangement a satisfactory supply of services at less busy times of the day, during less busy periods or on less busy routes; or
 - (ii) to establish by means of a binding arrangement schedules which will facilitate interline connections for passengers of freight between services operated by the participants and minimum capacity to be provided for such schedules;
- (b) the agreements, decisions and concerted practices do not include arrangements such as to limit, directly or indirectly, the capacity to be provided by the participants or to share capacity;
- (c) the agreements, decisions and concerted practices do not prevent carriers taking part in the planning and coordination from introducing additional services, without incurring penalties and without being required to obtain the approval of the other participants;
- (d) the agreements, decisions and concerted practices do not prevent carriers from withdrawing from the planning and coordination for future seasons without penalty, on giving notice of not more than three months' notice to that effect;
- (e) the agreements, decisions and concerted practices do not seek to influence the schedules adopted by carriers not participating in them.

*Article 3***Special provisions for joint operations**

The exemption concerning the joint operation of an air service shall apply only if the following conditions are met:

- (a) the joint operation concerns the sharing, by one air carrier, of the costs and revenues of another air carrier in respect of a scheduled air service which the latter is operating;
- (b) (i) there was no direct air service between the two airports concerned during all of the four traffic seasons preceding the beginning of the joint operation; or
- (ii) the capacity on the route covered by the joint operation does not exceed 30 000 seats per year in each direction; this capacity may be doubled on

routes of over 750 kilometres on which there is at most a twice-daily direct air service;

- (c) the air carrier operating the air service offers a capacity, in addition to the jointly operated air service, of no more than 90 000 seats per year at one of the airports involved;
- (d) the revenues from air transport within the geographical scope of this Regulation for the air carrier operating the air service and for any other air carriers which directly or indirectly participate in a controlling shareholding in the operating air carrier, do not exceed ECU 400 million per year;
- (e) neither party is prevented from operating additional air services on its own account between the two airports concerned nor from independently determining the fares, capacity and schedules of such air services;
- (f) the duration of the joint operation does not exceed three years;
- (g) either party can terminate the joint operation on giving notice of not more than three months, to expire at the end of a traffic season.

*Article 4***Special provisions for consultations on passenger and cargo tariffs**

1. The exemption concerning the holding of consultations on passenger and cargo tariffs shall apply only if the following conditions are met:

- (a) the participants only discuss air fares and cargo rates to be paid by air transport users directly to a participating air carrier or to its authorized agents, for carriage as passengers or for the airport-to-airport transport of freight on a scheduled service, as well as the conditions relating to those fares and rates. The consultations shall not extend to the capacity for which such tariffs are to be available;
- (b) the consultations give rise to interlining, that is to say, air transport users must be able, in respect of the types of fares or rates and of the seasons which were the subject of the consultations:
 - (i) to combine on a single transportation document the service which was the subject of the consultations, with services on the same or on connecting routes operated by other air carriers, whereby the applicable fares, rates and conditions are set by the airline(s) effecting carriage; and

- (ii) in so far as is permitted by the conditions governing the initial reservation, to change a reservation on a service which was the subject of the consultations onto a service on the same route operated by another air carrier at the fares, rates and conditions applied by that other carrier;

provided that an air carrier may refuse to allow such combinations and changes of reservation for objective and non-discriminatory reasons of a technical or commercial nature, in particular where the air carrier effecting carriage is concerned with the creditworthiness of the air carrier who would be collecting payment for this carriage; in such case the latter air carrier must be notified thereof in writing;

- (c) the passenger or cargo tariffs which are the subject of the consultations are applied by participating air carriers without discrimination on grounds of passengers nationality or place of residence or on ground of the origin of the freight within the Community;
- (d) participation in the consultations is voluntary and open to any air carrier who operates or intends to operate direct or indirect services on the route concerned;
- (e) the consultations are not binding on participants, that is to say, following the consultations the participants retain the right to act independently in respect of passenger and cargo tariffs;
- (f) the consultations do not entail agreement on agents' remuneration or other elements of the tariffs discussed;
- (g) where filing of tariffs is required, each participant individually files each tariff which was not the subject of the consultations, with the competent authorities of the Member States concerned; in so doing it may act itself or through its filing agent or through its general sales agent.

- 2. (a) The Commission and the Member States concerned shall be entitled to send observers to tariff consultations. For this purpose, air carriers shall give the Member States concerned and the Commission the same notice as is given to participants, but not less than 10 days' notice, of the date, venue and subject matter of the consultations.

- (b) Such notice shall be given:

- (i) to the Member States concerned according to procedures to be established by the competent authorities of those Member States;
- (ii) to the Commission according to procedures to be published in the *Official Journal of the European Communities*.

- (c) A full report on these consultations shall be submitted to the Commission by or on behalf of the air carriers involved at the same time as it is submitted to participants, but not later than six weeks after those consultations were held.

Article 5

Special provisions for slot allocation and airport scheduling

- 1. The exemption concerning slot allocation and airport scheduling shall apply only if the following conditions are met:

- (a) the consultations on slot allocation and airport scheduling are open to all air carriers having expressed an interest in the slots which are the subject of the consultations;
- (b) rules of priority are established and supplied without discrimination, that is to say that they neither directly nor indirectly relate to carrier identity or nationality or category of service, take into account constraints or air traffic distribution rules laid down by competent national or international authorities and give due consideration to the needs of the travelling public and of the airport concerned. Subject to paragraph (d), such rules of priority may take account of rights acquired by air carriers through the use of particular slots in the previous corresponding season;
- (c) the rules of priority, once established are made available on request to any interested party;
- (d) new entrants as defined in Article 2 (b) of Council Regulation (EEC) No 95/93⁽¹⁾ are allocated 50 % of newly created or unused slots and slots which have been given up by a carrier during or by the end of the season or which otherwise become available, to the extent that those new entrants have outstanding slot requests;
- (e) air carriers participating in the consultations have access, at the time of the consultations at the latest, to information relating to:

- historical slots by airline, chronologically, for all air carriers at the airport,
- requested slots (initial submissions) by air carriers and chronologically for all air carriers,

⁽¹⁾ OJ No L 14, 22. 1. 1993, p. 1.

- allocated slots, and outstanding slot requests listed individually in chronological order, by air carriers, for air carriers,
- remaining slots available,
- full details on the criteria being used in the allocation.

If a request for slots is not accepted, the air carrier concerned shall be entitled to a statement of the reasons therefor.

2. (a) The Commission and the Member States concerned shall be entitled to send observers to consultations on slot allocation and airport scheduling held in the context of a multilateral meeting in advance of each season. For this purpose, air carriers shall give the Member States concerned and the Commission the same notice as is given to participants, but not less than 10 days' notice, of the date, venue and subject matter of the consultations.
- (b) Such notice shall be given :
- (i) to the Member States concerned according to procedures to be established by the competent authorities of those Member States ;
 - (ii) to the Commission according to procedures to be published in the *Official Journal of the European Communities*.

TITLE III

FINAL PROVISIONS

Article 6

Withdrawal of the block exemption

The Commission may withdraw the benefit of the block exemption under this Regulation, pursuant to Article 7 of Regulation (EEC) No 3976/87 where it finds in a particular case that an agreement, decision or concerted prac-

tice exempted by this Regulation nevertheless has certain effects which are incompatible with the conditions laid down by Article 85 (3) or are prohibited by Article 86 of the Treaty, and in particular where :

- (i) there is no effective price competition on any route or group of routes which was the subject of tariff consultations. In such cases the benefit of this Regulation shall be withdrawn in respect of the air carriers which participated in the tariff consultations concerning such routes ;
- (ii) an air service which is jointly operated under Article 3 is not exposed to effective competition by direct or indirect air transport services between the two airports connected or between nearby airports, or by other modes of transport which offer speed, convenience and prices comparable to air transport between the cities served by the two airports connected. In such cases the withdrawal of the benefit of this Regulation shall be in respect of the jointly operated service in question ;
- (iii) the operation of Article 5 has not enabled new entrants to obtain such slots as may be required at a congested airport in order to establish schedules which enable those carriers to compete effectively with established carriers on any route to and from that airport, and where competition on those routes is thereby substantially impaired. In such cases the withdrawal of the benefit of this Regulation shall be in respect of the slot allocation at the airport in question.

Article 7

This Regulation shall enter into force on 1 July 1993.

It shall apply until 30 June 1998.

This Regulation shall apply with retroactive effect to agreements, decisions and concerted practices in existence when it enters into force, from the time when the conditions of application of this Regulation were fulfilled.

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

Done at Brussels, 25 June 1993.

For the Commission

Karel VAN MIERT

Member of the Commission

COMMISSION REGULATION (EEC) No 1618/93**of 25 June 1993****amending Regulation (EEC) No 83/91 on the application of Article 85 (3) of the Treaty to certain categories of agreements between undertakings relating to computer reservation systems for air transport services**

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

Having regard to Council Regulation (EEC) No 3976/87 of 14 December 1987 on the application of Article 85 (3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector⁽¹⁾, as last amended by Regulation (EEC) No 2411/92⁽²⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 83/91⁽³⁾, as amended by Regulation (EEC) No 3618/92⁽⁴⁾, expires on 30 June 1993;

Whereas the Council is expected to adopt scientific rules on computer reservation systems⁽⁵⁾ in the near future;

Whereas it is desirable to take into account those future Council rules when establishing the final text of the block exemption to be applied after 30 June 1993⁽⁶⁾;

Whereas it is convenient, therefore, to maintain in force Regulation (EEC) No 83/91 for a short period,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 13 of Regulation (EEC) No 83/91, the date '30 June 1993' shall be replaced by '31 December 1993'.

Article 2

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

Karel VAN MIERT

Member of the Commission

⁽¹⁾ OJ No L 374, 31. 12. 1987, p. 9.

⁽²⁾ OJ No L 240, 24. 8. 1992, p. 19.

⁽³⁾ OJ No L 10, 15. 1. 1991, p. 9.

⁽⁴⁾ OJ No L 367, 16. 12. 1992, p. 16.

⁽⁵⁾ OJ No C 56, 26. 2. 1993, p. 28.

⁽⁶⁾ OJ No C 253, 30. 9. 1992, p. 11.

COMMISSION REGULATION (EEC) No 1619/93

of 25 June 1993

laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 regarding the arrangements applicable to cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular Article 11 and 13 thereof,

Whereas the preparations covered by CN code 2309 fall, depending on their composition, either within the scope of Regulation (EEC) No 1766/92 or within that of Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽²⁾, as last amended by Regulation (EEC) No 2071/92⁽³⁾; whereas the levy to be collected on products falling within the scope of the former Regulation (EEC) No 1766/92 consists of a fixed component and a variable component, of which the latter may be calculated taking account also of ingredients of animal-feed preparations containing products not covered by Regulation (EEC) No 1766/92, by Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽⁴⁾, as last amended by Regulation (EEC) No 1544/93⁽⁵⁾, or by Regulation (EEC) No 804/68;

Whereas the variable component of the levy must be determined on the basis of the commonest ingredients of preparations used in animal feeding, namely cereals and milk products; whereas it follows that the variable component should consist of two standard amounts, each representing one of those categories of products; whereas the standard amount representing milk products should take account of the levies fixed in accordance with Regulation (EEC) No 804/68 and its implementing regulations;

Whereas maize and skimmed-milk powder (spray process) are among the raw materials most commonly used in the manufacture of compound feedingstuffs; whereas, therefore, the levies applicable to them should be used as a basis for calculating the standard amounts making up the variable component;

Whereas the fixed component of the levy must be determined with a view to the need to protect the processing industry; whereas that component should be calculated on the basis of the most representative processing costs;

Whereas Article 13 of Regulation (EEC) No 1766/92 provides for the possibility of an export refund being granted on the products listed in Annex A thereto; whereas that refund is intended in particular to offset the difference between the prices for basic products within the Community and the rates prevailing on the world market; whereas general rules on the granting of the refund should be laid down;

Whereas the refund should as a general rule be that applicable on the day the transaction is effected; whereas, however, in view of the requirements of the international market for compound feedingstuffs, provision should be made for the possibility of fixing the refund in advance;

Whereas, since Council Regulation (EEC) No 2743/75⁽⁶⁾, as last amended by Regulation (EEC) No 944/87⁽⁷⁾, is repealed with effect from 1 July 1993, this Regulation should incorporate its provisions, whilst adjusting them to present market conditions;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levies and export refunds on the products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 and listed in Annex A to Regulation (EEC) No 1766/92, hereinafter referred to as 'cereal-based compound feedingstuffs', shall be fixed in accordance with this Regulation.

2. Cereal-based compound feedingstuffs are listed under the tariff subheadings set out in Annex I hereto.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 83.

⁽⁴⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁵⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 60.

⁽⁷⁾ OJ No L 90, 2. 4. 1987, p. 2.

TITLE I

LEVIES

Article 2

The levy applicable to cereal-based compound feedingstuffs as listed in Annex I shall consist of a variable component and a fixed component.

Article 3

For the purposes of calculating the variable component, cereal-based compound feedingstuffs shall be classified in Annex II as follows:

- in Table A according to their starch content,
- in Table B according to their milk-product content.

Article 4

1. The variable component shall be equal to the sum of the two amounts set out below:

- (a) a first amount shall be equal to the average levy per tonne of maize, multiplied by the coefficient corresponding to the cereal-based compound feedingstuff in question, as set out in column 3 of Table A in Annex II;
- (b) a second amount shall be equal to the average levy applicable per tonne of the pilot product for Group 2, as defined in Annex I to Council Regulation (EEC) No 2915/79⁽¹⁾, hereinafter referred to as 'milk powder', multiplied by the coefficient corresponding to the cereal-based compound feedingstuff in question, as set out in column 3 of Table B in Annex II.

2. The average levies on maize and milk powder referred to in paragraph 1 shall be calculated in respect of the first 25 days of the month preceding the month of importation. The averages shall be adjusted, where necessary, using the threshold price for the relevant product applying in the month of importation.

Article 5

In the case of a cereal-based compound feedingstuff containing appreciable quantities of products not covered by Regulations (EEC) Nos 1766/92, 1418/76 or 804/68, the amount referred to in Article 11 (1) (A) (b) of Regulation (EEC) No 1766/92 shall be determined in accordance with the procedure laid down in Article 23 of the latter Regulation.

Article 6

The fixed component shall be ECU 10,88 per tonne.

TITLE II

REFUNDS

Article 7

1. The export refunds shall be fixed in accordance with Commission Regulation (EEC) No 1913/69⁽²⁾.

2. Where the situation on the world market or the specific requirements of certain markets so require, refunds may vary according to the destination.

3. Refunds shall be fixed once a month.

Article 8

1. On application by the party concerned, submitted at the time when the export licence application is lodged, refunds shall be fixed in advance in respect of transactions to be effected during the term of validity of the licence.

2. Refunds shall be of the amount applicable on the day on which the licence application is submitted, adjusted where appropriate on the basis of the threshold price for cereals used for calculating the export refund in question, and of the threshold price for milk powder applying in the month of exportation.

A corrective amount shall be fixed for the latter product to take account of the aid granted for milk powder intended for use in animal feed in force in the month of exportation.

TITLE II

GENERAL PROVISIONS

Article 9

For the purposes of calculating the levy, the milk-product content of cereal-based compound feedingstuffs shall be determined by multiplying the lactose content per tonne of product concerned by a coefficient of 2.

For the purposes of calculating the refund, the milk-product content of cereal-based compound feedingstuffs may be determined by the same procedure.

Article 10

Where the starch or lactose content is to be determined for purposes of applying this Regulation, methods of analysis shall be established in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 in the case of starch and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68 in the case of lactose.

Article 11

References to Council Regulation (EEC) No 2743/75 repealed, shall be construed as references to the corresponding provisions of this Regulation.

Article 12

This Regulation shall enter into force on 1 July 1993.

⁽¹⁾ OJ No L 329, 24. 12. 1979, p. 1.

⁽²⁾ OJ No L 246, 30. 9. 1969, p. 11.

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

Done at Brussels, 25 June 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX I

CN code	Description
2309	Preparations of a kind used in animal feeding:
2309 10	- Dog or cat food, put up for retail sale: - - Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products: - - - Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup: - - - - Containing no starch or containing 10 % or less by weight of starch:
2309 10 11	- - - - - Containing no milk products or containing less than 10 % by weight of such products
2309 10 13	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products
	- - - - - Containing more than 10 % but not more than 30 % by weight of starch:
2309 10 31	- - - - - Containing no milk products or containing less than 10 % by weight of such products
2309 10 33	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products
	- - - - - Containing more than 30 % by weight of starch:
2309 10 51	- - - - - Containing no milk products or containing less than 10 % by weight of such products
2309 10 53	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products
	- - Other:
	- - - Other:
	- - - Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup falling within subheadings 1702 30 51 to 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 or milk products:
	- - - - Containing starch, glucose, glucose syrup, maltodextrine or maltodextrine syrup:
	- - - - - Containing no starch or containing 10 % or less by weight of starch:
2309 90 31	- - - - - Containing no milk products or containing less than 10 % by weight of such products
2309 90 33	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products
	- - - - - Containing more than 10 % but not more than 30 % by weight of starch:
2309 90 41	- - - - - Containing no milk products or containing less than 10 % by weight of such products
2309 90 43	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products
	- - - - - Containing more than 30 % by weight of starch:
2309 90 51	- - - - - Containing no milk products or containing less than 10 % by weight of such products
2309 90 53	- - - - - Containing not less than 10 % but less than 50 % by weight of milk products

ANNEX II

TABLE A

CN code used in Annex I	Starch content	Coefficient
1	2	3
2309 10 11 2309 10 13 2309 90 31 2309 90 33	} Not more than 10 %	0,16
2309 10 31 2309 10 33 2309 90 41 2309 90 43	} More than 10 % but not more than 30 %	0,50
2309 10 51 2309 10 53 2309 90 51 2309 90 53	} More than 30 %	1,00

TABLE B

CN code used in Annex I	Milk-product content	Coefficient
1	2	3
2309 10 11 2309 10 13 2309 10 51 2309 90 31 2309 90 41 2309 90 51	} Less than 10 %	0,00
2309 10 13 2309 10 33 2309 10 53 2309 90 33 2309 90 43 2309 90 53	} Not less than 10 % but less than 50 %	0,50

COMMISSION REGULATION (EEC) No 1620/93

of 25 June 1993

laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 and Regulation (EEC) No 1418/76 regarding the import and export system for products processed from cereals and rice respectively

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular Article 11, 13 and 14 thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽²⁾, as last amended by Regulation (EEC) No 1544/93⁽³⁾, and in particular Article 12 (3), 17 and 18 thereof,

Whereas rules should be adopted for the application of the system of levies and refunds applicable in trade with third countries in products processed from cereals and from rice, but excluding compound feedingstuffs for which special rules have been laid down in Regulation (EEC) No 1619/93⁽⁴⁾;

Whereas the variable component of the levy must correspond to the incidence on the prime costs of processed products of the levies on basic products; whereas that incidence may be calculated on the basis of the average of the levies applicable during a representative period to the quantity of the basic product deemed necessary for the manufacture of one unit of the processed product;

Whereas, as far as products subject to the common organization of the market in cereals, but containing no cereals are concerned, the variable component should be calculated with reference to market conditions for products which are in competition with them;

Whereas the fixed component of the levy must be designed to protect the processing industry; whereas that component should be determined on the basis of the most representative processing costs;

Whereas, for some residues of processing, the industry is already protected through the protection enjoyed by the main processed product; whereas in that case the fixed component can be equal to zero;

Whereas the object of the refund should be to cover the difference between the prices for products within the

Community and those charged on the world market; whereas, for that purpose, criteria should be established for determining the refund essentially by reference to prices of the basic products within and outside the Community, and to the outlets and conditions for the sale of processed products on the world market;

Whereas, in addition to the system described above, the use of inward processing arrangements should be regulated in order to ensure a balance between the use of basic Community products for the purpose of exporting processed goods to third countries and the use of third country products brought in under inward processing arrangements within the meaning of Council Regulation (EEC) No 1999/85⁽⁵⁾;

Whereas Council Regulation (EEC) No 2744/75⁽⁶⁾, as last amended by Regulation (EEC) No 1906/87⁽⁷⁾, is repealed with effect from 1 July 1993 this Regulation should incorporate its provisions, whilst adjusting them to present market conditions;

Whereas, for certain products such as roasted malt or roasted gluten, the levy has to be determined without it being possible to ascertain the raw material from which they were obtained;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the the purposes of this Regulation, 'processed products' means the products or groups of products listed:

- (a) in Annex A to Regulation (EEC) No 1766/92, except the products falling within CN code ex 2309;
- (b) in Article 1 (1) (c) of Regulation (EEC) No 1418/76.

2. For the purposes of this Regulation, 'basic products' means the cereals listed in Article 1 (a) and (b) of Regulation (EEC) No 1766/92 and broken rice.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁴⁾ See page 24 of this Official Journal.

⁽⁵⁾ OJ No L 188, 20. 7. 1985, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁷⁾ OJ No L 182, 3. 7. 1987, p. 49.

TITLE I

LEVIES

Article 2

1. The variable component of the levy shall, in the course of a given month, be equal to the average of the levies applicable for the first 25 days of the month preceding that of importation to one metric tonne of the basic product or products listed in column 3 of the Annex hereto, multiplied by the coefficient which appears against the product in question in column 4 of the Annex. However, for products falling within CN code 2302 except 2302 50 00, the variable component of the levy shall be obtained by adding together the averages of the levies applicable to one metric tonne of common wheat, one metric tonne of barley and one metric tonne of maize and multiplying that total by the coefficient which appears against each of these basic products in column 4.

In order to adjust the averages mentioned in the first paragraph to the threshold price valid for the basic product in question during the month of importation, they shall be increased or reduced by the difference between that threshold price and the threshold price valid during the preceding month. However, that adjustment shall not be made if the average of the levies applicable for the first 25 days of the month preceding that of importation of the basic product is equal to zero.

2. Revision of the variable component in the course of the month, to take account of a variation in the levy applicable to basic products, shall be effected by the Commission at a flat rate.

3. The variable component applicable to a processed product manufactured from durum wheat shall be equal to that applicable to a comparable product manufactured from common wheat.

Article 3

The fixed component of the levy shall be equal to the amount which appears against the product in question in column 5 of the Annex.

TITLE II

REFUNDS

Article 4

1. The refund which may be granted on processed products shall be determined with particular reference to:

- (a) the movements of prices for the basic products within the Community, compared with world market prices;
- (b) the quantities of basic products needed for the manufacture of the product in question;

(c) the possible duplication of refunds applicable to various products obtained from one and the same process and one and the same product;

(d) outlets and conditions of sale for processed products on the world market.

2. Where the world market situation or the specific requirements of certain markets so require the refund may be varied according to destination.

3. The refunds shall be fixed at least once a month.

Article 5

The refund in force on the day on which the application for a licence is lodged shall be applied to a transaction to be carried out during the period of validity of the licence, at the request of the applicant, such request being lodged at the same time as the application for a licence.

In the event envisaged in the foregoing paragraph, the refund shall be adjusted by reference to the threshold price in force during the month of exportation for the basic product or products. The adjustment shall be effected by increasing or reducing the refund by the difference between the threshold process valid for one metric tonne of the basic product during, respectively, the month in which the licence was applied for and the month of exportation, multiplied by the coefficients which appear against the processed product in question in column 4 of the Annex.

TITLE III

INWARD PROCESSING

Article 6

1. The quantity of basic products, assimilated products within the meaning of Council Regulation (EEC) No 3033/80⁽¹⁾, or products processed from them under inward processing arrangements in view of or in consequence of the exportation of the products listed in the Annex under CN codes 1102 20, 1102 30 00, 1103 12 00, 1103 13, 1103 14 00, 1103 19, 1104 11, 1104 19, 1104 21, 1104 22, 1104 23, 1104 29, 1106 20 10, 1108 11 00, 1108 12 00, 1108 13 00, 1108 19, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50 and 2106 90 55 may not exceed the quantity taken into account for determining the variable component of the levy.

2. The abovementioned quantity may be reduced, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and in Article 27 of Regulation (EEC) No 1418/76, in order to take account of the need to establish a balance between the conditions for exporting processed products qualifying for an export refund and inward processing arrangements.

⁽¹⁾ OJ No L 323, 29. 11. 1980, p. 1.

3. Use of inward processing arrangements shall be prohibited in respect of products listed in the Annex, under CN codes 0714, 1104 30, 1106 20, 1109 00 00, 2302 (except 2302 50 00) and 2302 10 11 whenever they are intended for the preparation of the products referred to in Article 1 (1).

TITLE IV

GENERAL PROVISIONS

Article 7

The methods used for assessing the ash content, the fat content and the starch content, the denaturing process and any other method of analysis necessary for the appli-

cation of this Regulation shall be determined, if necessary, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 and Article 27 of Regulation (EEC) No 1418/76.

Article 8

The references to Council Regulation (EEC) No 2744/75, repealed, shall be construed as having been made to the corresponding provisions of this Regulation.

Article 9

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

CN code	Description	Basic product	Coefficient	Fixed component (ECU/tonne)
1	2	3	4	5
0714	Manioc, arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh or dried, whether or not sliced or in the form of pellets ;			
0714 10	— Manioc (cassava) :			
0714 10 10	— — Pellets of flour and meal	Barley	1,00	3,02
	— — Other :			
0714 10 91	— — — Of a kind used for human consumption in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	Barley	1,00	—
0714 10 99	— — — Other	Barley	1,00	3,02
0714 90	— Other :			
	— — Arrowroot, salep and similar roots and tubers with high starch content :			
0714 90 11	— — — Of a kind used for human consumption, in immediate packings of a net content not exceeding 28 kg, either fresh and whole or without skin and frozen, whether or not sliced	Barley	1,00	—
0714 90 19	— — — Other	Barley	1,00	3,02
1102	Cereal flours other than that of wheat or meslin (') :			
1102 20	— Maize (corn) flour :			
1102 20 10	— — Of a fat content not exceeding 1,5 % by weight	Maize	1,80	6,04
1102 20 90	— — Other	Maize	1,02	3,02
1102 30 00	— Rice flour	Broken rice	1,06	3,02
1102 90	— Other :			
1102 90 10	— — Barley flour	Barley	1,80	6,04
1102 90 30	— — Oat flour	Oats	1,80	6,04
1102 90 90	— — Other	Sorghum	1,02	3,02
1103	Cereal groats, meal and pellets (') :			
	— Groats and meal :			
1103 12 00	— — Of oats	Oats	1,80	6,04
1103 13	— — Of maize (corn) :			
1103 13 10	— — — Of a fat content not exceeding 1,5 % by weight	Maize	1,80	6,04
1103 13 90	— — — Other	Maize	1,02	3,02
1103 14 00	— — Of rice	Broken rice	1,06	3,02
1103 19	— — Of other cereals :			
1103 19 10	— — — Of rye	Rye	1,80	6,04
1103 19 30	— — — Of barley	Barley	1,80	6,04
1103 19 90	— — — Other	Sorghum	1,02	3,02
	— Pellets :			
1103 21 00	— — Of wheat	Common wheat	1,80	6,04
1103 29	— — Of other cereals :			
1103 29 10	— — — Of rye	Rye	1,80	6,04
1103 29 20	— — — Of barley	Barley	1,80	6,04
1103 29 30	— — — Of oats	Oats	1,80	6,04
1103 29 40	— — — Of maize	Maize	1,80	6,04
1103 29 50	— — — Of rice	Broken rice	1,06	3,02
1103 29 90	— — — Other	Sorghum	1,02	3,02

CN code	Description	Basic product	Coefficient	Fixed component (ECU/tonne)
1	2	3	4	5
1104	Cereal grains otherwise worked (for example, hulled, rolled, flaked, pearled, sliced or kibbled), except rice of heading No 1006: germ of cereals, whole, rolled, flaked or ground (1):			
	— Rolled or flaked grains:			
1104 11	— — Of barley:			
1104 11 10	— — — Rolled	Barley	1,02	3,02
1104 11 90	— — — Flaked	Barley	2,00	6,04
1104 12	— — Of oats:			
1104 12 10	— — — Rolled	Oats	1,02	3,02
1104 12 90	— — — Flaked	Oats	2,00	6,04
1104 19	— — Of other cereals:			
1104 19 10	— — — Of wheat	Common wheat	1,80	6,04
1104 19 30	— — — Of rye	Rye	1,80	6,04
1104 19 50	— — — Of maize	Maize	1,80	6,04
	— — — Other:			
1104 19 91	— — — — Flaked rice	Broken rice	1,80	6,04
1104 19 99	— — — — Other	Sorghum	1,80	6,04
	— Other worked grains (for example, hulled, pearled, sliced or kibbled):			
1104 21	— — Of barley:			
1104 21 10	— — — Hulled (shelled or husked)	Barley	1,80	6,04
1104 21 30	— — — Hulled and sliced or kibbled ('Grütze' or 'grutten')	Barley	1,60	3,02
1104 21 50	— — — Pearled	Barley	2,50	6,04
1104 21 90	— — — Not otherwise worked than kibbled	Barley	1,02	3,02
1104 22	— — Of oats:			
1104 22 10	— — — Hulled (shelled or husked)			
	— — — — Clipped oats	Oats	1,02	3,02
	— — — — Other	Oats	1,80	3,02
1104 22 30	— — — Hulled and sliced or kibbled ('Grütze' or 'grutten')	Oats	1,80	3,02
1104 22 50	— — — Pearled	Oats	1,60	3,02
1104 22 90	— — — Not otherwise worked than kibbled	Oats	1,02	3,02
1104 23	— — Of maize (corn)			
1104 23 10	— — — Hulled (shelled or husked), whether or not sliced or kibbled	Maize	1,60	3,02
1104 23 30	— — — Pearled	Maize	1,60	3,02
1104 23 90	— — — Not otherwise worked than kibbled	Maize	1,02	3,02
1104 29	— — Of other cereals:			
	— — — Hulled (shelled or husked) whether or not sliced or kibbled:			
1104 29 11	— — — — Of wheat	Common wheat	1,33	3,02
1104 29 15	— — — — Of rye	Rye	1,33	3,02
1104 29 19	— — — — Other	Sorghum	1,60	3,02
	— — — Pearled:			
1104 29 31	— — — — Of wheat	Common wheat	1,60	3,02
1104 29 35	— — — — Of rye	Rye	1,60	3,02
1104 29 39	— — — — Other	Sorghum	1,60	3,02
	— — — Not otherwise worked than kibbled:			
1104 29 91	— — — — Of wheat	Common wheat	1,02	3,02
1104 29 95	— — — — Of rye	Rye	1,02	3,02
1104 29 99	— — — — Other	Sorghum	1,02	3,02
1104 30	— Germ of cereals, whole, rolled, flaked or ground:			
1104 30 10	— — Of wheat	Common wheat	0,75	6,04
1104 30 90	— — Other	Maize	0,75	6,04

CN code	Description	Basic product	Coefficient	Fixed component (ECU/tonne)
1	2	3	4	5
1106	Flour and meal of the dried leguminous vegetables of heading No 0713, of sago or of roots or tubers of heading No 0714; flour, meal and powder of the products of Chapter 8:			
1106 20	— Flour and meal of sago, roots or tubers of heading No 0714:			
1106 20 10	— — Denatured (?)	Barley	1,00	3,02
1106 20 90	— — Other	Maize	1,61	20,55
1108	Starches; inulin:			
	— Starches:			
1108 11 00	— — Wheat starch	Common wheat	2,20	20,55
1108 12 00	— — Maize (corn) starch	Maize	1,61	20,55
1108 13 00	— — Potato starch	Maize	1,61	20,55
1108 14 00	— — Manioc (cassava) starch	Maize	1,61	20,55
1108 19	— — Other starches:			
1108 19 10	— — — Rice starch	Broken rice	1,52	30,83
1108 19 90	— — — Other	Maize	1,61	20,55
1109 00 00	Wheat gluten, whether or not dried	Common wheat	4,00	181,34
1702	Other sugars, including chemically pure lactose, maltose, glucose and fructose, in solid form; sugar syrups not containing added flavouring or colouring matter; artificial honey, whether or not mixed with natural honey; caramel:			
1702 30	— Glucose and glucose syrup, not containing fructose or containing in the dry state less than 20 % by weight of fructose:			
	— — Other:			
	— — — Other:			
1702 30 91	— — — — In the form of white crystalline powder, whether or not agglomerated	Maize	2,10	96,72
1702 30 99	— — — — Other	Maize	1,61	66,49
1702 40	— Glucose and glucose syrup, containing in the dry state at least 20 % but less than 50 % by weight of fructose:			
1702 40 90	— — Other	Maize	1,61	66,49
1702 90	— Other, including invert sugar:			
1702 90 50	— — Maltodextrine and maltodextrine syrup	Maize	1,61	66,49
	— — Caramel:			
	— — — Other:			
1702 90 75	— — — — In the form of powder, whether or not agglomerated:	Maize	2,20	96,72
1702 90 79	— — — — Other	Maize	1,53	66,49
2106	Food preparations not elsewhere specified or included:			
2106 90	— Other:			
	— — Flavoured or coloured sugar syrups:			
	— — — Other:			
2106 90 55	— — — — Glucose syrup and maltodextrine syrup	Maize	1,61	66,49
2302	Bran, sharps and other residues, whether or not in the form of pellets derived from the sifting, milling or other working of cereals or of leguminous plants:			
2302 10	— Of maize (corn):			
2302 10 10	— — With a starch content not exceeding 35 % by weight	Common wheat	0,14	} 6
		Barley	0,14	
		Maize	0,14	

CN code	Description	Basic product	Coefficient	Fixed component (ECU/tonne)
1	2	3	4	5
2302 10 90	— — Other	Common wheat	0,30	} 6
		Barley	0,30	
		Maize	0,30	
2302 20	— Of rice :			
2302 20 10	— — With a starch content not exceeding 35 % by weight	Common wheat	0,14	} 6
		Barley	0,14	
		Maize	0,14	
2302 20 90	— — Other	Common wheat	0,30	} 6
		Barley	0,30	
		Maize	0,30	
2302 30	— Of wheat :			
2302 30 10	— — Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	Common wheat	0,14	} 6
		Barley	0,14	
		Maize	0,14	
2302 30 90	— — Other	Common wheat	0,30	} 6
		Barley	0,30	
		Maize	0,30	
2302 40	— Of other cereals :			
2302 40 10	— — Of which the starch content does not exceed 28 % by weight, and of which the proportion that passes through a sieve with an aperture of 0,2 mm does not exceed 10 % by weight or alternatively the proportion that passes through the sieve has an ash content, calculated on the dry product, equal to or more than 1,5 % by weight	Common wheat	0,14	} 6
		Barley	0,14	
		Maize	0,14	
2302 40 90	— — Other	Common wheat	0,30	} 6
		Barley	0,30	
		Maize	0,30	
2303	Residues of starch manufacture and similar residues, beet-pulp, bagasse and other waste of sugar manufacture, brewing or distilling dregs and waste, whether or not in the form of pellets :			
2303 10	— Residues of starch manufacture and similar residues :			
	— — Residues from the manufacture of starch from maize (excluding concentrated steeping liquors), of a protein content, calculated on the dry product :			
2303 10 11	— — — exceeding 40 % by weight	Maize	2,00	181,32

(¹) For the purpose of distinguishing between products falling within heading Nos 1102, 1103 and 1104 and those falling within heading Nos 2302 10 to 2302 40, products falling within heading Nos 1102, 1103 and 1104 are those having both of the following :

- a starch content (determined by the modified Ewers polarimetric method) exceeding 45 % by weight referred to dry matter,
- an ash content by weight, referred to dry matter (after deduction of any added mineral matter) not exceeding 1,6 % for rice, 2,5 % for wheat and rye ; 3 % for barley, 4 % for buckwheat, 5 % for oats and 2 % for other cereals.

Germ of cereals, whether or not in the form of flour, falls in all cases within heading Nos 1101 00 00 and 1102.

(²) Entry under this subheading is subject to conditions laid down in the relevant Community provisions.

COMMISSION REGULATION (EEC) No 1621/93

of 25 June 1993

laying down detailed rules for the application of Council Regulation (EEC) No 1766/92 regarding the system for fixing the import levies for cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular 9 to 12 thereof;

Whereas pursuant to Article 10 of Regulation (EEC) No 1766/92 a levy equal for each product to the threshold price less the cif price is charged on imports of the products listed in Article 1 (1) (a), (b) and (c), export malt; whereas the cif prices are calculated for Rotterdam on the basis of the most favourable purchasing opportunities on the world market; whereas, to that end, the Commission must take account of all the prices charged on the world market of which it is aware, and also of all the prices quoted on the major international commodities exchanges; whereas, however, when it is clear from the information available to the Commission that certain prices are not representative of real market trends either because of the quality of the goods, or because of quantitative restrictions, or because the price announced is not based on normal market conditions, then such prices may be disregarded; whereas account should also be taken of prices not made at Rotterdam by applying a correction to take account of differences in transport costs for other ports in relation to Rotterdam;

Whereas, it is advisable when the coefficients of equivalence are being determined, that they should be based on the characteristics and prices of the different qualities of products usually offered on the world market and that, in the case of flour, account should be taken of the moisture and ash content as well as its baking value;

Whereas if qualities of products not mentioned in this Regulation are offered on the world market, the Commission must be in a position to apply new or different coefficients of equivalence for a given period until this Regulation is amended to bring it up to date;

Whereas the cif price should remain unchanged where the prices or quotations have not been made known to the Commission, or if they are not representative, or to prevent the Community market from being disturbed by

sudden fluctuations in the levies which do not reflect real market trends;

Whereas, where no information is available to the Commission on offer prices for wheat, meslin and rye flour or wheat groats and meal the Commission should be able to calculate the cif prices for those products by applying a conversion rate to the basic cereal used for the manufacture of the products;

Whereas, for certain products falling within CN code 1107, it is necessary to determine the fixed component provided for in Article 11 (1) (B) of Regulation (EEC) No 1766/92;

Whereas the common threshold price is the Community market's sole protection, whereas, if imports were to enter that market at prices below the threshold price, the normal disposal of homegrown cereals would be seriously threatened; whereas it is therefore necessary, where the levy has been fixed in advance, to fix the premium provided for in Article 12 (2) of Regulation (EEC) No 1766/92 so that the product imported under this procedure may enter the Community under conditions which cannot disturb its balance; whereas to this end premium needs to cover the difference between the cif price and a cif forward delivery price, where the latter is lower than the former, determined on the basis of prices reflecting the real trend of the future market;

Whereas, in order to prevent the procedure for fixing levies from becoming excessively complex, a minimum level should be fixed below which fluctuations in cif prices, premiums or threshold prices give rise to no adjustments to the levy;

Whereas, pursuant to Article 12 (3) of Regulation (EEC) No 1766/92, the products listed in Article 1 (1) (c) of that Regulation may be made subject, in whole or in part, to the provisions for the advance fixing of the levy; whereas major fluctuations in world-market prices make it difficult to conclude long-term contracts in accordance with the requirements and customary practices of the international trade in those products; whereas, to permit the traditional importation of those products into the Community despite those circumstances, advance fixing of the levy should be extended to those products, whereas, when the levy is fixed in advance, a premium should be charged to ensure that imported flour does not, when reaching the Community market, jeopardize the equilibrium of the market;

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

Whereas this Regulation incorporates, whilst adjusting them to present market conditions, the provisions of Commission Regulation 157/67/EEC⁽¹⁾, as last amended by Regulation (EEC) No 31/76⁽²⁾, Commission Regulation 158/67/EEC⁽³⁾, as last amended by Regulation (EEC) No 2644/91⁽⁴⁾, Commission Regulation 159/67/EEC⁽⁵⁾ and Commission Regulation (EEC) No 971/73⁽⁶⁾; whereas, therefore, the aforesaid Regulations should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following factors shall be used to calculate the cif prices referred to in Article 10 of Regulation (EEC) No 1766/92:

- (a) the prices charges on the world market of which the Commission has been made aware by the Member States or through its own channels;
- (b) the most favourable actual purchasing opportunities actually available;
- (c) the prices quoted on the major international commodities exchanges.

However, certain prices and quotations may be excluded, especially where they involve cereals which do not correspond to the fair average quality, or prices which are not representative of the market or of the long-term market trend, or offers where the seller has options on the quality or the place of origin.

2. Adjustments shall be made:

- (a) for prices which are not quoted on Rotterdam, by taking into account the differences in freight rates between the port of loading and the port of destination on the one hand, and the port of loading and Rotterdam on the other;
- (b) To compensate for deviations in quality from the standard quality for which the special price had been fixed, by applying the coefficients of equivalence listed in Annexes I and II to this Regulation.

If qualities of products not listed in the Annexes to this Regulation are offered on the world market, the Commission may apply coefficients of equivalence derived from these listed in the Annexes, in such cases, account should be taken of the characteristics of the products in question in relation to the qualities of products listed in the Annex, together with the diffe-

rences in prices between these products. However, this provision may be applied only for 21 days in respect of any one coefficient of equivalence. Beyond that period, the relevant Annex to this Regulation must be revised in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 1766/92. However, such revision shall be without prejudice to the validity of the provisional coefficients used by the Commission.

3. The cif price shall remain unchanged:

- if the price changed for a given quantity used as the basis for the earlier fixing of the cif price is no longer available to the Commission for subsequent fixing and if the prices which remain available are such that they would quickly lead to considerable fluctuations in the cif price which, in the opinion of the Commission, would not be sufficiently representative of the market trend,
- if the Commission has no information at its disposal or does not have sufficiently representative information to fix a cif price.

Article 2

Where no information is available on representative prices or representative quotations for wheat, meslin and rye flour or wheat groats and meal, the Commission shall calculate the cif prices for those products by applying a conversion rate to the cif price of the base cereal.

This conversion rate shall be fixed at 1,40 for the manufacture of a tonne of common wheat flour, groats and meal, and 1,55 for the manufacture of a tonne of durum wheat groats or meal.

Article 3

For products falling within CN code 1107, the variable component referred to in Article 11 (1) (a) of Regulation (EEC) No 1766/92 shall be fixed taking account of the quantity of the basic cereal needed to manufacture the product in question. To that end, the levy applicable to the basic cereal shall be multiplied by a coefficient of 1,33 for the products falling within CN codes 1107 10 19 and 1107 10 99, a coefficient of 1,55 for the product falling within CN code 1107 20 00 and a coefficient of 1,78 for the products falling within CN codes 1107 10 11 and 1107 10 91.

The fixed component referred to in Article 11 (1) (B) of Regulation (EEC) No 1766/92 shall be fixed at ECU 10,88.

Article 4

1. Where the cif prices for the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92, with the exception of malt, are greater than the cif forward delivery prices for the same products, the premiums referred to in Article 12 (2) of the aforementioned Regulation shall be equal to the difference between the said prices.

⁽¹⁾ OJ No 128, 27. 6. 1967, p. 2533/67.

⁽²⁾ OJ No L 5, 10. 1. 1976, p. 18.

⁽³⁾ OJ No 128, 27. 6. 1967, p. 2536/67.

⁽⁴⁾ OJ No L 247, 5. 9. 1991, p. 23.

⁽⁵⁾ OJ No 128, 27. 6. 1967, p. 2542/67.

⁽⁶⁾ OJ No L 95, 11. 4. 1973, p. 4.

The scale of premiums shall include a premium for the current month and a premium for each subsequent month, and may cover a period equal to or greater than the term of validity of the licences.

2. The premiums for products falling within CN code 1107 shall be fixed by applying the coefficients referred to in Article 3 of this Regulation to the premiums fixed for the basic cereal.

Article 5

If the cif price exceeds the cif forward delivery price by ECU 1 per tonne or less, the premium shall be fixed at zero.

The scale or premiums shall be amended only if the difference is greater than ECU 1.

The levy shall be amended only if the calculation shows a fluctuation of more than ECU 1 per tonne in relation to the levy as previously fixed.

Article 6

Article 12 (2) of Regulation (EEC) No 1766/92 shall also apply to the products listed in Article 1 (c) thereof.

However, the levy for products falling within CN code 1107 shall be amended using the threshold prices for the basic cereals, after application of the coefficients referred to in Article 3 of this Regulation.

Article 7

Regulation (EEC) No 156/67/EEC, 158/67/EEC, 159/67/EEC and (EEC) No 971/73 are hereby repealed.

Article 8

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Coefficients of equivalence for cereals as grain

Country of origin	Description of cereal quality	Coefficient of equivalence in ECU per 1 000 kg	
		Amount to be deducted from the cereal quality	Amount to be added to the price for the cereal quality
USA	COMMON WHEAT		
	Soft Red Winter Garlicky II and III	3,02	
	Soft Red Winter I and II	4,53	
	Western White II	4,53	
	Soft White II	4,53	
	Hard Winter/Dark Hard Winter I and II (up to 12,4 % guaranteed protein content or without guaranteed protein content)	10,88	
	Hard Winter/Dark Hard Winter I and II (12,5 to 12,9 % guaranteed protein content)	11,79	
	Hard Winter/Dark Hard Winter I and II (13 to 13,4 % guaranteed protein content)	12,69	
	Hard Winter/Dark Hard Winter I and II (13,5 to 13,9 % guaranteed protein content)	13,60	
	Hard Winter/Dark Hard Winter I and II (14 % or more guaranteed protein content)	14,51	
	Red Spring/Northern Spring/Dark Northern Spring I and II (up to 12,4 % guaranteed protein content or without guaranteed protein content)	11,49	
	Red Spring/Northern Spring/Dark Northern Spring I and II (12,5 to 12,9 % guaranteed protein content)	12,39	
	Red Spring/Northern Spring/Dark Northern Spring I and II (13 to 13,4 % guaranteed protein content)	13,30	
	Red Spring/Northern Spring / Dark Northern Spring I and II (13,5 to 13,9 % guaranteed protein content)	14,21	
	Red Spring/Northern Spring/Dark Northern Spring I and II (14 to 14,4 % guaranteed content)	15,11	
	Red Spring/Northern Spring/Dark Northern Spring I and II (14,5 % or more guaranteed protein content)	16,02	
Canada	No 1 Canada Western Red Spring (up to 12,4 % guaranteed protein content or without guaranteed protein content)	12,09	
	No 1 Canada Western Red Spring (12,5 to 12,9 % guaranteed protein content)	13,00	
	No 1 Canada Western Red Spring (13 to 13,4 % guaranteed protein content)	13,90	
	No 1 Canada Western Red Spring (13,5 to 13,9 % guaranteed protein content)	14,81	
	No 1 Canada Western Red Spring (14 to 14,4 % guaranteed protein content)	15,72	
	No 1 Canada Western Red Spring (14,5 % or more guaranteed protein content)	16,62	
	No 1 Manitoba Northern	15,11	
	No 2 Manitoba Northern	14,51	
	No 3 Manitoba Northern	12,69	
	No 4 Manitoba Northern	10,88	
Saudi Arabia	No 5 Canada	7,25	
		14,00	

Country of origin	Description of cereal quality	Coefficient of equivalence in ECU per 1 000 kg	
		Amount to be deducted from the cereal quality	Amount to be added to the price for the cereal quality
Argentina	Southern Wheat (Bahia Blanca, Necochea)	10,88	
	Up River (Rosa Fee)	10,88	
	Down River (Buenos Aires)	10,88	
Australia	Faq	8,16	
	Hard	10,88	
	Prime Hard (14 % or more guaranteed protein content)	14,51	
Sweden	English Milling	0	
Bulgaria	English Milling	2,72	
Romania	English Milling	4,53	
Territory of the former USSR	Type 441	10,88	
	Type 431	12,69	
	Type 121 (SKS 14) (14 % ore more guaranteed protein content)	15,11	
	DURUM WHEAT		
Canada	Canada Western Amber Durum I	3,93	
	Canada Western Amber Durum II	3,32	
	Canada Western Amber Durum III	0	0
	Canada Western Amber Durum IV	0	0
	Canada Western Amber Durum V		2,42
USA	Hard Amber Durum I	0	0
	Hard Amber Durum II		1,21
	Hard Amber Durum III		2,42
Argentina	Candeal Taganrog	0	0
Morocco			6,04
Tunisia		0	0
Iraq	Faq		9,67
	Italiano		2,42
Syria	Faq		9,67
	Italiano		2,42
Turkey	Anatolia		9,67
	Thrace		7,25
Israel		0	0
	RYE		
USA	USA II	0	0
	USA III		0,60
	Plump	0	0
Canada	Western I and II	0	0
	Western III		1,81
Argentina	Plata	0	0
Territory of the former USSR		0	0
Sweden		0	0
Turkey		0	0
Poland		0	0 (a)
	BARLEY		
USA	USA II	0	0
	USA III		1,51
	USA IV		3,02
	USA V		4,84
	Western I and II 45 lb/bushel or better	0	0
	USA II Two Row	1,51	

Country of origin	Description of cereal quality	Coefficient of equivalence in ECU per 1 000 kg	
		Amount to be deducted from the cereal quality	Amount to be added to the price for the cereal quality
Canada	Western Two Row I and II	1,51	
	Feed I and II		1,51
	Feed III		2,42
Argentina	Plata 62/63 to 64/65 kg/hl	0	0
	Plata 65/66 to 66/67 kg/hl	0,91	
	Plata 67/68 to 68/69 kg/hl	1,51	
Australia	Chevalier V	0	0
	Chevalier III and IV	1,51	
	Beecher Barley	0,91	
	Queensland Two Row	1,51	
North Africa : Algeria, Tunisia, Morocco			3,63
Turkey	White Barley		2,42
	Bigarrée		3,63
Iraq			4,84
Syria	Bigarrée of less than 64 kg/hl		4,84
	White Barley and Bigarrée 64/65 kg/hl		3,02
Norway		0	0
Sweden		0	0
Territory of the former USSR	Baltic	0	0
	Black Sea	0,91	
	OATS		
USA	Extra Heavy White Oats I and II 38 to 40 lb	0	0
	Heavy White Oats I and II 39 lb		1,21
Canada	Western Oats I, II, III extra	0	0
	Extra No 1 Feed and No 1 Feed	0	0
Argentina	Plata	0	0
Australia	Victorian Feed Oats	0	0
	Western Oats I and II	0	0
Territory of the former USSR		0	0
Sweden		0	0
Finland		0	0
	MAIZE		
USA	Yellow Corn I and II	0	0
	Yellow Corn III		0,60
	Yellow Corn IV		1,21
	Yellow Corn V		2,42
	White Corn I and II	0	0
	White Corn III		0,60
	White Corn IV		1,21
	White Corn V		2,42
Argentina	Plata	1,51	
Uruguay		0	0
Paraguay			1,51
Brazil			1,51
Mexico			1,51

Country of origin	Description of cereal quality	Coefficient of equivalence in ECU per 1 000 kg	
		Amount to be deducted from the cereal quality	Amount to be added to the price for the cereal quality
Republic of South Africa	Yellow Flint White Dant	1,51	1,51
Zimbabwe	Yellow White	1,51	1,51
Angola	Yellow Round	0	0
Kenya	Yellow	0	0
Morocco		0	0
Burma		0	0
India		0	0
Indonesia		0	0
Bulgaria		0	0
Territory of the former Yugoslavia		0	0
Romania		0	0
Territory of the former USSR		0	0
	SORGHUM		
USA	US Grain Sorghum Yellow II	0	0
Argentina	Granifero	0	0
Mexico		0	0
	MILLET		
USA	Dakota White	0	0
Argentina		0	0
Australia		0	0
	BUCKWHEAT		
USA		0	0
Canada			2,42
Brazil			6,04
Republic of South Africa		0	0
Poland		0	0
China			10,88

ANNEX II

A. Coefficients of equivalence for wheat, meslin and spelt flour

Flour with an ash content in the dry matter,.... by 100 kg of flour, of (expressed in mg)	Coefficients of equivalence in ECU per 1 000 kg of flour			
	For a moisture content of 15,5 %		For a moisture content of less than 15,5 %	
	Amount to deduct from the price of the quality of flour	Amount to add to the price of the quality of flour	Amount to deduct from the price of the quality of flour	Amount to add to the price of the quality of flour
up to 425	10,88		14,14	
426 — 475	6,35		9,61	
476 — 525	2,72		5,98	
526 — 575	0	0	3,26	
576 — 625		1,45	1,81	
626 — 675		2,90	0,36	
676 — 725		4,35		1,09
726 — 775		5,80		2,54
776 — 825		7,25		3,99
826 — 875		9,07		5,80
876 — 925		10,88		7,62
926 — 975		12,69		9,43
976 — 1 025		14,51		11,24
1 026 — 1 075		16,32		13,06
1 076 — 1 125		18,13		14,87
1 150 — 1 650		29,01		25,75

COMMISSION REGULATION (EEC) No 1622/93

of 25 June 1993

fixing the number of young male bovine animals which may be imported on special terms in the second quarter of 1993 and derogating from Regulation (EEC) No 2377/80 in respect of that quarter as regards the allocation of the quantities available

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 Articles 13 (4), 15 (2) and 25 thereof,

Whereas the Council has drawn up an estimated supply balance of 198 000 head under the new import arrangements applicable to young male bovine animals for fattening for the period 1 January to 31 December 1993; whereas, pursuant to Article 13 (4) (a) of Regulation (EEC) No 805/68, the number which may be imported each quarter and the rate of reduction in the import levy on such animals must be determined;

Whereas detailed rules for the practical application of these special arrangements were laid down in Commission Regulation (EEC) No 612/77⁽³⁾, as last amended by Regulation (EEC) No 1121/87⁽⁴⁾, and in Commission Regulation (EEC) No 2377/80⁽⁵⁾, as last amended by Regulation (EEC) No 3662/92⁽⁶⁾;

Whereas the supply requirements of certain regions of the Community which have a serious shortfall in bovine animals for fattening must be taken into account; whereas those requirements are apparent in Italy and Greece and may be estimated for the second quarter of 1993 at 42 120 head and 6 435 head respectively in those Member States;

Whereas Council Regulation (EEC) No 1432/92⁽⁷⁾, as last amended by Regulation (EEC) No 3534/92⁽⁸⁾, prohibits trade between the European Economic Community and the Republics of Serbia and Montenegro; whereas these Republics are therefore excluded from the scheme;

Whereas, letter No 2 annexed to the Interim Agreement between the European Economic Community and the European Coal and Steel Community of the one part, and the Czech and Slovak Federal Republic of the other part⁽⁹⁾, these arrangements had been applied to the Czech and Slovak Federal Republic; whereas the latter having been dissolved on 31 December 1992 and succeeded by

the Czech Republic and the Slovak Republic, those two countries should be covered by these arrangements;

Whereas the exchange of letters between the European Community and Romania concerning certain arrangements for live bovine animals annexed to the Interim Agreement between the European Economic Community and the European Coal and Steel Community, of the one part, and Romania, of the other part, which come into force on 1 May 1993, provides for Romania to benefit from the present import arrangements;

Whereas the supply requirements in young bovine animals for fattening justify, for the second quarter of 1993, a higher rate of reduction in the levy on animals weighing from 220 to 300 kilograms per head, originating in and coming from Hungary, Poland or the Czech Republic and the Slovak Republic and Romania;

Whereas the quantities available must be shared between the traditional trade and other potential applicants;

Whereas, in order to simplify the procedure for allocating the quantities available it is necessary to derogate from Regulation (EEC) No 2377/80; whereas in the case of the traditional trade the quantities available should be allocated directly in proportion to the number of head imported during the last three years; whereas, in the case of other applicants, the quantities available should be allocated directly in proportion to the number of head for which application is made;

Whereas, in the case of other applicants, the maximum quantity which each application for an import licence may cover must be limited, in order to permit a more equitable distribution of the quantities available; whereas for financial reasons a minimum number of head should be set for these applications;

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

1. For the period 1 July to 30 September 1993, the maximum number referred to in Article 13 (4) (a) of Regulation (EEC) No 805/68 shall be 48 555 head of young male bovine animals for fattening comprising:

(a) 6 315 weighting not more than 300 kilograms per head and subject to a 65 % reduction in the levy, and

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 77, 25. 3. 1977, p. 18.

⁽⁴⁾ OJ No L 109, 24. 4. 1987, p. 12.

⁽⁵⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁶⁾ OJ No L 370, 19. 12. 1992, p. 43.

⁽⁷⁾ OJ No L 151, 3. 6. 1992, p. 4.

⁽⁸⁾ OJ No L 358, 8. 12. 1992, p. 16.

⁽⁹⁾ OJ No L 115, 30. 4. 1992, p. 2.

(b) 42 240 of a live weight of 220 to 300 kilograms per head, originating in and coming from Hungary, Poland, the Czech Republic, the Slovak Republic or Romania and subject to a 75 % reduction in the levy.

2. The reductions referred to in 1 shall be in respect of the levy applicable on the day of acceptance of the declaration of release for free circulation.

3. The quantities referred to in 1 shall be distributed as follows :

	<i>Italy</i>	<i>Greece</i>
(a) 6 315 head	5 480	835
(b) 42 240 head	36 640	5 600

4. Applications for licences and licences shall, notwithstanding Article 9 (1) (c) of Regulation (EEC) No 2377/80, relate to :

- either young bovine animals weighing not more than 300 kilograms per head,
- or young bovine animals weighing from 220 to 300 kilograms per head, originating in and coming from Hungary, Poland, the Czech Republic, the Slovak Republic or Romania.

In the latter case, Sections 7 and 8 of applications for licences and licences shall include one of the following entries :

- *Hungria y/o Polonia y/o República Checa y/o República Eslovaca y/o Rumania,*
- *Ungarn og/eller Polen og/eller Den Tjekkiske Republik og/eller Den Slovakiske Republik og/eller Rumænien,*
- *Ungarn und/oder Polen und/oder Tschechische Republik und/oder Slowakische Republik und/oder Rumänien,*
- *Ουγγαρία ή/και Πολωνία ή/και Τσεχική Δημοκρατία ή/και Σλοβακική Δημοκρατία ή/και Ρουμανία,*
- *Hungary and/or Poland and/or Czech Republic and/or Slovak Republic and/or Romania,*
- *Hongrie et/ou Pologne et/ou République tchèque et/ou République slovaque et/ou Roumanie,*
- *Ungheria e/o Polonia e/o Repubblica Ceca e/o Repubblica Slovacca e/o Romania,*
- *Hongarije en/of Polen en/of Tsjechische Republiek en/of Slowaakse Republiek en/of Roemenië,*
- *Hungria e/ou Polónia e/ou República Checa e/ou República Eslovaca e/ou Roménia.*

Licences shall carry with them an obligation to import from one or more of the countries indicated.

5. Import licences as specified in the first indent of the first subparagraph of paragraph 4 shall not give the right to import animals originating in the Republic of Serbia or Montenegro.

6. In the information referred to in Article 15 (4) (a) of Regulation (EEC) No 2377/80, Member States shall specify the category of live weight and the origin of the products in the case referred to in the second indent of the first subparagraph of 4.

7. Of the number of head reserved for Italy and Greece for each category notwithstanding Article 15 (6) (a) of Regulation (EEC) No 2377/80 :

(a) 90 % may be allocated directly to applicants who provide proof of having imported animals qualifying under this scheme during the last three calendar years. Numbers covered by licences shall be allocated in proportion to the number of head imported in the three years concerned ;

(b) 10 % may be allocated to other applicants.

8. The proof referred to in 7 shall be provided by the customs document of release for free circulation.

9. In the case of the quantities covered by paragraph 7 (b) import licences shall be issued only for a minimum number of 10 head.

Article 2

1. As regards the quantities referred to in Article 1 (7) (b) applications for import licences shall :

- (a) relate to a number equal to or more than 50 head ; and
- (b) relate to a quantity not exceeding 10 % of the quantities available except where the said 10 % results in a figure less than 50 head ; in the latter case the maximum figure shall also be 50 head.

2. In cases where applications for import licences state quantities in excess of those provided for by the Regulation, those applications shall only be considered within the limits of the said quantities.

3. Numbers shall be allocated in proportion to the number of head for which application is made. If, because of the numbers for which application is made, the percentage reduction results in fewer than 10 head per import licence, the Member States shall, by drawing lots, allocate licences covering 10 head.

Article 3

In the case of quantities imported under the terms of Article 8 (4) of Commission Regulation (EEC) No 3719/88⁽¹⁾, the levy shall be collected in full in respect of quantities in excess of those stated on the import licence.

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

Article 4

For the purposes of Article 15 (3) of Regulation (EEC) No 2377/80, all applications from one applicant, which relate to the same category of weight and the same rate of reduction in the levy, shall be treated as one application.

Article 5

Three weeks at the latest after import of the livestock referred to in this Regulation, importers shall inform the competent authorities which issued the import licences,

of the number and origin of the animals imported. Those authorities shall forward that information to the Commission at the beginning of each month.

Article 6

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, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1623/93
of 25 June 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 1498/93⁽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 26 June 1993.

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

Done at Brussels, 25 June 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 148, 19. 6. 1993, p. 15.

ANNEX

to the Commission Regulation of 25 June 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ⁽¹⁾		
	Arrangement in Regulation (EEC) No 3877/86 ⁽²⁾	ACP Bangladesh (⁽¹⁾)(⁽³⁾)(⁽⁴⁾)	Third countries (except ACP) ⁽⁵⁾
1006 10 21	—	154,51	316,22
1006 10 23	—	172,90	353,00
1006 10 25	—	172,90	353,00
1006 10 27	264,75	172,90	353,00
1006 10 92	—	154,51	316,22
1006 10 94	—	172,90	353,00
1006 10 96	—	172,90	353,00
1006 10 98	264,75	172,90	353,00
1006 20 11	—	194,03	395,27
1006 20 13	—	217,02	441,25
1006 20 15	—	217,02	441,25
1006 20 17	330,94	217,02	441,25
1006 20 92	—	194,03	395,27
1006 20 94	—	217,02	441,25
1006 20 96	—	217,02	441,25
1006 20 98	330,94	217,02	441,25
1006 30 21	—	240,06	503,98
1006 30 23	—	310,61	645,00
1006 30 25	—	310,61	645,00
1006 30 27	483,75	310,61	645,00
1006 30 42	—	240,06	503,98
1006 30 44	—	310,61	645,00
1006 30 46	—	310,61	645,00
1006 30 48	483,75	310,61	645,00
1006 30 61	—	256,02	536,74
1006 30 63	—	333,37	691,44
1006 30 65	—	333,37	691,44
1006 30 67	518,58	333,37	691,44
1006 30 92	—	256,02	536,74
1006 30 94	—	333,37	691,44
1006 30 96	—	333,37	691,44
1006 30 98	518,58	333,37	691,44
1006 40 00	—	79,48	164,96

⁽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 Regulations (EEC) No 3491/90 and (EEC) No 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.

COMMISSION REGULATION (EEC) No 1624/93**of 25 June 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 1499/93 ⁽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 26 June 1993.

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

Done at Brussels, 25 June 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 148, 19. 6. 1993, p. 17.

ANNEX

to the Commission Regulation of 25 June 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 6	1st period 7	2nd period 8	3rd period 9
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 1625/93**of 25 June 1993****amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments**

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

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EEC) No 1299/93 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 132, 29. 5. 1993, p. 32.

ANNEX

to the Commission Regulation of 25 June 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	45,00	45,00	45,00	48,00
Barley (1003 00 80)	51,00	51,00	51,00	54,00
Maize (1005 90 00)	102,00	102,00	102,00	105,00
Durum wheat (1001 10 00)	70,00	70,00	70,00	73,00

COMMISSION REGULATION (EEC) No 1626/93**of 25 June 1993****amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply
of cereals products from the Community to the Canary Islands**

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 introducing specific measures in respect
of certain agricultural products for the benefit of the
Canary Islands ⁽¹⁾, as amended by Regulation (EEC)
No 3714/92 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas the amounts of aid for the supply of cereals
products to the Canary Islands has been settled by
Commission Regulation (EEC) No 1832/92 ⁽³⁾ as last
amended by Regulation (EEC) No 1300/93 ⁽⁴⁾, whereas, as
a consequence of the changes of the rates and prices for
cereals products in the European part of the Community
and on the world market, the aid for supply to the Canary
Islands should be set at the amounts given in the Annex ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The Annex of amended Regulation (EEC) No 1832/92 is
replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 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 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ No L 132, 29. 5. 1993, p. 34.

ANNEX

to the Commission Regulation of 25 June 1993 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

(Ecu/tonne)

Product (CN code)		Amount of aid
Common wheat	(1001 90 99)	42,00
Barley	(1003 00 80)	48,00
Maize	(1005 90 00)	99,00
Durum wheat	(1001 10 00)	67,00
Oats	(1004 00 00)	48,00

COMMISSION REGULATION (EEC) No 1627/93**of 25 June 1993****amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply
of cereals products from the Community to the Azores and Madeira**

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

Having regard to Council Regulation (EEC) No 1600/92
of 15 June 1992 introducing specific measures in respect
of certain agricultural products for the benefit of the
Azores and Madeira ⁽¹⁾, as amended by Regulation (EEC)
No 3714/92 ⁽²⁾, and in particular Article 10 thereof,

Whereas the amounts of aid for the supply of cereals
products to the Azores and Madeira has been settled by
Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last
amended by Regulation (EEC) No 1301/93 ⁽⁴⁾, whereas, as
a consequence of the changes of the rates and prices for
cereals products in the European part of the Community
and on the world market, the aid for supply to the Azores
and Madeira should be set at the amounts given in the
Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The Annex of amended Regulation (EEC) No 1833/92 is
replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 28.

⁽⁴⁾ OJ No L 132, 29. 5. 1993, p. 36.

ANNEX

to the Commission Regulation of 25 June 1993 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

<i>(Ecu/tonne)</i>			
Product (CN code)		Amount of aid	
		Destination	
		Azores	Madeira
Common wheat	(1001 90 99)	42,00	42,00
Barley	(1003 00 80)	48,00	48,00
Maize	(1005 90 00)	99,00	99,00
Durum wheat	(1001 10 00)	67,00	67,00

COMMISSION REGULATION (EEC) No 1628/93

of 25 June 1993

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular the third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽²⁾, as last amended by Regulation (EEC) No 674/92⁽³⁾, and in particular Article 11 (2) thereof,

Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁴⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in Article 17 of Regulation (EEC) No 1418/76 on export

refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁵⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, the refunds applicable for July 1993 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽³⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁴⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 25 June 1993 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 00 400	42,00
1001 90 99 000	42,00
1002 00 00 000	42,00
1003 00 80 000	45,00
1004 00 00 400	—
1005 90 00 000	96,00
1006 20 92 000	262,40
1006 20 94 000	262,40
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	328,00
1006 30 92 900	328,00
1006 30 94 100	328,00
1006 30 94 900	328,00
1006 30 96 100	328,00
1006 30 96 900	328,00
1006 40 00 000	—
1007 00 90 000	96,00
1101 00 00 100	57,00
1101 00 00 130	57,00
1102 20 10 100	134,43
1102 20 10 300	115,22
1102 30 00 000	—
1102 90 10 100	65,18
1103 11 30 200	57,00
1103 11 50 200	57,00
1103 11 90 200	57,00
1103 13 10 100	172,84
1103 14 00 000	—
1104 12 90 100	150,94
1104 21 50 100	86,90

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

COMMISSION REGULATION (EEC) No 1629/93

of 25 June 1993

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

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

Having regard to Council Regulation (EEC) No 3013/89
of 25 September 1989 on the common organization of
the market in sheepmeat and goatmeat⁽¹⁾, as last
amended by Regulation (EEC) No 363/93⁽²⁾, and in parti-
cular the Article 10 thereof,

Whereas the import levies on live sheep and goats and on
sheepmeat and goatmeat other than frozen meat were
fixed by Commission Regulation (EEC) No 3857/92⁽³⁾, as
last amended by Regulation (EEC) No 1269/93⁽⁴⁾;

Whereas it follows from applying the detailed rules
contained in Regulation (EEC) No 3857/92 to the quota-

tions and other information 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 on live sheep and goats and on sheep-
meat and goatmeat other than frozen meat shall be as set
out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 73.

⁽⁴⁾ OJ No L 129, 27. 5. 1993, p. 18.

ANNEX

to the Commission Regulation of 25 June 1993 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat⁽¹⁾

(ECU/100 kg)

CN code	Week No 27 from 5 to 11 July 1993	Week No 28 from 12 to 18 July 1993	Week No 29 from 19 to 25 July 1993	Week No 30 from 26 July to 1 August 1993
0104 10 30 ⁽¹⁾	59,446	58,534	58,078	57,852
0104 10 80 ⁽¹⁾	59,446	58,534	58,078	57,852
0104 20 90 ⁽¹⁾	59,446	58,534	58,078	57,852
0204 10 00 ⁽²⁾	126,480	124,540	123,570	123,090
0204 21 00 ⁽²⁾	126,480	124,540	123,570	123,090
0204 22 10 ⁽²⁾	88,536	87,178	86,499	86,163
0204 22 30 ⁽²⁾	139,128	136,994	135,927	135,399
0204 22 50 ⁽²⁾	164,424	161,902	160,641	160,017
0204 22 90 ⁽²⁾	164,424	161,902	160,641	160,017
0204 23 00 ⁽²⁾	230,194	226,663	224,897	224,024
0204 50 11 ⁽²⁾	126,480	124,540	123,570	123,090
0204 50 13 ⁽²⁾	88,536	87,178	86,499	86,163
0204 50 15 ⁽²⁾	139,128	136,994	135,927	135,399
0204 50 19 ⁽²⁾	164,424	161,902	160,641	160,017
0204 50 31 ⁽²⁾	164,424	161,902	160,641	160,017
0204 50 39 ⁽²⁾	230,194	226,663	224,897	224,024
0210 90 11 ⁽³⁾	164,424	161,902	160,641	160,017
0210 90 19 ⁽³⁾	230,194	226,663	224,897	224,024

⁽¹⁾ The levy applicable is limited in the conditions laid down by Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

⁽⁴⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 1630/93
of 25 June 1993
fixing the import levies on frozen sheepmeat and goatmeat

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EEC) No 3858/92⁽³⁾, as last amended by Regulation (EEC) No 1268/93⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 3858/92 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 July 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 76.

⁽⁴⁾ OJ No L 129, 27. 5. 1993, p. 16.

ANNEX

to the Commission Regulation of 25 June 1993 fixing the import levies on frozen
sheepmeat and goatmeat ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Week No 27 from 5 to 11 July 1993	Week No 28 from 12 to 18 July 1993	Week No 29 from 19 to 25 July 1993	Week No 30 from 26 July to 1 August 1993
0204 30 00	111,110	109,655	108,928	108,568
0204 41 00	111,110	109,655	108,928	108,568
0204 42 10	77,777	76,759	76,250	75,998
0204 42 30	122,221	120,621	119,821	119,425
0204 42 50	144,443	142,552	141,606	141,138
0204 42 90	144,443	142,552	141,606	141,138
0204 43 10	202,220	199,572	198,249	197,594
0204 43 90	202,220	199,572	198,249	197,594
0204 50 51	111,110	109,655	108,928	108,568
0204 50 53	77,777	76,759	76,250	75,998
0204 50 55	122,221	120,621	119,821	119,425
0204 50 59	144,443	142,552	141,606	141,138
0204 50 71	144,443	142,552	141,606	141,138
0204 50 79	202,220	199,572	198,249	197,594

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EEC) No 3842/92 and Commission Regulations (EEC) No 19/82 and (EEC) No 3943/92.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 1631/93
of 25 June 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 1599/93 ⁽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 24 June 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 26 June 1993.

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

Done at Brussels, 25 June 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 153, 25. 6. 1993, p. 26.

ANNEX**to the Commission Regulation of 25 June 1993 fixing the import levies on white sugar and raw sugar***(ECU/100 kg)*

CN code	Levy ⁽¹⁾
1701 11 10	35,43 ⁽¹⁾
1701 11 90	35,43 ⁽¹⁾
1701 12 10	35,43 ⁽¹⁾
1701 12 90	35,43 ⁽¹⁾
1701 91 00	43,79
1701 99 10	43,79
1701 99 90	43,79 ⁽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 1632/93

of 26 June 1993

fixing the maximum buying-in price and the quantities of beef bought in for the eighth 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 1490/93 ⁽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 eighth 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 eighth 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 249,15 per 100 kilograms of carcasses or half-carcasses,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 120 tonnes.

Article 2

This Regulation shall enter into force on 28 June 1993.

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

Done at Brussels, 26 June 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 147, 18. 6. 1993, p. 18.

COMMISSION REGULATION (EEC) No 1633/93

of 25 June 1993

fixing the maximum buying-in price and the quantities of beef bought in for the 94th 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 Regulation (EEC) No 1490/93 ⁽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 agencies 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 quantities they can take over;

Whereas, after the tenders submitted for the 94th 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 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 94th 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 241,49 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 7 120 tonnes; the quantities offered are hereby reduced by 30 % 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 236,95 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

This Regulation shall enter into force on 28 June 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 147, 18. 6. 1993, p. 18.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1634/93

of 25 June 1993

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 14 (4) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 674/92⁽⁴⁾, and in particular Article 12 (4) thereof,

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

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 1298/93⁽⁶⁾, as last amended by Regulation (EEC) No 1601/93⁽⁷⁾;

Whereas Council Regulation (EEC) No 1906/87⁽⁸⁾, amended Council Regulation (EEC) No 2744/75⁽⁹⁾, as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

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

rate established during the reference period from 24 June 1993, as regards floating currencies, should be used to calculate the levies;

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

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽¹⁰⁾, as last amended by Regulation (EEC) No 1740/78⁽¹¹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to amended Regulation (EEC) No 1298/93 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 26 June 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 132, 29. 5. 1993, p. 28.

⁽⁷⁾ OJ No L 153, 25. 6. 1993, p. 39.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁹⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽¹⁰⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹¹⁾ OJ No L 202, 26. 7. 1978, p. 8.

ANNEX

to the Commission Regulation of 25 June 1993 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (*)	
	ACP	Third countries (other than ACP)
1102 30 00	178,59	181,61
1103 14 00	178,59	181,61
1103 29 50	178,59	181,61
1104 19 91	303,26	309,30
1108 19 10	256,09	286,92

(*) import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EEC) No 1635/93

of 25 June 1993

amending Regulation (EEC) No 1453/93 introducing a countervailing charge on fresh lemons originating in Argentina

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1453/93⁽³⁾, as amended by Regulation (EEC) No 1501/93⁽⁴⁾, introduced a countervailing charge on fresh lemons originating in Argentina;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1453/93 'ECU 9,51' is hereby replaced by 'ECU 15,71'.

Article 2

This Regulation shall enter into force on 26 June 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 49.

⁽⁴⁾ OJ No L 148, 19. 6. 1993, p. 25.

COMMISSION REGULATION (EEC) No 1636/93**of 25 June 1993****amending Regulation (EEC) No 846/93 introducing a countervailing charge on apples originating in Chile**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 846/93⁽³⁾, as last amended by Regulation (EEC) No 1523/93⁽⁴⁾, introduced a countervailing charge on apples originating in Chile;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 846/93 'ECU 15,65' is hereby replaced by 'ECU 23,05'.

Article 2

This Regulation shall enter into force on 26 June 1993.

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

Done at Brussels, 25 June 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 88, 8. 4. 1993, p. 30.

⁽⁴⁾ OJ No L 150, 22. 6. 1993, p. 42.

II

(Acts whose publication is not obligatory)

EUROPEAN PARLIAMENT

DECISION OF THE EUROPEAN PARLIAMENT

of 21 April 1993

giving discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1991 financial year as regards Sections I — Parliament, II — Council, III — Commission, IV — Court of Justice and V — Court of Auditors

(93/366/Euratom, ECSC, EEC)

THE EUROPEAN PARLIAMENT

- Having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 78g thereof,
- Having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,
- Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 180b thereof,
- Having regard to the budget for the 1991 financial year,
- Having regard to the revenue and expenditure accounts and the balance sheet of the European Communities for the 1991 financial year (SEC (92) 0507 to 0510),
- Having regard to the report of the Court of Auditors for the 1991 financial year and the replies of the institutions⁽¹⁾,
- Having regard to the Council recommendation of 15 March 1993 (C3-0127/93),
- Having regard to the report of the Committee on Budgetary Control and the opinions of the Committee on Energy, Research and Technology, on External Economic Relations, on Social Affairs, Employment and the Working Environment, on Regional Policy, Regional Planning and Relations with Regional and Local Authorities, on Youth, Culture, Education and the Media, on Women's Rights, on Transport and Tourism, on Development and Cooperation and the Environment, Public Health and Consumer Protection (A3-0121/93),

⁽¹⁾ OJ No C 330, 15. 12. 1992, p. 1.

1. Notes that the authorized revenue and expenditure for the 1991 financial year amounted to :

	(in ecus)	(in ecus)
— Revenue :		
— Estimates entered in general budget	56 085 448 195	
— Revenue from services rendered to third parties	<u>51 714 111</u>	
		56 137 162 306
— Appropriations for commitments :		
— Appropriations authorized in the general budget	59 369 570 195	
— Appropriations carried over from 1990	938 010 387	
— Appropriations made available as a result of cancellations in 1990 of commitments from before 1990	<u>74 220 972</u>	
— Appropriations corresponding to revenue from services rendered to third parties	<u>38 401 734</u>	
		60 420 203 288
— Appropriations for payments		<u>56 116 377 508</u>

2. Gives the Commission discharge in respect of the implementation of the following amounts :

	(in ecus)	(in ecus)
(a) Revenue :		
— Own resources	51 676 130 410	
— Financial contributions	—	
— Surpluses available	4 001 968 257	
— Other revenue	<u>571 306 704</u>	
		<u>56 249 405 371</u>
(b) Expenditure :		
— Payments made for the financial year	52 712 542 239	
— Appropriations carried over to 1992	<u>1 110 568 372</u>	
		<u>53 823 110 612</u>
(c) Balance for the financial year 1991		<u>2 762 611 813</u>
Calculated as follows :		
— Revenue for the financial year		56 249 405 371
— Payments from the appropriations for the financial year	52 712 542 239	
— Appropriations carried over to 1992	<u>1 110 568 373</u>	
		<u>— 53 823 110 612</u>
Difference :		2 426 294 759
— Appropriations carried over from 1990 which have lapsed		+ 305 076 211
— Exchange difference in the financial year 1991		+ 31 240 843
Balance for the financial year 1991		<u>2 762 611 813</u>
This balance reflects the accounting situation only and does not include expenditure actually incurred during this financial year		
(d) Utilization of appropriations for commitments		<u>57 645 965 070</u>

(e) Balance sheet as at 31 December 1991

(in ecus)

ASSETS		LIABILITIES	
Fixed assets	9 994 922 323	Fixed capital	13 785 692 827
Inventories	93 160 490	Current liabilities	3 966 063 340
Current assets	838 634 868	Accrued expenses	164 353 604
Cash accounts	6 730 420 879		
Prepaid expenses	258 971 210		
Total	17 916 109 770	Total	17 916 109 770

3. Records its comments in the resolution which forms an integral part of this Decision ;
4. Instructs its President to forward this decision and the resolution containing its comments to the Commission, the Council, the Court of Justice, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 21 April 1993.

The Secretary-General

Enrico VINCI

The President

Dr Egon KLEPSCH

RESOLUTION

containing the comments which form part of the Decision giving discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1991 financial year

THE EUROPEAN PARLIAMENT,

— Having regard to Article 206b of the EEC Treaty,

— Having regard to Article 89 of the Financial Regulation of 13 March 1990 under which each Community institution is required to take all appropriate steps to take action on the comments appearing in the decisions giving discharge,

— Whereas, under the same Article, the institutions are also required to report, at Parliament's request, on the measures taken in the light of these comments and, in particular, on the instructions given to those of their departments which are responsible for the implementation of the budget,

— Having regard to the Council recommendation of 15 March 1993 (C3-0127/93),

— Having regard to the report of the Committee on Budgetary Control and the other documents mentioned in the discharge decision (A3-0121/93),

A. Whereas, under Article 205 of the EEC Treaty, the Commission has sole legal responsibility for the implementation of the Community budget;

B. Whereas, at the Edinburgh summit of December 1992, the Community reaffirmed its commitment to the application of the principle of subsidiarity in the conduct of Community affairs,

out a similar review of spending policies before establishing the Community budget;

3. Reiterates the necessity that the application of the principle of subsidiarity should be monitored during the course of the Community decision-making process in accordance with Article 3b of the Treaty on European Union and insists on the correct application of Community law by the relevant authorities;

4. Notes that the practical responsibility for the implementation of the greater part of the Community budget lies with Member States' governments, local and regional authorities and, in some cases, with private and/or non-governmental organizations; notes also that, as a consequence, much of the task of monitoring expenditure must be jointly performed with these bodies;

5. Observes that the Commission must have the necessary resources to monitor the administration of Community funds by the Member States and subordinate bodies so that the latter can if appropriate be called upon to alter their administrative practices in the light of their responsibility for the administration of Community funds;

6. Reminds the Commission and all other concerned parties, that the principle of subsidiarity implies not only a decentralization of the responsibility for physical implementation of the budget, but also increased means for the Commission to monitor and exercise budgetary control over Member States and over subsidiary bodies when they have responsibility for administering Community policies and, if necessary, oblige them to make changes in their administrative practices;

7. Believes that many of the deficiencies in the implementation and control of the 1991 budget are a direct result of the way the Community budget is implemented, namely the dispersal of the substantive responsibility for Community spending among numerous authorities, in particular the Member States;

Horizontal themes

Subsidiarity and the role of the Member States

1. Believes that the principle of subsidiarity implies that expenditure from the Community budget must be used in pursuit of policies best implemented by the Community and in pursuit of Community objectives;

2. Calls upon the Commission, as the body responsible for the implementation of the Community budget, to undertake a review of all areas of budgetary spending to establish whether such expenditure is most appropriately carried out by the Community and to publish its findings; calls on the budgetary authority to carry

8. Notes that numerous problems observed by Parliament and the Court of Auditors of poor administration, misallocation of resources, loss of resources through fraud and irregularity, weak evaluation and control, etc. lie within the fields of competence of Member States, and illustrate the need for an effective overseer in the execution of Community policy; regrets that in practice the Commission has been, until now, unable to fill this role effectively;
 9. Observes that the Commission does not have the technical and organizational resources to translate its legal responsibility pursuant to Article 205 of the EEC Treaty for the implementation of the budget into a real ability to ensure that Community policy is well administered and effectively implemented;
 10. Calls on the Commission to fulfil its responsibility for the actual use of Community funds, to monitor Member States' administration of Community funds more closely and proceed in accordance with the principle that Community financing is conditional upon the authorities concerned genuinely implementing Community policy;
 11. Calls on the Commission, within the context of the decentralization of responsibility for the physical expenditure of Community funds, to step up checks on Member States' administration of Community funds, and to apply the principle of central funding being conditional on such administration being found to be effective in furthering Community policy;
 12. Believes that, as a general principle, the Commission has the power unilaterally to suspend payments to Member States from the Community budget when it can demonstrate that Member States are not fulfilling their duty adequately to protect Community taxpayer's money through effective controls; calls on the Commission to prepare proposals specifying appropriate conditions and mechanisms for such withholding; underlines that subsidiarity cannot be made to work unless the Council approves such proposals;
 13. Asks the Commission to submit a written report in time to be considered by the relevant parliamentary committees by the end of 1993;
 14. Calls for a full Parliament review and debate of such efforts preceding the next discharge as a means to create conditions favourable for the necessary reinforcement of interinstitutional cooperation to ensure value for taxpayers' money;
- ### Democratic accountability
15. Notes that large areas of budgetary spending, particularly in the field of compulsory expenditure, do not arise from a true process of democratic debate, are not, in practice, subject to proper control, and therefore cannot be said to satisfy a democratic consensus; believes that this fact alienates the taxpayer and brings the Community as a whole into disrepute;
 16. Re-emphasizes the concern expressed in the 1990 discharge resolution at the use made by the Commission of outside contractors and consultants in the execution of Community expenditure in all areas; feels that the excessive use of such organizations compromises the transparency and accountability of budgetary spending;
 17. Welcomes the increasing involvement of the European Investment Bank in Community economic policy; in this context calls for greater powers of democratic control over the activities of the EIB in general, including those financed from the Bank's own resources;
 18. Calls upon all bodies responsible for the allocation of Community funds, especially the Council, to operate in a transparent fashion, on the basis of established objective criteria, making public all its activities as a co-legislator;
 19. Condemns the practice whereby Member States do not treat Community funds on an equal footing with national finances and as a result fail to acknowledge a direct responsibility to the European taxpayer; encourages therefore the Commission vigorously to pursue its efforts to increase public awareness of Community activities and of the citizen's right to call governments to account for how Community money is handled;
- ### Practical issues
20. Notes that poor coordination between the bodies responsible for implementing the budget, between financial instruments and means of intervention and indeed between policies is a feature of Community activities across the board; suggests therefore that the Commission, in proposing any new legislation, should always indicate the potential impact on other Community policies and activities;

21. Observes a depressing regularity of poor administrative practice both within the Commission and in outside bodies administering the budget; considers that this difficulty is likely to get worse with ongoing decentralization of Community activity unless the Commission urgently strengthens its budgetary control capacities;
22. Finds that Community legislation is often over-complex, contradictory or even incomprehensible, usually as a result of horse-trading between Member States within Council and that this gives rise to financial consequences as a result of difficulties in enforcement;
23. Calls on the Commission to place far more stress on *ex ante* and *ex post* evaluation of all policies with reference to verifiable and objective criteria, with such evaluation to include case-by-case analysis of whether the Community's fundamental policy goals are being achieved at reasonable cost; reiterates its request to the Commission made in the 1989 discharge resolution to provide a report containing such a systematic analysis for each spending policy and asks for it to be delivered by 31 July 1993;
24. Calls on all parties to the budgetary procedure to take due account of the practicability and potential effectiveness of budgetary items when proposing or approving expenditure, and to draw the necessary conclusions;
25. Points out that budgetary spending is only of any use if it achieves the agreed objectives, a fact which can only be established through rigorous monitoring and assessment, recalls that full disbursement of the budget is not the only criterion of budget management; reiterates the fact that the Commission is obliged to carry out the decisions by the Budgetary Authority; expects that this will always be done in such a way as to comply with the quality standards set out by the legislator;
26. Asks that the Commission plan an appropriate schedule of disbursement for each budgetary item over the course of the financial year, avoiding an undue concentration of expenditure at year-end; asks the Commission to establish an early warning system for all sectors of budgetary spending;
27. Notes that the Commission has taken measures to strengthen the role of UCLAF; considers however that these measures are insufficient and will remain without effect if they are not accompanied by staff reinforcements needed to set up a flying squad; therefore awaits with interest the Commission's

proposals on staffing priorities in the preliminary draft budget;

Budgetary sectors

Own resources

28. Calls on the Commission to separate out the calculation of the United Kingdom abatement from that of the Community VAT resource in the interests of budgetary transparency;
29. Calls on the Commission to ensure that Member States in all cases pay interest on own resources paid over late to the Community, as envisaged by the regulations;
30. Deplores the inability of the Commission to vouch for the accuracy of national accounts in respect of own resources; notes that this severely compromises budgetary transparency, and constitutes a major failure of democratic accountability *vis-à-vis* the European taxpayer;
31. Condemns the inequality of treatment of Member States in the field of own resources, namely the penalization of those which are in line with Community regulations as compared to those which are not; calls therefore on the Commission to fulfil its obligation to ensure equal treatment for taxpayers throughout the Community by carrying out far more extensive audits of Member States' administration of own resources;
32. Reaffirms its commitment to a speedy return to full application of the principles of financial autonomy for the Community; restates therefore its call for an inter-institutional conference in 1994 to establish a long-term system of Community resources;
33. Asks the Commission for a report on the measures taken in cases where Member States are found systematically to underestimate the size of the VAT entitlement;

EAGGF, Guarantee Section

34. Welcomes the statement on budgetary discipline in the conclusions of the Edinburgh summit as being in line with Parliament's views, namely that it involves a strict obligation on the Commission to contain agricultural expenditure at chapter level by way of timely management of markets rather than mere financial engineering; notes, however, that budgetary discipline in this sense was certainly not applied in the 1991 financial year, particularly in the beef sector, which ran out of control;

35. Gives notice that it will do its utmost to ensure that budgetary discipline continues to be interpreted in the fashion now currently agreed by Parliament and at the Edinburgh European Council;
36. Stresses that budgetary discipline on the basis of the Early Warning System cannot be made to work if Member States' estimates do not improve; calls on the Commission therefore to work with Member States to achieve the necessary improvements;
37. Calls upon the Commission, when tabling future proposals in the EAGGF Guarantee sector, to include in the accompanying Explanatory Memorandum a clear analysis demonstrating that the proposal is the most cost-effective way to achieve the objectives laid down in the EEC Treaty, particularly for the products concerned;
38. Observes that new satellite surveillance techniques have improved control over some sectors of the EAGGF, but notes that they can only be a complement to conventional methods, where progress remains to be made;
39. Awaits the improvements which should follow from the implementation of the new animal identification regulation; instructs its Committee on Budgetary Control to monitor progress on implementation of the legislation;
40. Notes that it is currently impossible effectively to monitor or control the olive oil production aid system; questions whether the Community taxpayer can be expected to finance a system over which the Community cannot exercise control; gives notice that it will call on the Commission to take all possible measures to suspend payments under the olive oil production aid scheme unless satisfactory controls can be assured within a reasonable timescale;
41. Awaits proposals from the Commission for the reorganization of the olive oil sector, taking account of the comments of the Court of Auditors in the 1991 Annual Report;
42. Asks its Committee on Budgetary Control to monitor closely developments in the olive oil sector over the 1993 financial year;
43. Calls on the Commission to put all possible pressure on Member States to put in place and operate effective control systems for agricultural expenditure, if necessary including the withholding of funding in cases where satisfactory controls are not carried out;
44. Calls on the Commission to accelerate its review of the clearance of accounts procedure;
45. Notes that the food-aid operations financed by the EAGGF in eastern Europe were characterized by a lack of coordination between the Commission and Member States; believes that, in accordance with the principle of subsidiarity, external aid should fall within the competence of the Community and that it is therefore up to the Commission to take the initiative in organizing such operations;

Structural Funds

46. Demands that the decentralization of the management of the reformed Structural Funds be matched by greater discipline on the part of Member States and increased monitoring, control and evaluation of operations by the Commission; hence, instructs its Committee on Budgetary Control to monitor, in cooperation with other relevant committees, the corresponding activities regarding the application of the reformed Structural Funds;
47. Reminds the Commission and the Member States that structural spending is supposed to represent the implementation of Community policy and to produce benefits for the Community as a whole rather than respond only to local sectoral interests;
48. Observes a dispersal and fragmentation of structural spending into an excessive number of small programmes which cannot be said to fulfil Community policy objectives, nor to be transparent in terms of allocation criteria;
49. Calls on the Commission to ensure that Structural Funds are only allocated according to strict, objective and evaluable criteria and to display a preparedness to examine Member States' proposals critically, rejecting programmes which cannot be said to contribute to Community policy objectives;
50. Believes that the Structural Funds should be more effectively integrated between national ministries and between directorates-general of the Commission;
51. Calls on Member States to accelerate the flow of Structural Funds to the end recipients; calls on the Commission to establish specific rules concerning the use of interest accruing on Community funds whilst in the keeping of Member States' competent authorities;

52. Considers it necessary for the composition of the monitoring committees to be widened to include the social partners, and for their powers to be extended in the fields of project selection, payments and the revision of objectives ; reminds the Commission that this request was included in the 1989 Discharge resolution, but that, as yet, no improvement has been seen ;

53. Points to a lack of democratic control at Community level in drawing up Community support frameworks, urges the Commission to draw up a proposal by the end of 1993 on how the European Parliament can be kept informed in a thorough and efficient way in order to be in the position to effectively exercise its rights and duties as the authority responsible for granting discharge ;

Internal policies

54. Finds that spending on the Community's various internal policies, as currently implemented, is not coherently effective in favouring the competitiveness of the European economy ; asks the Commission therefore to formulate general guidelines aimed at the coordination of policy in the interests of European competitiveness ;

55. Notes the statements in the Annual Report of the Court of Auditors for 1991 concerning progress in restructuring the Joint Research Centre in recent years ; calls on the Commission to ensure that the Joint Research Centre makes further efforts to continue this process, with the aim *inter alia* of attaining the objectives formulated for work for external third parties in accordance with a competitive approach and creating a genuine principal/contractor relationship with other Commission services in providing scientific support services for other Commission policies ; points out that, in doing so, the need for budget transparency must be taken into account and a comprehensive and dynamic personnel policy must be pursued to meet the future scientific needs of the Joint Research Centre ;

56. Finds that the Commission's budgetary management of the Joule programme as conducted in 1991 constituted a wilful breach of decisions of the budgetary authority in so far as it involved a deliberate under-utilization of the budget as adopted and a contradiction of prior statements made by the Commissioner responsible to the effect that the ECU 40 million was acceptable and could be implemented ;

57. Deplores the Commission's persistence in regarding part of the supplementary allocation made to the

Joule programme by the budgetary authority as a change of priority ;

58. Calls on the Commission to include in the inter-institutional code of conduct a point establishing a procedure for continuous monitoring and updating of the framework programmes with a view, *inter alia*, to respecting budget commitments ;

59. Observes that positive sentiments in the field of environmental policy have not yet been matched by the effective and systematic integration of environmental considerations in the implementation of all Community policies ; calls on the Commission to ensure this systematic integration through appropriate staffing measures not only in DG XI ; requests from the Commission a much clearer definition of the place of environmental policy in the context of the Community's structural and competitiveness policies, accompanied by the definition of precise physical and socio-economic indicators by which the achievement of environmentally sustainable growth can be monitored ; regrets the delay in implementing environmental programmes in 1991 ;

60. Notes that transport policy is characterized by a lack of coordination between various Community financial instruments, and between the policies of the Community and those of Member States ; calls on the Commission to ensure the greater coordination and coherence needed for the effective functioning of the Single Market ;

61. Encourages the Commission in its efforts to integrate the lending activities of the European Investment Bank and the ECSC into the wider internal and structural policies of the Community ; points out however that such integration must be accompanied by greater powers for the budgetary authority effectively to monitor and control these activities ;

62. Notes with concern the observations of the Court of Auditors in its 1991 Annual Report regarding the implementation of Community assistance to the Irpinia region in Italy affected by the 1981 earthquake ; seeks the assurance of the Commission that any interest rate subsidies found not to have been applied in accordance with their intended purpose will be recovered ;

63. Instructs its Committee on Budgetary Control to monitor closely and constantly Community expenditure on the psychiatric institution on the island of Leros ;

64. Urges the Commission to seek solutions to the problems of under-utilization and misappropriation of funds intended for the promotion of equal opportunities for women, for instance by ensuring :

- (a) provision of technical assistance in drawing up suitable applications;
 - (b) the designation of equal opportunities officers at each level of decision-making and implementation within the Member States as well as on all CSF monitoring committees;
65. Urges the Commission to devise and put in place management structures reflecting the proper role of financial instruments as service units for policy departments in the field of equal opportunities and other policy areas;
66. Calls on the Commission to include in its annual report on the monitoring of the implementation of Community law a separate chapter on programmes which have an impact on environmental policy in which the Community is participating;
67. Calls on the Court of Auditors to conduct a study of the equal opportunities effects of the whole Community budget;

External relations

68. Recognizes that the food-aid programme in favour of the countries of central and eastern Europe and the former USSR corresponded to a political rather than to a material need;
69. Notes that in the 1991 food-aid programmes in favour of the countries of central and eastern Europe and the former USSR there was almost no coordination between the efforts of individual Member States and that of the Community; believes that it would be in the interests of all concerned and in accordance with the principle of subsidiarity for the Commission to take exclusive control of the Community's external aid programmes;
70. Considers that the use of accelerated tendering procedures was not sufficient to accelerate provision of aid on the ground in eastern Europe and the former USSR and that it has obscured the transparency of the tendering procedures themselves;
71. Notes with regret that the use of counterpart funds in some countries once again caused problems; calls on the Commission to ensure that all concerned parties fully understand their respective roles in the administration of such funds;
72. Notes with great concern the concentration of contracts under the Tempus programme in the hands of a related group of NGOs; believes such cases potentially lead to serious conflict of interests; requests an urgent report, by 30 June 1993, from the

Commission explaining the procedures according to which these contracts were awarded;

73. Asks that the Commission provide Parliament at the end of each year with a list of all contractors and consultants used by the Commission under the Tempus, Tacis and Phare programmes, giving details concerning the contractor itself, the nature of the work carried out, the involvement of local subcontractors and the cost of each contract to the Community budget;
74. Considers that the cancellation of significant part of the payment appropriations allocated to the Phare programme amounts to a squandering of resources intended to surmount the problems faced by central and eastern European countries, and will consequently delay the rate of economic recovery; agrees however that public money has to be spent in a justifiable manner;
75. Re-emphasizes that the Commission must not lose sight of the fundamental objectives of the Phare Programme, namely the encouragement of political and economic reform and the development of stable democracy; calls therefore on the Commission more effectively to target Community assistance and the transfer of know-how on the development of appropriate legal, economic and political structures together believes with Parliament;
76. Notes that since the Tacis programme came into force, only 0,6 % of the available appropriations were paid out in 1991 and 9,9 % in 1992; considers that the management of this programme is presenting difficulties similar to, if not more serious than, those of the Phare programme; believes that the management of appropriations dedicated to cooperation with the former Soviet Union must undergo a qualitative leap in order to improve the impact of Community aid aimed at stabilizing the economic and political situation in this country;
77. Instructs its Committee on Budgetary Control to monitor closely developments in expenditure under the item, included in the budget at Parliament's initiative, dedicated to the support and improvement of orphanages in Romania; asks the Commission to send on a regular basis all available and relevant information on this matter to the Committee;
78. Expresses its concern over the amount of lending to the countries of central and eastern Europe guaranteed by the Community budget against token entries only; notes that the proposed guarantee fund will take a long time to constitute; regrets the lack of information at Parliament's disposal concerning the true nature of the risk borne by the budget;

79. Underlines the need for objective and realistic criteria in the preparation of development projects in ACP and ALA countries ;
80. Welcomes the Commission's vision of the future role to be played by the Community in the implementation of cooperation projects ; believe that the leading role envisaged for the Community must improve the coordination, effectiveness and environmental impact of aid programmes, strengthen decentralized cooperation that empowers local operators, and help lessen the role that restricted national interests play in development policy ;
81. Calls upon the Commission to ensure that the budgetary resources earmarked for Israel and the Palestinian population of the occupied territories in the wake of the Gulf War are used fully, effectively and without delay, and also to make provision in its 1994 budgetary proposals to bring the funding for this line up to the amount originally voted by the budgetary authority ;
82. Expresses serious reservations, pending the forthcoming decision of the Court of Justice, concerning the procedures followed in the provision of aid to Bangladesh in 1991, and will return to this matter at the appropriate time ;

Administrative expenditure and subsidies

83. Notes that the criteria and procedures for allocating subsidies are insufficiently transparent ; notes also that the distribution of subsidies is not always in line with stated criteria and, in some instances, runs counter to those criteria ;
84. Calls, therefore, on the Commission to :
- (a) elicit actively a wider range of suitable applications for subsidies ;
 - (b) allocate subsidies to beneficiaries for whom it constitutes a necessity rather than a bonus and, specially, to refrain from subsidising bodies and events which can readily secure sponsorship elsewhere ;
- (c) report on progress at intervals throughout the year to the relevant committees of Parliament ;
 - (d) publish each year and make readily available to the public the list of subsidies granted ;
 - (e) undertake on-the-spot inspections of recipients, focusing on recurrent beneficiaries and/or those presenting the greatest risk of misallocation ;
 - (f) submit an implementation report to Parliament by mid-May each year ; these reports should outline, for each line, the principles and procedures governing distribution of subsidies and *ex post* assessment and should analyse, in particular, the efforts made to elicit a wider range of applicants, the balance achieved between categories of beneficiary and types of activity subsidised, the geographical spread of support and the results of on-the-spot inspections ;
85. Calls, in the context of the 1994 budgetary procedure, for an examination by Parliament of all the lines relating to bodies engaged in study or promotion of European integration, to assess the extent to which they overlap with each other and with awards under non-nominative subsidy lines ;
86. Notes an inappropriate distribution among Member States of subsidies intended to promote the European idea ;
87. Calls on the Council in future to set the dates of the appointment of new Members of Community institutions in such a way as to avoid overlaps in pay, and to publish details of any exceptional cases where overlap cannot be avoided ;
88. Calls on the Court of Auditors systematically to include in each annual report a section on the Council and also on the findings of the external audit of the financial and budgetary management of its own appropriations ;
89. Asks all institutions to forward to Parliament their internal rules concerning the appointment, working conditions and independence of financial controllers.

DECISION OF THE EUROPEAN PARLIAMENT

of 22 April 1993

giving discharge to the Commission in respect of the financial management of
the fifth European Development Fund for the 1991 financial year

(93/367/EEC)

THE EUROPEAN PARLIAMENT

- Having regard to the EEC Treaty,
 - Having regard to the second ACP-EEC Convention ⁽¹⁾,
 - Having regard to the balance sheets and revenue and expenditure accounts of the fifth, sixth and seventh European Development Funds for the 1991 financial year (COM(92)0256),
 - Having regard to the report of the Court of Auditors concerning the 1991 financial year and the replies of the institutions ⁽²⁾,
 - Having regard to the recommendation of the Council of 15 March 1993 ⁽³⁾ (C3-0133/93),
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A3-0094/93),
1. Grants discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1991 financial year on the basis of the following amount:
Annual expenditure: ECU 136 419 243,92;
 2. Records its observations in the resolution which forms part of this Decision;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 22 April 1993.

The Secretary-General

Enrico VINCI

The President

Dr Egon KLEPSCH

⁽¹⁾ OJ No L 347, 22. 12. 1980, p. 1.⁽²⁾ OJ No C 330, 15. 12. 1992, p. 1.⁽³⁾ OJ No L 69, 20. 3. 1993, p. 39.

DECISION OF THE EUROPEAN PARLIAMENT**of 22 April 1993****giving discharge to the Commission in respect of the financial management of the sixth European Development Fund for the 1991 financial year**

(93/368/EEC)

THE EUROPEAN PARLIAMENT

- Having regard to the EEC Treaty,
 - Having regard to the second ACP-EEC Convention ⁽¹⁾,
 - Having regard to the balance sheets and revenue and expenditure accounts of the fifth, sixth and seventh European Development Funds for the 1991 financial year (COM(92)0256),
 - Having regard to the report of the Court of Auditors concerning the 1991 financial year and the replies of the institutions ⁽²⁾,
 - Having regard to the recommendation of the Council of 15 March 1993 ⁽³⁾ (C3-0134/93),
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A3-0094/93),
1. Grants discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1991 financial year on the basis of the following amount:
Annual revenue
Contributions paid : ECU 1 510 664 535,68,
Sundry receipts : ECU 24 062 810,83,
Annual expenditure : ECU 859 344 620,44 ;
 2. Records its observations in the resolution which forms part of this Decision ;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 22 April 1993.

The Secretary-General

Enrico VINCI

The President

Dr Egon KLEPSCH

⁽¹⁾ OJ No L 86, 31. 3. 1986, p. 1.⁽²⁾ OJ No C 330, 15. 12. 1992, p. 1.⁽³⁾ OJ No L 69, 20. 3. 1993, p. 40.

DECISION OF THE EUROPEAN PARLIAMENT

of 22 April 1993

giving discharge to the Commission in respect of the financial management of
the seventh European Development Fund for the 1991 financial year

(93/369/EEC)

THE EUROPEAN PARLIAMENT

- Having regard to the EEC Treaty,
 - Having regard to the second ACP-EEC Convention ⁽¹⁾,
 - Having regard to the balance sheets and revenue and expenditure accounts of the fifth, sixth and seventh European Development Funds for the 1991 financial year (COM(92)0256),
 - Having regard to the report of the Court of Auditors concerning the 1991 financial year and the replies of the institutions ⁽²⁾,
 - Having regard to the recommendation of the Council of 15 March 1993 ⁽³⁾ (C3-0135/93),
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A3-0094/93),
1. Grants discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1991 financial year on the basis of the following amount:
Annual expenditure: ECU 195 538 099,11 ;
 2. Records its observations in the resolution which forms part of this Decision ;
 3. Instructs its President to forward this Decision and the resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have them published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 22 April 1993.

The Secretary-General

Enrico VINCI

The President

Dr Egon KLEPSCH

⁽¹⁾ OJ No L 229, 17. 8. 1991, p. 1.⁽²⁾ OJ No C 330, 15. 12. 1992, p. 1.⁽³⁾ OJ No L 69, 20. 3. 1993, p. 41.

RESOLUTION

containing the comments which form part of the decisions granting discharge to the Commission in respect of the financial management of the fifth, sixth and seventh European Development Funds for the 1991 financial year

THE EUROPEAN PARLIAMENT,

- Having regard to Articles 137 and 206b of the EEC Treaty,
 - Having regard to Articles 70, 73 and 77 of the Financial Regulations applicable respectively to the fifth, sixth and seventh European Development Funds (EDF), under which the Commission is required to take all appropriate steps to act on the observations appearing in the discharge decisions,
 - Having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Development and Cooperation (A3-0094/93),
- A. Noting that, under the abovementioned Articles 70, 73 and 77, the Commission is also required, at the European Parliament's request, to produce a report on the steps taken as a result of Parliament's observations and, in particular, on the instructions given by the Commission to the services responsible for managing the European Development Funds ;
- B. Having decided to express the observations referred to in Articles 70, 73 and 77 in this resolution, which forms part of the respective decisions granting discharge in respect of the financial management of the European Development Funds for the 1991 financial year ;
- C. Also adopting this resolution in the exercise of the powers which are essential for it to carry out its monitoring function, with a view to remedying the shortcomings noted in the study relating to the discharge and to improving the management of the European Development Funds ;
1. Notes along with the Court of Auditors and the Commission that the economic and social problems of many developing countries are continuing to worsen on a tragic and worrying scale ;
 2. Notes furthermore that :
 - (a) the Community is increasing the volume of its financing and diversifying the arrangements for it ;
 - (b) bilateral aid to these countries is stagnating overall or even, in some instances, falling and poses problems of coordination ;
 - (c) the rate of implementation of appropriations is slowing down ;
 3. Does not agree with the conclusion drawn by the Court of Auditors from these facts, and takes the view that it is specious to establish a causal connection between the worsening of the situation of the ACP countries and trends in Community aid in view of the differences in scales and areas concerned, e.g. growing indebtedness, collapse in raw material prices, protectionism by the industrialized countries, desertification ;
 4. Maintains its fundamental position that, in every respect, it is an aberration for the EDFs not to be budgetized, and calls for an end to this as soon as possible and no later than the conclusion of the inter-institutional agreement on the financial perspective ;
 5. Calls on the Commission to carry out the groundwork now for a revision of the EDF's financial organization, focusing on :
 - increasing and improving global monitoring of appropriations,
 - controlling performance of contracts,so that the new structure can be taken into account in the Financial Regulation for the eighth EDF and budgetization can proceed in parallel with management reorganization ;

6. Calls on the Commission to submit a report to it, by 1 October 1993, on the action taken in response to the discharge decisions for 1989, 1990 and 1991 and, in particular, to its call concerning the separation of the duties of authorizing officer and accounting officer ;
 7. Notes that sound EDF management, in particular as regards budgetary questions, assessment and monitoring of contracts, has suffered for several years as a result of a serious shortage ; stresses once more that it is the Commission's responsibility to deploy the human resources at its disposal on the basis of management requirements ;
 8. Repeats its call for the delegations to be significantly augmented, in particular in terms of staff qualified in finance, verification of contract performance and project evaluation ;
 9. Notes that, as the law stands at present, it is unable to exercise satisfactory control over the remuneration paid to the European Investment Bank (EIB) for its EDF-related activities ; will shortly submit proposals for establishing democratic control over all EIB activities as part of a more political development of the EIB's rôle ;
 10. Takes the view that, in this area, management by the EIB both of EDF resources and of its own resources must be guided more by development considerations ; calls in particular for risk capital not to be used for operations managed by public authorities ;
 11. Calls on the Commission to include in the EDF's financial statements the information required for carrying out checks on the utilization of counterpart funds ;
 12. Calls on the Commission to set up an independent Inspection Service for development cooperation as was asked for in previous discharge reports and has been called for in the 1993 budget procedure ;
 13. Instructs its President to forward this resolution containing its observations to the Commission, the Council, the Court of Auditors and the European Investment Bank and to have it published in the *Official Journal of the European Communities* (L series).
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DECISION OF THE EUROPEAN PARLIAMENT

of 22 April 1993

giving discharge to the Management Board of the European Centre for the Development of Vocational Training in respect of the implementation of its budget for the 1991 financial year

(93/370/EEC)

THE EUROPEAN PARLIAMENT,

- Having regard to the EEC Treaty and in particular Article 206b thereof,
 - Having regard to the statement of accounts of the European Centre for the Development of Vocational Training and the report of the Court of Auditors on this subject (C3-0094/93),
 - Having regard to the Council Decision of 15 March 1993 (C3-0129/93),
 - Having regard to the report of the Committee on Budgetary Control (A3-0119/93),
1. Notes the following figures for the accounts of the European Centre for the Development of Vocational Training :

1991 Financial Year

(in ecus)

Revenue

1. Subsidy from the Commission	9 890 231,41
2. Bank interests	101 779,13
3. Other	11 933,69

Expenditure

1. Final budget appropriations	10 390 000,00
2. Commitments	10 003 944,23
3. Unused appropriations	386 055,77
4. Payments	7 933 193,56
5. Carry-overs from 1990	1 523 027,16
6. Payments against appropriations carried over	1 248 657,66
7. Appropriations carried over and cancelled (5 - 6)	274 369,50
8. Carry-overs to 1992	2 070 750,67
9. Cancellations (1 - 4 - 8)	386 055,77

- 2. Notes that the Management Board commissioned an initial assessment of the Centre's operation from an outside management consultant in 1992 (Mallet report);
- 3. Notes that the Mallet report identifies weaknesses in the procedures for concluding contracts and further notes that, over the last four years, only some 5 % of all study contracts involved amounts requiring reference to the Management Board;
- 4. Notes further, with surprise, that the bulk of the study contracts relating to the comparability of vocational training qualifications were awarded to a body based outside the Community;
- 5. Calls upon the Centre actively to elicit the widest possible range of suitable applicants to ensure balance in the award of study contracts;
- 6. Urges the Management Board to commission a comprehensive study during 1993 aimed at ascertaining the extent to which the Centre fulfils its statutory goals and at recommending possible improvements to existing arrangements, focusing on the demand for and policy- and cost-effectiveness of the Centre's various products, on the division of labour between in-house staff and outside consultants, and on internal evaluation procedures, and to communicate the report to Parliament;

7. Calls upon Council to take a decision without further delay on the proposed new Financial Regulation for the Centre ;
8. Gives discharge to the Management Board of the European Centre for the Development of Vocational Training, in respect of the implementation of its budget for the 1991 financial year, on the basis of the report of the Court of Auditors ;
9. Instructs its President to forward this Decision to the Management Board of the European Centre for the Development of Vocational Training, the Council, the Commission and the Court of Auditors and to have it published in the *Official Journal of the European Communities* (L-series).

Done at Strasbourg, 22 April 1993.

The Secretary-General

Enrico VINCI

The President

Dr Egon KLEPSCH

DECISION OF THE EUROPEAN PARLIAMENT

of 22 April 1993

giving discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the 1991 financial year

(93/371/EEC)

THE EUROPEAN PARLIAMENT,

- Having regard to the EEC Treaty and in particular Article 206b thereof,
- Having regard to the statement of accounts of the European Foundation for the Improvement of Living and Working Conditions and the report of the Court of Auditors on this subject (C3-0141/93),
- Having regard to the Council Decision of 15 March 1993 (C3-0128/93),
- Having regard to the report of the Committee on Budgetary Control (A3-0118/93),
- 1. Notes the following figures for the accounts of the European Foundation for the Improvement of Living and Working Conditions :

1991 Financial Year

(in ecus)

Revenue

1. Subsidy from the Commission	8 551 685,69
2. Bank interest	190 113,06
3. Other	108 539,94

Expenditure

- | | |
|--|--------------|
| 1. Final budget appropriations | 8 950 000,00 |
| 2. Commitments | 8 899 652,01 |
| 3. Unused appropriations | 50 347,99 |
| 4. Payments | 6 835 435,20 |
| 5. Carry-overs from 1990 | 1 253 675,61 |
| 6. Payments against appropriations carried over | 1 201 920,48 |
| 7. Appropriations carried over and cancelled (5 – 6) | 1 755,13 |
| 8. Carry-overs to 1992 | 2 064 216,81 |
| 9. Cancellations (1 – 4 – 8) | 50 347,99 |
- 2. Calls upon the Foundation to seek to bring to a satisfactory conclusion during 1993 the negotiations with the Irish authorities concerning the ownership of the land on which the Foundation's new building is located ;
 - 3. Calls upon the Council to take a decision without further delay on the proposed new Financial Regulation for the Foundation ;
 - 4. Asks the Foundation to act upon the Court of Auditors' recommendations that it continue to harmonize its management and accounting procedures with those of the Community institutions, that its budget nomenclature be supplemented in line with developments in the general budget of the Communities and that the provisions of the regulations concerning transfers of appropriations be rendered effective ;
 - 5. Calls upon the Foundation to submit to Parliament by 15 December 1993 a report on its management of contracts with external consultants over the last decade ;

6. Gives discharge to the European Foundation for the Improvement of Living and Working Conditions, in respect of the implementation of its budget for the 1991 financial year, on the basis of the report of the Court of Auditors;
7. Instructs its President to forward this Decision to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions, the Council, the Commission and the Court of Auditors and to have it published in the *Official Journal of the European Communities* (L series).

Done at Strasbourg, 22 April 1993.

The Secretary-General

Enrico VINCI

The President

Dr Egon KLEPSCH

COMMISSION

COMMISSION DECISION

of 24 June 1993

concerning protection measures in relation to foot-and-mouth disease in Bulgaria, amending for the third time Decision 93/242/EEC and repealing Decision 93/343/EEC

(93/372/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽¹⁾, as last amended by Council Directive 92/438/EEC⁽²⁾, and in particular Article 18 (7) thereof,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽³⁾, as last amended by Directive 92/118/EEC⁽⁴⁾, and in particular Article 19 (7) thereof,

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

Whereas an outbreak of foot-and-mouth disease has been confirmed in Bulgaria;

Whereas the Commission has sent a mission to Bulgaria to examine the foot-and-mouth disease situation;

Whereas there has been only one outbreak of foot-and-mouth disease in Bulgaria and the disease has been confined to a certain part of the territory of Bulgaria; whereas the protection measures introduced by Commission Decision 93/343/EEC of 4 June 1993, concerning protection measures in relation to foot-and-mouth disease

in Bulgaria and amending Commission Decision 93/242/EEC⁽⁶⁾, can now be confined to certain parts of the territory of Bulgaria;

Whereas it is necessary to add certain districts of Bulgaria to Annex B of Commission Decision 93/242/EEC of 30 April 1993 concerning the importation into the Community of certain live animals and their products originating from certain European countries in relation to foot-and-mouth disease⁽⁷⁾;

Whereas for reasons of legal clarity it is necessary to repeal Commission Decision 93/343/EEC;

Whereas this Decision is in accordance with the opinion of the Standing Veterinary Committee,

HAS DECIDED AS FOLLOWS:

Article 1

1. Member States shall not authorize the introduction into the territory of the Community of live animals of the bovine, ovine, caprine, porcine and other biungulate species, originating in or coming via the following districts of Bulgaria: Plovdiv, Smolian, Stara Zagora, Hasskova, Kardjali, Sliven, Jambol, Bourgas.

2. Member States shall not send live animals of the bovine, ovine, caprine, porcine and other biungulate species to other Member States via the districts of Bulgaria, listed in paragraph 1.

Article 2

Member States shall not authorize the importation of products of the bovine, ovine, caprine, porcine and other biungulate species originating in the districts of Bulgaria listed in Article 1 (1).

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽²⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽³⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁵⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽⁶⁾ OJ No L 137, 8. 6. 1993, p. 31.

⁽⁷⁾ OJ No L 110, 4. 5. 1993, p. 36.

Article 3

Annex B of Decision 93/242/EEC is replaced by the Annex to this Decision.

Article 5

This Decision is addressed to the Member States.

Done at Brussels, 24 June 1993.

Article 4

Commission Decision 93/343/EEC is hereby repealed.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX**ANNEX B*

COUNTRIES OR PARTS OF COUNTRIES SUBJECT TO RESTRICTIONS IN CHAPTER II

- Slovenia
 - The Czech Republic
 - The Slovak Republic
 - Hungary
 - Romania
 - Poland⁽²⁾
 - Estonia
 - Bulgaria⁽³⁾
 - Lithuania
 - The former Yugoslav Republic of Macedonia⁽³⁾
 - Latvia
-

⁽²⁾ For fresh meat and meat products only.

⁽³⁾ Applicable only to the following districts of Bulgaria: Vidin, Kustendil, Rousse, Mihailovgrad, Blagoevgrad, Razgrad, Vratza, Pasardjik, Targovichte, Plevén, Silistra, Sofia, Lovetch, Choumen, Sofia-City, Veliko Tarnovo, Tolbouhin, Pernik, Gabrovo, Varna.

CORRIGENDA

Corrigendum to Commission Regulation (EEC) No 1283/93 of 27 May 1993 laying down detailed rules for the application of the import arrangements provided for by Council Regulation (EEC) No 929/93 in the beef and veal sector

(Official Journal of the European Communities No L 131 of 28 May 1993)

On page 37, in Article 2 (2), second subparagraph :

for: '... not less than 40 g/m² and shall be white.'

read: '... not less than 40 g/m²'.

Corrigendum to Commission Regulation (EEC) No 1600/93 of 24 June 1993 fixing the export refunds on milk and milk products

(Official Journal of the European Communities No L 153 of 25 June 1993)

In the Annex, against product code 0406 90 35 190, destination '404', in the column headed 'Amount of refund' :

for: '81,32',

read: '81,23'.
