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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1836/93**of 29 June 1993****allowing voluntary participation by companies in the industrial sector in a
Community eco-management and audit scheme**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130s thereof,

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

Having regard to the opinion of the European Parliament ⁽²⁾,

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

Whereas the objectives and principles of the Community's environment policy, as set out in the Treaty and detailed in the resolution of the Council of the European Communities and the representatives of the Governments of the Member States, meeting within the Council of 1 February 1993 on a Community programme of policy and action in relation to the environment and sustainable development ⁽⁴⁾, as well as in the preceding resolutions of 1973 ⁽⁵⁾, 1977 ⁽⁶⁾, 1983 ⁽⁷⁾ and 1987 ⁽⁸⁾ on a policy and action programme of the Community regarding the protection of the environment are, in particular, to prevent, reduce and as far as possible eliminate pollution, particularly at source on the basis of the polluter pays principle, to ensure sound management of resources and to use clean or cleaner technology;

Whereas Article 2 of the Treaty, as it will read according to the Treaty on the European Union signed at Maastricht on 7 February 1992, stipulates that the Community shall have among its tasks to promote throughout the Community sustainable growth and the Council resolution of 1 February 1993 stresses the importance of such sustainable growth;

Whereas the programme 'Towards Sustainability', presented by the Commission and approved as to its general approach by the Council resolution of 1 February 1993, underlines the role and responsibilities of com-

panies, both to reinforce the economy and to protect the environment throughout the Community;

Whereas industry has its own responsibility to manage the environmental impact of its activities and should therefore adopt a pro-active approach in this field;

Whereas this responsibility calls for companies to establish and implement environmental policies, objectives and programmes and effective environmental management systems; whereas companies should adopt an environmental policy which, in addition to providing for compliance with all relevant regulatory requirements regarding the environment, must include commitments aimed at the reasonable continuous improvement of environmental performance;

Whereas the application of environmental management systems by companies shall take account of the need to ensure awareness and training of workers in the establishment and implementation of such systems;

Whereas environmental management systems should include environmental auditing procedures to help management assess compliance with the system and the effectiveness of the system in fulfilling the company's environmental policy;

Whereas the provision of information to the public, by companies, on the environmental aspects of their activities is an essential element of good environmental management and a response to the growing interest of the public in information on this subject;

Whereas companies should therefore be encouraged to produce and disseminate periodic environmental statements containing information for the public on the factual environmental situation in their industrial sites and on their environmental policies, programmes, objectives and management system;

Whereas the transparency and credibility of companies' activities in this field are enhanced when the companies' environmental policies, programmes, management

⁽¹⁾ OJ No C 120, 30. 4. 1993, p. 3.

⁽²⁾ OJ No C 42, 15. 2. 1993, p. 44.

⁽³⁾ OJ No C 332, 16. 12. 1992, p. 44.

⁽⁴⁾ Not yet published in the Official Journal.

⁽⁵⁾ OJ No C 112, 20. 12. 1973, p. 1.

⁽⁶⁾ OJ No C 139, 13. 6. 1977, p. 1.

⁽⁷⁾ OJ No C 46, 17. 2. 1983, p. 1.

⁽⁸⁾ OJ No C 70, 18. 3. 1987, p. 1.

systems, audit procedures and environmental statements are examined to verify that they meet the relevant requirements of this Regulation and when the environmental statements are validated by accredited environmental verifiers ;

Whereas it is necessary to provide for an independent and neutral accreditation and supervision of environmental verifiers in order to ensure the credibility of the scheme ;

Whereas companies should be encouraged to participate in such a scheme on a voluntary basis ; whereas, in order to ensure an equal implementation of the scheme throughout the Community, the rules, procedures and essential requirements have to be the same in each Member State ;

Whereas a Community eco-management and audit scheme should at the first stage focus on the industrial sector where environmental management systems and environmental auditing are already practised ; whereas it is desirable to apply on an experimental basis similar provisions to sectors outside industry such as the distributive trades and the public service ;

Whereas, in order to avoid unjustified burdens on companies and to ensure consistency between the Community scheme and national, European and international standards for environmental management systems and audits, those standards recognized by the Commission according to an appropriate procedure shall be considered as meeting the corresponding requirements of this Regulation and companies should not be required to duplicate the relevant procedures ;

Whereas it is important that small and medium-sized companies participate in the Community eco-management and audit scheme and that their participation should be promoted by establishing or promoting technical assistance measures and structures aimed at providing such firms with the expertise and support needed ;

Whereas the Commission should, according to a Community procedure, adapt the Annexes to this Regulation, recognize national, European and international standards for environmental management systems, establish guidelines for setting the environmental audit frequency and promote collaboration between Member States regarding the accreditation and supervision of environmental verifier ;

Whereas this Regulation should be revised in the light of experience gained after a certain period of operation,

HAS ADOPTED THIS REGULATION :

Article 1

The eco-management and audit scheme and its objectives

1. A Community scheme allowing voluntary participation by companies performing industrial activities, hereinafter referred to as the 'Community eco-

management and audit scheme' or 'the scheme', is hereby established for the evaluation and improvement of the environmental performance of industrial activities and the provision of the relevant information to the public.

2. The objective of the scheme shall be to promote continuous improvements in the environmental performance of industrial activities by :

- (a) the establishment and implementation of environmental policies, programmes and management systems by companies, in relation to their sites ;
- (b) the systematic, objective and periodic evaluation of the performance of such elements ;
- (c) the provision of information of environmental performance to the public.

3. The scheme shall be without prejudice to existing Community or national laws or technical standards regarding environmental controls and without prejudice to the duties of companies under those laws and standards.

Article 2

Definitions

For the purposes of this Regulation :

- (a) *environmental policy* shall mean the company's overall aims and principles of action with respect to the environment including compliance with all relevant regulatory requirements regarding the environment ;
- (b) *environmental review* shall mean an initial comprehensive analysis of the environmental issues, impact and performance related to activities at a site ;
- (c) *environmental programme* shall mean a description of the company's specific objectives and activities to ensure greater protection of the environment at a given site, including a description of the measures taken or envisaged to achieve such objectives and where appropriate the deadlines set for implementation of such measures ;
- (d) *environmental objectives* shall mean the detailed goals, in terms of environmental performance, which a company sets itself ;
- (e) *environmental management system* shall mean that part of the overall management system which includes the organizational structure, responsibilities practices, procedures, processes and resources for determining and implementing the environmental policy ;
- (f) *environmental audit* shall mean a management tool comprising a systematic, documented, periodic and objective evaluation of the performance of the organization, management system and processes designed to protect the environment with the aim of :
 - (i) facilitating management control of practices which may have impact on the environment ;

- (ii) assessing compliance with company environmental policies ;
- (g) *audit cycle* shall mean the period of time in which all the activities in a given site are audited, according to the requirements of Article 4 and Annex II, on all the relevant environmental aspects mentioned in Annex I.C ;
- (h) *environmental statement* shall mean a statement prepared by the company in line with the requirements of this Regulation and, in particular, of Article 5 ;
- (i) *industrial activity* shall mean any activity listed under sections C and D of the classification of economic activities in the European Community (NACE rev. 1) as established by Council Regulation (EEC) No 3037/90 ⁽¹⁾, with the addition of electricity, gas, steam, and hot water production and the recycling, treatment, destruction or disposal of solid or liquid waste ;
- (j) *company* shall mean the organization which has overall management control over activities at a given site ;
- (k) *site* shall mean all land on which the industrial activities under the control of a company at a given location are carried out, including any connected or associated storage of raw materials, by-products, intermediate products, end products and waste material, and any equipment and infrastructure involved in the activities, whether or not fixed ;
- (l) *auditor* shall mean a individual or a team, belonging to company personnel or external to the company, acting on behalf of company top management, possessing, individually or collectively, the competencies referred to in Annex II paragraph C and being sufficiently independent of the activities they audit to make an objective judgement ;
- (m) *accredited environmental verifier* shall mean any person or organization independent of the company being verified, who has obtained accreditation, in line with the conditions and procedures referred to in Article 6 ;
- (n) *accreditation system* shall mean a system for the accreditation and supervision of environmental verifiers operated by an impartial institution or organization designated or created by the Member State, with sufficient resources and competency and having appropriate procedures for performing the functions defined by this Regulation for such a system ;
- (o) *competent bodies* shall mean the bodies designated by Member States, in line with Article 18, to perform the tasks mentioned in this Regulation.

Article 3

Participation in the scheme

The scheme is open to companies operating a site or sites where an industrial activity is performed. In order for a site to be registered in the scheme the company must :

- (a) adopt a company environmental policy, in accordance with the relevant requirements in Annex I, which, in addition to providing for compliance with all relevant regulatory requirements regarding the environment, must include commitments aimed at the reasonable continuous improvement of environmental performance, with a view to reducing environmental impacts to levels not exceeding those corresponding to economically viable application of best available technology ;
- (b) conduct an environmental review of the site on the aspects referred to in Annex I, part C ;
- (c) introduce, in the light of the results of that review, an environmental programme for the site and an environmental management system applicable to all activities at the site. The environmental programme will be aimed at achieving the commitments contained in the company environmental policy towards continuous improvement of environmental performance. The environmental management system must comply with the requirements of Annex I ;
- (d) carry out, or cause to be carried out, in accordance with Article 4, environmental audits at the sites concerned ;
- (e) set objectives at the highest appropriate management level, aimed at the continuous improvement of environmental performance in the light of the findings of the audit, and appropriately revise the environmental programme to enable the set objectives to be achieved at the site ;
- (f) prepare, in accordance with Article 5, an environmental statement specific to each site audited. The first statement must also include the information referred to in Annex V ;
- (g) have the environmental policy, programme, management system, review or audit procedure and environmental statement or statements examined to verify that they meet the relevant requirements of this Regulation and the environmental statements validated in accordance with Article 4 and Annex III ;
- (h) forward the validated environmental statement to the competent body of the Member State where the site is located and disseminate it as appropriate to the public in that State after registration of the site in question in accordance with Article 8.

⁽¹⁾ OJ No L 293, 24. 10. 1990, p. 1.

Article 4

Auditing and validation

1. The internal environmental audit of a site may be conducted by either auditors belonging to the company or external persons or organizations acting on its behalf. In both cases the audit shall be performed in line with the criteria set out in part C of Annex I and in Annex II.

2. The audit frequency shall be determined in accordance with the criteria set out in Annex II H on the basis of guidelines established by the Commission in accordance with the procedure laid down in Article 19.

3. The environmental policies, programmes, management systems, reviews or audit procedures and the environmental statements shall be examined to verify that they meet the requirements of this Regulation, and the environmental statements shall be validated, by the independent accredited environmental verifier, on the basis of Annex III.

4. The accredited environmental verifier must be independent of the site's auditor.

5. For the purposes of paragraph 3 and without prejudice to the competence of the enforcement authorities in the Member States with regard to regulatory requirements, the accredited environmental verifier shall check :

- (a) whether the environmental policy has been established and if it meets the requirements of Article 3 and the relevant requirements in Annex I;
- (b) whether an environmental management system and programme are in place and operational at the site and whether they comply with the relevant requirements in Annex I;
- (c) whether the environmental review and audit are carried out in accordance with the relevant requirements in Annex I and II;
- (d) whether the data and information in the environmental statement are reliable and whether the statement adequately covers all the significant environmental issues of relevance to the site.

6. The environmental statement shall be validated by the accredited environmental verifier only if the conditions referred to in paragraphs 3 to 5 are met.

7. External auditors and accredited environmental verifiers shall not divulge, without authorization from the company management, any information or data obtained in the course of their auditing or verification activities.

Article 5

Environmental statement

1. An environmental statement shall be prepared following in initial environmental review and the comple-

tion of each subsequent audit or audit cycle for every site participating in the scheme.

2. The environmental statement shall be designed for the public and written in a concise, comprehensible form. Technical material may be appended.

3. The environmental statement shall include, in particular, the following :

- (a) a description of the company's activities at the site considered ;
- (b) an assessment of all the significant environmental issues of relevance to the activities concerned ;
- (c) a summary of the figures on pollutant emissions, waste generation, consumption of raw material, energy and water, noise and other significant environmental aspects, as appropriate ;
- (d) other factors regarding environmental performance ;
- (e) a presentation of the company's environmental policy, programme and management system implemented at the site considered ;
- (f) the deadline set for submission of the next statement ;
- (g) the name of the accredited environmental verifier.

4. The environmental statement shall draw attention to significant changes since the previous statement.

5. A simplified environmental statement shall be prepared annually in intervening years, based as a minimum on the requirements set out in paragraph 3 (c) and drawing attention where appropriate to significant changes since the previous statement. Such simplified statements will require validation only at the end of the audit or audit cycle.

6. The annual preparation of environmental statements will, however, not be required for sites :

- where the accredited environmental verifier considers, in particular in the case of small and medium-sized enterprises, that the nature and scale of the operations at the site are such that no further environmental statement is required until completion of the next audit, and
- where there have been few significant changes since the last environmental statement.

Article 6

Accreditation and supervision of environmental verifiers

1. Member States shall each establish a system for the accreditation of independent environmental verifiers and for the supervision of their activities. To this end, Member States may either use existing accreditation institutions or the competent bodies referred to in Article 18, or designate or set up any other body with an appropriate status.

Member States shall ensure that the composition of these systems is such as to guarantee their independence and neutrality in the execution of their tasks.

2. Member States shall ensure that these systems are fully operational within 21 months following the date of entry into force of this Regulation.

3. Member States shall ensure appropriate consultation of parties involved, in setting up and directing the accreditation systems.

4. The accreditation of environmental verifiers and supervision of their activities shall be in accordance with the requirements of Annex III.

5. Member States shall inform the Commission of the measures taken pursuant to this Article.

6. The Commission shall, in accordance with the procedure laid down in Article 19, promote collaboration between Member States in order in particular to:

- avoid inconsistency between the criteria, conditions and procedures they apply for the accreditation of environmental verifiers,
- facilitate the supervision of the activities of environmental verifiers in Member States other than those where they have obtained their accreditation.

7. Environmental verifiers accredited in one Member State may perform verification activities in any other Member State, subject to prior notification to, and subject to supervision of, the accreditation system of the Member State where the verification takes place.

Article 7

List of accredited environmental verifiers

The accreditation systems shall establish, revise and update a list of accredited environmental verifiers in each Member State and shall communicate this list every six months to the Commission.

The Commission shall publish an overall Community list in the *Official Journal of the European Communities*.

Article 8

Registration of sites

1. The competent body shall register a site and give it a registration number once it has received a validated environmental statement and any registration fee that may be payable under Article 11 and it is satisfied that the site

meets all the conditions of this Regulation. It shall inform the site management that the site appears on the register.

2. The competent body shall update the list of sites referred to in paragraph 1 annually.

3. If a company fails to submit a validated environmental statement and registration fee to the competent body within three months of being required to do so or if at any time the competent body concludes that the site is no longer complying with all the conditions of this Regulation, the site shall be deleted from the register and the site management shall be so informed.

4. If a competent body is informed by the competent enforcement authority of a breach at the site of relevant regulatory requirements regarding the environment, it shall refuse registration of that site or suspend it from the register as the case may be and inform the site management thereof.

Refusal or suspension shall be lifted if the competent body has received satisfactory assurances from the competent enforcement authority that the breach has been rectified and that satisfactory arrangements are in place to ensure that it does not recur.

Article 9

Publication of the list of registered sites

The competent bodies directly, or via the national authorities as decided by the Member State concerned, shall communicate to the Commission before the end of each year the lists referred to in Article 8 and updates thereof.

Each year the Commission shall publish in the *Official Journal of the European Communities* a list of all the registered sites in the Community.

Article 10

Statement of participation

1. Companies may use for their registered site(s), one of the statements of participation listed in Annex IV, which are designed to bring out clearly the nature of the scheme.

The graphic may not be used without one of the accompanying statements of participation.

2. The names of the site(s) must be given where appropriate with the statement of participation.

3. The statement of participation may not be used to advertise products, or on the products themselves or on their packaging.

Article 11

Costs and fees

A system of fees in accordance with modalities established by Member States may be set up for the administrative costs incurred in connection with the registration procedures for sites and the accreditation of environmental verifiers and the promotional costs of the scheme.

Article 12

Relationship with national, European and international standards

1. Companies implementing national, European or international standards for environmental management systems and audits and certified, according to appropriate certification procedures, as complying with those standards shall be considered as meeting the corresponding requirements of this Regulation, provided that:

- (a) the standards and procedures are recognized by the Commission acting in accordance with the procedure laid down in Article 19;
- (b) the certification is undertaken by a body whose accreditation is recognized in the Member State where the site is located.

The references of the recognized standards and criteria shall be published in the *Official Journal of the European Communities*.

2. To enable such sites to be registered under the scheme, the companies concerned must in all cases meet the requirements regarding the environmental statement in Articles 3 and 5 including validation and the requirements in Article 8.

Article 13

Promotion of companies' participation, in particular of small and medium-sized enterprises

1. Member States may promote companies' participation in the eco-management and audit scheme, in particular the participation of small and medium-sized enterprises, by establishing or promoting technical assistance measures and structures, aimed at providing such firms with the expertise and support needed in order to comply with the rules, conditions and procedures defined by this Regulation and, in particular, to set up environmental policies, programmes and management systems, conduct audits and prepare and validate statements.

2. The Commission shall present appropriate proposals to the Council aiming at greater participation in the scheme by small and medium-sized enterprises, in

particular by providing information, training and structural and technical support, and concerning auditing and verification procedures.

Article 14

Inclusion of other sectors

The Member States may, on an experimental basis, apply provisions analogous to the eco-management and audit scheme to sectors outside industry, e.g. the distributive trades and public service.

Article 15

Information

Each Member State shall ensure by appropriate means that:

- companies are informed of the content of this Regulation,
- the public is informed of the objectives and principal arrangements of the system.

Article 16

Infringements

Member States shall take appropriate legal or administrative measures in case of non-compliance with the provisions of this Regulation.

Article 17

Annexes

The Annexes to this Regulation shall be adapted by the Commission, acting in accordance with the procedure of Article 19 in the light of experience gained in the operation of the scheme.

Article 18

Competent bodies

1. Within 12 months of the entry into force of this Regulation, each Member State shall designate the competent body responsible for carrying out the tasks provided for in this Regulation, particularly in Articles 8 and 9, and shall inform the Commission thereof.

2. Member States shall ensure that the composition of the competent bodies is such as to guarantee their independence and neutrality, and that the competent bodies apply the provisions of this Regulation in a consistent manner. The competent bodies shall, in particular, have procedures for considering observations from interested parties concerning registered sites, or deletion or suspension of sites from registration.

*Article 19***Committee**

1. The Commission shall be assisted by a committee composed of the representatives of the Member States and chaired by the representative of the Commission.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

3. (a) The Commission shall adopt the measures envisaged if they are in accordance with the opinion of the committee.

(b) If the measures envisaged are not in accordance with the opinion of the committee, or if no opinion is delivered, the Commission shall,

without delay, submit to the Council a proposal relating to the measures to be taken. The Council shall act by a qualified majority.

If the Council has not acted within three months of the date of referral to it, the proposed measures shall be adopted by the Commission.

*Article 20***Revision**

Not more than five years after the entry into force of this Regulation, the Commission shall review the scheme in the light of the experience gained during its operation and shall, if necessary, propose to the Council the appropriate amendments, particularly concerning the scope of the scheme and the possible introduction of a logo.

*Article 21***Entry into force**

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

It shall apply 21 months after publication.

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

Done at Luxembourg, 29 June 1993.

For the Council

The President

S. AUKEN

*ANNEX I***REQUIREMENTS CONCERNING ENVIRONMENTAL POLICIES, PROGRAMMES AND MANAGEMENT SYSTEMS****A. Environmental policies, objectives and programmes**

1. The company environmental policy, and the programme for the site, shall be established in writing. Associated documents will explain how the environmental programme and the management system at the site relate to the policy and systems of the company as a whole.
2. The company environmental policy shall be adopted and periodically reviewed, in particular in the light of environmental audits, and revised as appropriate, at the highest management level. It shall be communicated to the company's personnel and be publicly available.
3. The company's environmental policy shall be based on the principles of action in section D.

The policy will aim, in addition to providing for compliance with all relevant regulatory requirements regarding the environment, at the continual improvement of environmental performance.

The environmental policy and the programme for the site shall address, in particular, the issues in section C.

4. *Environmental objectives*

The company shall specify its environmental objectives at all relevant levels within the company.

The objectives shall be consistent with the environmental policy and shall quantify wherever practicable the commitment to continual improvement in environmental performance over defined time-scales.

5. *Environmental programme for the site*

The company shall establish and maintain a programme for achieving the objectives at the site. It shall include :

- (a) designation of responsibility for objectives at each function and level of the company ;
- (b) the means by which they are to be achieved.

Separate programmes shall be established in respect of the environmental management of projects relating to new developments, or to new or modified products, services or processes, to define :

1. the environmental objectives to be attained ;
2. the mechanisms for their achievement ;
3. the procedures for dealing with changes and modifications as projects proceed ;
4. the corrective mechanisms which shall be employed should the need arise, how they shall be activated and how their adequacy shall be measured in any particular situation in which they are applied.

B. Environmental management systems

The environmental management system shall be designed, implemented and maintained in such a way as to ensure the fulfilment of the requirements defined below.

1. *Environmental policy, objectives and programmes*

The establishment and periodical review, and revision as appropriate, of the company's environmental policy, objectives and programmes for the site, at the highest appropriate management level.

2. *Organization and personnel*

Responsibility and authority

Definition and documentation of responsibility, authority and interrelations of key personnel who manage, perform and monitor work affecting the environment.

Management representative

Appointment of a management representative having authority and responsibility for ensuring that the management system is implemented and maintained.

Personnel, communication and training

Ensuring among personnel, at all levels, awareness of:

- (a) the importance of compliance with the environmental policy and objectives, and with the requirements applicable under the management system established;
- (b) the potential environmental effects of their work activities and the environmental benefits of improved performance;
- (c) their roles and responsibilities in achieving compliance with the environmental policy and objectives, and with the requirements of the management system;
- (d) the potential consequences of departure from the agreed operating procedures.

Identifying training needs, and providing appropriate training for all personnel whose work may have a significant effect upon the environment.

The company shall establish and maintain procedures for receiving, documenting and responding to communications (internal and external) from relevant interested parties concerning its environmental effects and management.

3. *Environmental effects*

Environmental effects evaluation and registration

Examining and assessing the environmental effects of company's activities at the site, and compiling a register of those identified as significant. This shall include, where appropriate, consideration of:

- (a) controlled and uncontrolled emissions to atmosphere;
- (b) controlled and uncontrolled discharges to water or sewers;
- (c) solid and other wastes, particularly hazardous wastes;
- (d) contamination of land;
- (e) use of land, water, fuels and energy, and other natural resources;
- (f) discharge of thermal energy, noise, odour, dust, vibration and visual impact;
- (g) effects on specific parts of the environment and ecosystems.

This shall include effects arising, or likely to arise, as consequences of:

- 1. normal operating conditions;
- 2. abnormal operating conditions;
- 3. incidents, accidents and potential emergency situations;
- 4. past activities, current activities and planned activities.

Register of legislative, regulatory and other policy requirements

The company shall establish and maintain procedures to record all legislative, regulatory and other policy requirements pertaining to the environmental aspects of its activities, products and services.

4. *Operational control*

Establishment of operating procedures

Identification of functions, activities and processes which affect, or have the potential to affect, the environment, and are relevant to the company's policy and objectives.

Planning and control of such functions, activities and processes, and with particular attention to:

- (a) documented work instructions defining the manner of conducting the activity, whether by the company's own employees or by others acting on its behalf. Such instructions shall be prepared for situations in which the absence of such instructions could result in infringement of the environmental policy;
- (b) procedures dealing with procurement and contracted activities, to ensure that suppliers and those acting on the company's behalf comply with the company's environmental policy as it relates to them;
- (c) monitoring and control of relevant process characteristics (e.g. effluent streams and waste disposal);
- (d) approval of planned processes and equipment;
- (e) criteria for performance, which shall be stipulated in written standards.

Monitoring

Monitoring by the company of meeting the requirements established by the company's environmental policy, programme and management system for the site ; and for establishing and maintaining records of the results.

For each relevant activity or area, this implies :

- (a) identifying and documenting the monitoring information to be obtained ;
- (b) specifying and documenting the monitoring procedures to be used ;
- (c) establishing and documenting acceptance criteria and the action to be taken when results are unsatisfactory ;
- (d) assessing and documenting the validity of previous monitoring information when monitoring systems are found to be malfunctioning.

Non-compliance and corrective action

Investigation and corrective action, in case of non-compliance with company's environmental policy, objectives or standards, in order to :

- (a) determine the cause ;
- (b) draw up a plan of action ;
- (c) initiate preventive actions, to a level corresponding to the risks encountered ;
- (d) apply controls to ensure that any preventive actions taken are effective ;
- (e) record any changes in procedures resulting from corrective action.

5. *Environmental management documentation records*

Establishing documentation with a view to :

- (a) present in a comprehensive way the environmental policy, objectives, and programme ;
- (b) document the key roles and responsibilities ;
- (c) describe the interactions of system elements.

Establishing records in order to demonstrate compliance with the requirements of the environmental management system, and to record the extent to which planned environmental objectives have been met.

6. *Environmental audits*

Management, implementation and review of a systematic and periodical programme concerning :

- (a) whether or not environmental management activities conform to the environmental programme, and are implemented effectively ;
- (b) the effectiveness of the environmental management system in fulfilling the company's environmental policy.

C. **Issues to be covered**

The following issues shall be addressed, within the framework of the environmental policy and programmes and of environmental audits.

1. Assessment, control, and reduction of the impact of the activity concerned on the various sectors of the environment.
2. Energy management, savings and choice.
3. Raw materials management, savings, choice and transportation ; water management and savings.
4. Waste avoidance, recycling, reuse, transportation and disposal.
5. Evaluation, control and reduction of noise within and outside the site.
6. Selection of new production processes and changes to production processes.
7. Product planning (design, packaging, transportation, use and disposal).
8. Environmental performance and practices of contractors, subcontractors and suppliers.
9. Prevention and limitation of environmental accidents.
10. Contingency procedures in cases of environmental accidents.
11. Staff information and training on environmental issues.
12. External information on environmental issues.

D. Good management practices

The company's environmental policy shall be based on the principles of action set out below ; the activities of the company shall be checked regularly to see if they are consistent with these principles and that of continual improvement in environmental performance.

1. A sense of responsibility for the environment amongst employees at all levels, shall be fostered.
 2. The environmental impact of all new activities, products and processes shall be assessed in advance.
 3. The impact of current activities on the local environment shall be assessed and monitored, and any significant impact of these activities on the environment in general, shall be examined.
 4. Measures necessary to prevent or eliminate pollution, and where this is not feasible, to reduce pollutant emissions and waste generation to the minimum and to conserve resources shall be taken, taking account of possible clean technologies.
 5. Measures necessary to prevent accidental emissions of materials or energy shall be taken.
 6. Monitoring procedures shall be established and applied, to check compliance with the environmental policy and, where these procedures require measurement and testing, to establish and update records of the results.
 7. Procedures and action to be pursued in the event of detection of non-compliance with its environmental policy, objectives or targets, shall be established and updated.
 8. Cooperation with the public authorities shall be ensured to establish and update contingency procedures to minimize the impact of any accidental discharges to the environment that nevertheless occur.
 9. Information necessary to understand the environmental impact of the company's activities shall be provided to the public, and an open dialogue with the public should be pursued.
 10. Appropriate advice shall be provided to customers on the relevant environmental aspects of the handling, use and disposal of the products made by the company.
 11. Provisions shall be taken to ensure that contractors working at the site on the company's behalf apply environmental standards equivalent to the company's own.
-

*ANNEX II***REQUIREMENTS CONCERNING ENVIRONMENTAL AUDITING**

The audit will be planned and executed in the light of the relevant guidelines in the ISO 10011 international standard (1990, Part 1, in particular paragraphs 4.2, 5.1, 5.2, 5.3, 5.4.1, 5.4.2) and other relevant international standards, and within the framework of the specific principles and requirements of this Regulation^(*).

In particular :

A. Objectives

The site's environmental auditing programmes will define in writing the objectives of each audit or audit cycle including the audit frequency for each activity.

The objectives must include, in particular, assessing the management systems in place, and determining conformity with company policies and the site programme, which must include compliance with relevant environmental regulatory requirements.

B. Scope

The overall scope of the individual audits, or of each stage of an audit cycle where appropriate, must be clearly defined and must explicitly specify the :

1. subject areas covered ;
2. activities to be audited ;
3. environmental standards to be considered ;
4. period covered by the audit.

Environmental audit includes assessment of the factual data necessary to evaluate performance.

C. Organization and resources

Environmental audits must be performed by persons or groups of persons with appropriate knowledge of the sectors and fields audited, including knowledge and experience on the relevant environmental management, technical, environmental and regulatory issues, and sufficient training and proficiency in the specific skills of auditing to achieve the stated objectives. The resources and time allocated to the audit must be commensurate with the scope and objectives of the audit.

The top company management shall support the auditing.

The auditors shall be sufficiently independent of the activities they audit to make an objective and impartial judgment.

D. Planning and preparation for a site audit

Each audit will be planned and prepared with the objectives, in particular, of :

- ensuring the appropriate resources are allocated,
- ensuring that each individual involved in the audit process (including auditors, site management, and staff) understands his or her role and responsibilities.

Preparation will include familiarization with activities on the site and with the environmental management system established there and review of the findings and conclusions of previous audits.

E. Audit activities

1. On-site audit activities will include discussions with site personnel, inspection of operating conditions and equipment and reviewing of records, written procedures and other relevant documentation, with the objective of evaluating environmental performance at the site by determining whether the site meets the applicable standards and whether the system in place to manage environmental responsibilities is effective and appropriate.

^(*) For the specific purpose of this Regulation, the terms of the abovementioned standard will be interpreted as follows :

- 'quality system' shall read 'environmental management system',
- 'quality standard' shall read 'environmental standard',
- 'quality manual' shall read 'environmental management manual',
- 'quality audit' shall read 'environmental audit',
- 'client' shall read 'the company's top management',
- 'auditee' shall read 'the site'.

2. The following steps, in particular, will be included in the audit process :

- (a) understanding of the management systems ;
- (b) assessing strengths and weaknesses of the management systems ;
- (c) gathering relevant evidence ;
- (d) evaluating audit findings ;
- (e) preparing audit conclusions ;
- (f) reporting audit findings and conclusions.

F. Reporting audit findings and conclusions

1. A written audit report of the appropriate form and content will be prepared by the auditors to ensure full, formal submission of the findings and conclusions of the audit, at the end of each audit and audit cycle.

The findings and conclusions of the audit must be formally communicated to the top company management.

2. The fundamental objectives of a written audit report are :

- (a) to document the scope of the audit ;
- (b) to provide management with information on the state of compliance with the company's environmental policy and the environmental progress at the site ;
- (c) to provide management with information on the effectiveness and reliability of the arrangements for monitoring environmental impacts at the site ;
- (d) to demonstrate the need for corrective action, where appropriate.

G. Audit follow-up

The audit process will culminate in the preparation and implementation of a plan of appropriate corrective action.

Appropriate mechanisms must be in place and in operation to ensure that the audit results are followed up.

H. Audit frequency

The audit will be executed, or the audit cycle will be completed, as appropriate, at intervals no longer than three years. The frequency for each activity at a site will be established by the top company management, taking account of the potential overall environmental impact of the activities at the site, and of the site's environmental programme depending, in particular, on the following elements :

- (a) nature, scale and complexity of the activities ;
 - (b) nature and scale of emissions, waste, raw material and energy consumption and, in general, of interaction with the environment ;
 - (c) importance and urgency of the problems detected, following the initial environmental review or the previous audit ;
 - (d) history of environmental problems.
-

*ANNEX III***REQUIREMENTS CONCERNING THE ACCREDITATION OF ENVIRONMENTAL VERIFIERS AND THE FUNCTION OF THE VERIFIER****A. Requirements for the accreditation of environmental verifiers****1. Accreditation criteria for environmental verifiers shall include the following :****Personnel**

The environmental verifier shall be competent in relation to the functions within the accredited scope and must demonstrate and maintain records on the qualifications, training and experience of its personnel with respect to, at least, the following :

- environmental auditing methodologies,
- management information and process,
- environmental issues,
- relevant legislation and standards including specific guidances developed for the purposes of this Regulation, and
- relevant technical knowledge of the activity subject to verification.

Independence and objectivity

A verifier shall be independent and impartial.

The environmental verifier must demonstrate that its organization and its staff are free of any commercial, financial or other pressures which might influence their judgment or endanger trust in their independence of judgment and integrity in relation to their activities, and that they comply with any rules applicable in this respect.

Verifiers complying with EN 45012, Articles 4 and 5, comply with these requirements.

Procedures

The environmental verifier shall have documented methodologies and procedures, including quality control mechanisms and confidentiality provisions, for the verification requirements of this Regulation.

Organization

In the case of organizations, the environmental verifier shall have and make available on request an organization chart detailing structures and responsibilities within the organization and a statement of legal status, ownership and funding sources.

2. Accreditation of individuals

Accreditation may be granted to individuals, limited in scope to those activities of a nature and scale for which the individual concerned possesses all the competences and experience necessary for fulfilling the task referred to in section B.

In relation to sites where such activities are performed the applicant shall demonstrate, in particular, sufficient competence and expertise on technical, and environmental and regulatory issues relevant to the scope of the accreditation, and on the verification methods and procedures. The applicant shall meet the criteria given in paragraph 1, concerning independence, objectivity and procedures.

3. Applications for accreditation

The applicant environmental verifier shall complete and sign an official application form in which the applicant declares knowledge of functioning of the accreditation system ; agrees to fulfil the accreditation procedure and pay the necessary fees ; agrees to comply with the accreditation criteria ; and, divulges previous applications or accreditations.

Applicant environmental verifiers shall receive documented descriptions of accreditation procedures and the rights and duties, including fees, of accredited environmental verifiers. Additional relevant information shall be provided to the applicant on request.

4. *The accreditation process*

The accreditation process shall include :

- (a) gathering relevant information needed for the evaluation of the applicant environmental verifier, which shall include general information such as name, address, legal status, human resources, relationship in a larger corporate entity etc., information to assess compliance with criteria specified under section 1 and to establish any limitation to the scope of the accreditation ;
- (b) assessment of the applicant by either the accreditation body staff or their appointed representatives forming a view on whether the applicant meets the accreditation criteria by reviewing submitted information and relevant work, and making additional enquiries, if necessary, which may include interviewing personnel. The applicant shall be informed of the review and be able to comment on its contents ;
- (c) a review by the accreditation body of all the evaluation material necessary to determine an accreditation ;
- (d) the decision to grant or withhold accreditation with terms and conditions or any limitations in the scope of accreditation shall be taken on the basis of the review in section (b) by the accreditation body and documented. Accreditation bodies shall have written procedures for assessing the extension of accreditation scope of accredited environmental verifiers.

5. *Supervision of accredited environmental verifiers*

Provision shall be made, at regular intervals not exceeding 36 months, to ensure that the accredited environmental verifier continues to comply with the accreditation requirements and to monitor the quality of the verifications undertaken.

The accredited environmental verifier must immediately inform the accreditation body of any changes which have bearing on the accreditation or its scope.

Any decision taken by the accreditation body to terminate or suspend accreditation or curtail the scope of accreditation shall be taken only after the accredited environmental verifier has had the possibility of a hearing.

When performing verification activities in a Member State, a verifier accredited in another Member State shall notify its activities to the accreditation organization of the Member State where the verification takes place.

6. *Extension of accredited scope*

The accreditation body shall have written procedures for assessing accredited environmental verifiers applying for an extension of accredited scope.

B. *The function of verifiers*

1. Examination of environmental policies, programmes, management systems, review and audit procedures and environmental statements, and the validation of the last, will be carried out by accredited environmental verifiers.

The function of the verifier is to check, without prejudice to the powers of Member States in respect of supervision of regulatory requirements :

- compliance with all the requirements of this Regulation, particularly concerning the environmental policy, and programme, the environmental review, the functioning of the environmental management system, the environmental audit process and the environmental statements,
- the reliability of the data and information in the environmental statement and whether the statement adequately covers all the significant environmental issues of relevance to the site.

The verifier will, in particular, investigate in a sound professional manner, the technical validity of the environmental review or audit or other procedures carried out by the company, without unnecessarily duplicating those procedures.

2. The verifier will operate on the basis of a written agreement with the company which defines the scope of the work, enables the verifier to operate in an independent professional manner and commits the company to providing the necessary cooperation.

The verification will involve examination of documentation, a visit to the site including, in particular, interviews with personnel, preparation of a report to the company management and solution of the issues raised by the report.

The documentation to be examined in advance of the site visit will include basis information about the site and activities there, the environmental policy and programme, the description of the environmental management system in operation at the site, details of the previous environmental review or audit carried out, the report on that review or audit and on any corrective action taken afterwards, and the draft environmental statement.

3. The verifier's report to the company management will specify :
 - (a) in general, cases of non-compliance with the provisions of this Regulation, and in particular ;
 - (b) technical defects in the environmental review, or audit method, or environmental management system, or any other relevant process ;
 - (c) points of disagreement with the draft environmental statement, together with details of the amendments or additions that should be made to the environmental statement.

4. The following cases can arise :

(a) If

- the environmental policy is established in conformity with the relevant requirements of this Regulation,
- the environmental review or audit appears to have been technically satisfactory,
- the environmental programme addresses all the significant issues raised,
- the environmental management system meets the requirements of Annex I and,
- the statement proves accurate, sufficiently detailed and in compliance with the requirements of the scheme,

the verifier will validate the statement.

(b) If

- the environmental policy is established in conformity with relevant requirements of this Regulation,
- the environmental review or audit appears to have been technically satisfactory,
- the environmental programme addresses all the significant issues raised,
- the environmental management system meets the requirements of Annex I, but
- the statement needs to be revised and/or completed, or the statement for an intervening year in which there has been no validation has been found to be incorrect or misleading, or there has been no statement for an intervening year in which there should have been one,

the verifier will discuss the changes needed with the company management and will not validate the statement until the company has made the appropriate additions and/or amendments to the statement, including reference if necessary to amendments required to earlier unvalidated statements, or to additional information which should have been published in intermediate years.

(c) If

- the environmental policy had not been established in conformity with the relevant requirements of this Regulation, or
- the environmental review or audit is not technically satisfactory, or,
- the environmental programme does not address all the significant issues raised, or,
- the environmental management system does not meet the requirements of Annex I,

the verifier will make the appropriate recommendations to the company's management on the improvements needed and will not validate the statement until the shortcomings in the policy and/or programmes and/or processes have been corrected, the processes repeated as far as is necessary, and the statement revised accordingly.

ANNEX IV

STATEMENTS OF PARTICIPATION

	This site has an environmental management system and its environmental performance is reported on to the public in accordance with the Community eco-management and audit scheme. (Registration No ...)
	All the sites in the Community where we carry out our industrial activities have an environmental management system and their environmental performance is reported on to the public in accordance with the Community eco-management and audit scheme. (Plus optional statement regarding practices in third countries)
	All the sites in [name(s) of the Community Member States(s)] where we carry out our industrial activities have an environmental management system and their environmental performance is reported on to the public in accordance with the Community eco-management and audit scheme.
	The following sites where we carry out our industrial activities have an environmental performance is reported on to the public in accordance with Community eco-management and audit scheme: — site name, registration number — — ...

ANNEX V

**INFORMATION TO BE PROVIDED TO THE COMPETENT BODIES AT THE TIME OF
APPLICATION FOR REGISTRATION OR SUBMISSION OF A SUBSEQUENT VALIDATED
ENVIRONMENTAL STATEMENT**

1. Name of company.
2. Name and location of the site.
3. Brief description of the activities at the site (refer to annexed documents if necessary).
4. Name and address of the accredited environmental verifier who validated the statement annexed.
5. Deadline for submission of the next validated environmental statement.

The following details must be included in the application.

- (a) A brief description of the environmental management system.
 - (b) A description of the auditing programme established for the site.
 - (c) The validated environmental statement.
-

COMMISSION REGULATION (EEC) No 1837/93
of 9 July 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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular Article 10 (5) and Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽²⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1680/93⁽³⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 8 July

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 1680/93 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 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 July 1993.

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

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 8.

ANNEX

to the Commission Regulation of 9 July 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	133,40 ⁽²⁾ ⁽³⁾
0712 90 19	133,40 ⁽²⁾ ⁽³⁾
1001 10 00	154,91 ⁽¹⁾ ⁽³⁾
1001 90 91	129,60
1001 90 99	129,60 ⁽²⁾
1002 00 00	136,81 ⁽⁶⁾
1003 00 10	126,05
1003 00 20	126,05
1003 00 80	126,05 ⁽²⁾
1004 00 00	76,59
1005 10 90	133,40 ⁽²⁾ ⁽³⁾
1005 90 00	133,40 ⁽²⁾ ⁽³⁾
1007 00 90	142,33 ⁽³⁾
1008 10 00	32,31 ⁽²⁾
1008 20 00	83,01 ⁽⁴⁾
1008 30 00	64,71 ⁽³⁾
1008 90 10	⁽⁷⁾
1008 90 90	64,71
1101 10 00	208,19 ⁽²⁾
1102 10 00	220,54
1103 11 30	245,33
1103 11 50	245,33
1103 11 90	235,16
1107 10 11	241,57
1107 10 19	183,25
1107 10 91	235,25
1107 10 99	178,53
1107 20 00	206,26

⁽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 1838/93**of 9 July 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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, 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⁽²⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93⁽³⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 8 July

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 to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 10 July 1993.

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

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 9 July 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 7	1st period 8	2nd period 9	3rd period 10
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	1,91	1,91	1,11
1001 90 99	0	1,91	1,91	1,11
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	1,57	1,57	0
1102 10 00	0	0	0	0
1103 11 30	0	0	0	0
1103 11 50	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
1107 10 11	0	3,40	3,40	1,98	1,98
1107 10 19	0	2,54	2,54	1,48	1,48
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1839/93

of 9 July 1993

amending Regulation (EEC) No 1198/92 increasing to 1 500 000 tonnes the quantity of bread-making wheat held by the French intervention agency for which a standing invitation to tender for export has been opened

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 5,

Having regard to Commission Regulation (EEC) No 1836/82 of 7 July 1982 laying down the procedure and conditions for the disposal of cereals held by the intervention agencies⁽²⁾, as last amended by Regulation (EEC) No 966/93⁽³⁾,

Whereas Commission Regulation (EEC) No 1198/93⁽⁴⁾, opened a standing invitation to tender for the export of 1 000 000 tonnes of bread-making wheat held by the French intervention agency; whereas, in a communication of 1 July 1993, France informed the Commission of the intention of its intervention agency to increase by 500 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the French intervention agency for which a standing invitation to tender for export has been opened should be increased to 1 500 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1198/93 must therefore be amended;

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

Article 2 of Regulation (EEC) No 1198/93 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 1 500 000 tonnes of bread-making wheat to be exported to all third countries. Customs export formalities must be completed during the period 1 July to 30 September 1993.
2. The regions in which the 1 500 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.

Article 2

Annex I to Regulation (EEC) No 1198/93 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽³⁾ OJ No L 98, 24. 4. 1993, p. 25.

⁽⁴⁾ OJ No L 122, 18. 5. 1993, p. 23.

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Amiens	130 000
Bordeaux	35 000
Clermont Ferrand	9 000
Châlons-sur-Marne	204 000
Dijon	51 000
Lille	187 000
Lyon	18 000
Nancy	5 000
Nantes	40 000
Orléans	510 000
Paris	65 000
Poitiers	135 000
Rennes	5 000
Rouen	58 000
Toulouse	48 000

COMMISSION REGULATION (EEC) No 1840/93
of 8 July 1993
concerning the stopping of fishing for mackerel by vessels flying the flag of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3919/92 of 20 December 1992 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1993 and certain conditions under which they may be fished⁽³⁾, amended by Regulation (EEC) No 927/93⁽⁴⁾, provides for mackerel quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of mackerel in the waters of ICES divisions II (except EC-zone), V b (EC-zone); VI,

VII, VIII a, b, d, e, XII, XIV, by vessels flying the flag of Spain or registered in Spain have reached the quota allocated for 1993,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of mackerel in the waters of ICES divisions II (except EC-zone), V b (EC-zone); VI, VII, VIII a, b, d, e, XII, XIV, by vessels flying the flag of Spain or registered in Spain are deemed to have exhausted the quota allocated to Spain for 1993.

Fishing for mackerel in the waters of ICES divisions II (except EC-zone), V b (EC-zone); VI, VII, VIII a, b, d, e, XII, XIV, by vessels flying the flag of Spain or registered in Spain is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned above mentioned vessels after the date of entry into force of this Regulation.

Article 2

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

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

Done at Brussels, 8 July 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.
⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.
⁽³⁾ OJ No L 397, 31. 12. 1992, p. 1.
⁽⁴⁾ OJ No L 96, 22. 4. 1993, p. 1.

COMMISSION REGULATION (EEC) No 1841/93

of 8 July 1993

concerning the stopping of fishing for hake by vessels flying the flag of Belgium

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3919/92 of 20 December 1992 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1993 and certain conditions under which they may be fished⁽³⁾, amended by Regulation (EEC) No 927/93⁽⁴⁾, provides for hake quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of hake in the waters of ICES divisions VIII a, b, d, e by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated for 1993; whereas Belgium has prohibited

fishing for this stock as from 27 June 1993; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of hake in the waters of ICES divisions VIII a, b, d, e by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1993.

Fishing for hake in the waters of ICES divisions VIII a, b, d, e by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 27 June 1993.

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

Done at Brussels, 8 July 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

(¹) OJ No L 207, 29. 7. 1987, p. 1.
(²) OJ No L 306, 11. 11. 1988, p. 2.
(³) OJ No L 397, 31. 12. 1992, p. 1.
(⁴) OJ No L 96, 22. 4. 1993, p. 1.

COMMISSION REGULATION (EEC) No 1842/93

of 8 July 1993

concerning the stopping of fishing for cod by vessels flying the flag of Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities ⁽¹⁾, amended by Regulation (EEC) No 3483/88 ⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3927/92 of 20 December 1992 fixing catch possibilities for 1993 for certain fish stocks and groups of fish stocks in the Regulatory Area as defined in the NAFO Convention ⁽³⁾, provides for cod quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of NAFO

zone 3 M by vessels flying the flag of Portugal or registered in Portugal have reached the quota allocated for 1993,

HAS ADOPTED THIS REGULATION :

Article 1

Catches of cod in the waters of NAFO zone 3 M by vessels flying the flag of Portugal or registered in Portugal are deemed to have exhausted the quota allocated to Portugal for 1993.

Fishing for cod in the waters of NAFO zone 3 M by vessels flying the flag of Portugal or registered in Portugal is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

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

Done at Brussels, 8 July 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 397, 31. 12. 1992, p. 67.

COMMISSION REGULATION (EEC) No 1843/93

of 8 July 1993

concerning the stopping of fishing for cod by vessels flying the flag of Denmark

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

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,

Whereas Council Regulation (EEC) No 3919/92 of 20 December 1992 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1993 and certain conditions under which they may be fished⁽³⁾, amended by Regulation (EEC) No 927/93⁽⁴⁾, provides for cod quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of cod in the waters of ICES divisions III b, c, d (EC-zone) by vessels flying the flag of Denmark or registered in Denmark have reached the quota allocated for 1993; whereas Denmark has prohi-

bited fishing for this stock as from 23 June 1993; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of cod in the waters of ICES divisions III b, c, d (EC-zone) by vessels flying the flag of Denmark or registered in Denmark are deemed to have exhausted the quota allocated to Denmark for 1993.

Fishing for cod in the waters of ICES divisions III b, c, d (EC-zone) by vessels flying the flag of Denmark or registered in Denmark is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 23 June 1993.

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

Done at Brussels, 8 July 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 397, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 96, 22. 4. 1993, p. 1.

COMMISSION REGULATION (EEC) No 1844/93

of 8 July 1993

concerning the stopping of fishing for common sole by vessels flying the flag of Belgium

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2241/87 of 23 July 1987 establishing certain control measures for fishing activities⁽¹⁾, as amended by Regulation (EEC) No 3483/88⁽²⁾, and in particular Article 11 (3) thereof,Whereas Council Regulation (EEC) No 3919/92 of 20 December 1992 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1993 and certain conditions under which they may be fished⁽³⁾, amended by Regulation (EEC) No 927/93⁽⁴⁾, provides for common sole quotas for 1993;

Whereas, in order to ensure compliance with the provisions relating to the quantitative limitations on catches of stocks subject to quotas, it is necessary for the Commission to fix the date by which catches made by vessels flying the flag of a Member State are deemed to have exhausted the quota allocated;

Whereas, according to the information communicated to the Commission, catches of common sole in the waters of ICES division VII e by vessels flying the flag of Belgium or registered in Belgium have reached the quota allocated for 1993; whereas Belgium has prohibited fishing for this

stock as from 27 June 1993; whereas it is therefore necessary to abide by that date,

HAS ADOPTED THIS REGULATION:

Article 1

Catches of common sole in the waters of ICES division VII e by vessels flying the flag of Belgium or registered in Belgium are deemed to have exhausted the quota allocated to Belgium for 1993.

Fishing for common sole in the waters of ICES divisions VII e by vessels flying the flag of Belgium or registered in Belgium is prohibited, as well as the retention on board, the transshipment and the landing of such stock captured by the abovementioned vessels after the date of application of this Regulation.

Article 2

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

It shall apply with effect from 27 June 1993.

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

Done at Brussels, 8 July 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 207, 29. 7. 1987, p. 1.

⁽²⁾ OJ No L 306, 11. 11. 1988, p. 2.

⁽³⁾ OJ No L 397, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 96, 22. 4. 1993, p. 1.

COMMISSION REGULATION (EEC) No 1845/93
of 9 July 1993
amending Regulation (EEC) No 3567/92 as regards the individual limits to
premium rights for producers in the Canary Islands

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 Article 5b (4) thereof,

Whereas the Canary Islands have only been subject to the provisions of the common agricultural policy and in particular those of the ewes premium scheme since 1 July 1992; whereas Article 12 (5) of Commission Regulation (EEC) No 3567/92⁽³⁾, as amended by Regulation (EEC) No 1199/93⁽⁴⁾, provides that the individual limits to premium rights for producers in the Canary Islands are fixed by reference to the premiums granted for the 1992 marketing year; whereas certain producers did not apply for premium rights for the 1992 marketing year; whereas, in order to remedy that situation, premium rights should be allocated to producers who applied for the premium for the first time in 1993, provided they can prove that they produced sheep and/or goats on the territory of the Canary Islands in 1992, within the limit of the regional ceiling set in Article 12 (5) (a) of the above Regulation;

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

Article 1

The following subparagraph is hereby added to Article 12 (5) of Regulation (EEC) No 3567/92:

‘During the 1993 marketing year and provided the number of premium rights allocated pursuant to the above subparagraph is less than the regional ceiling mentioned above, a number of rights equal to the difference between the two figures may be allocated to producers who, having applied for the premium for the first time in respect of the 1993 marketing year, can prove to the satisfaction of the competent authorities that they were producers of sheep and/or goats on the territory of the Canary Islands in 1992. Within the limit of the above difference, an individual limit per producer shall be fixed taking account of the number of eligible animals for which the premium was applied for in respect of the 1993 marketing year, and the correcting coefficients referred to in Article 5a (1) of Regulation (EEC) No 3013/89.’

Article 2

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

It shall apply from the beginning of the 1993 marketing year.

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

Done at Brussels, 9 July 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 362, 10. 12. 1992, p. 41.

⁽⁴⁾ OJ No L 122, 18. 5. 1993, p. 26.

COMMISSION REGULATION (EEC) No 1846/93

of 9 July 1993

determining for the Member States, for the 1993 marketing year, the estimated loss of income and the estimated level of the premium payable per ewe and per female goat and fixing the second advance payment for this premium

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 Article 5 (6) thereof,

Having regard to Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products⁽³⁾, as amended by Regulation (EEC) No 3714/92⁽⁴⁾ and in particular Article 13 thereof,

Whereas Article 5 (1) and (5) of Regulation (EEC) No 3013/89 provides for the grant of a premium to compensate for any loss of income sustained by producers of sheepmeat and, in certain areas, of goatmeat; whereas those areas are defined in Annex I to Regulation (EEC) No 3013/89 and in Article 1 of Commission Regulation (EEC) No 1065/86 of 11 April 1986 determining the mountain areas in which the premium for goatmeat is granted⁽⁵⁾, as amended by Regulation (EEC) No 3519/86⁽⁶⁾;

Whereas, pursuant to Article 5 (6) of Regulation (EEC) No 3013/89 and to enable an advance payment to be made to sheepmeat and goatmeat producers, the foreseeable loss of income should be estimated in the light of the foreseeable trend in market prices;

Whereas, pursuant to Article 5 (2) of Regulation (EEC) No 3013/89, the amount of the premium per ewe for producers of heavy lambs is obtained by multiplying the loss of income referred to in the second subparagraph of paragraph 1 of that Article by a coefficient expressing the annual average production of heavy lamb meat per ewe producing these lambs expressed per 100 kilograms of carcass weight; whereas the coefficient for 1993 has not yet been fixed in view of the lack of full Community statistics; whereas, pending the fixing of that coefficient, a provisional coefficient should be used; whereas Article 5 (2) of that Regulation also fixes the amount per ewe for producers of light lambs and per female of the

caprine species and at 80 % of the premium per ewe for producers of heavy lambs;

Whereas, pursuant to Article 8 of Regulation (EEC) No 3013/89, the premium must be reduced by the impact on the basic price of the coefficient provided for in paragraph 2 of that Article; whereas that coefficient is fixed by Article 8 (4) at 7 %;

Whereas, in accordance with Article 5 (6) of Regulation (EEC) No 3013/89, the half-yearly advance payment is fixed at 30 % of the expected premium; whereas, in accordance with Article 4 (3) of Commission Regulation (EEC) No 3007/84⁽⁷⁾, as last amended by Regulation (EEC) No 3204/92⁽⁸⁾, the advance payment is to be paid only if it is equal to or greater than ECU 1;

Whereas Regulation (EEC) No 1601/92 provides for the application of specific measures relating to agricultural production in the Canary Islands; whereas those measures entail the grant of a supplement to the ewe premium to producers of light lambs and she-goats on the same conditions as those governing the grant of the premium referred to in Article 5 of Regulation (EEC) No 3013/89; whereas those conditions provide that Spain is authorized to pay an advance on the said supplementary premium;

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

HAS ADOPTED THIS REGULATION:

Article 1

A difference is hereby estimated between the basic price, reduced by the impact of the coefficient laid down in Article 8 (2) of Regulation (EEC) No 3013/89, and the foreseeable market price during 1993 is ECU 139, 232 per 100 kg.

Article 2

1. The estimated amount of the premium payable per ewe is as follows:

- producers of heavy lambs: ECU 22,277,
- producers of light lambs: ECU 17,822.

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 1.

⁽³⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽⁴⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽⁵⁾ OJ No L 97, 12. 4. 1986, p. 25.

⁽⁶⁾ OJ No L 325, 20. 11. 1986, p. 17.

⁽⁷⁾ OJ No L 283, 27. 10. 1984, p. 28.

⁽⁸⁾ OJ No L 319, 4. 11. 1992, p. 7.

2. Pursuant to Article 5 (6) of Regulation (EEC) No 3013/89, the advance that the Member States are authorized to pay to producers shall be as follows :

- producers of heavy lambs : ECU 6,683 per ewe,
- producers of light lambs : ECU 5,347 per ewe.

Article 3

1. The estimated amount of the premium payable per female of the caprine species in the areas designated in Annex I to Regulation (EEC) No 3013/89 and in Article 1 of Regulation (EEC) No 1065/86 : ECU 17,822.

2. Pursuant to Article 5 (6) of Regulation (EEC) No 3013/89, the advance which the Member States are authorized to pay to goatmeat producers located in the areas designated in paragraph 1 shall be as follows : ECU 5,347 per female of the caprine species.

Article 4

Pursuant to Article 13 (3) of Regulation (EEC) No 1601/92, the advance on the supplementary premium for the 1993 marketing year for producers of light lambs and she-goats in the Canary Islands within the limits and at the rates provided for in Article 5 (7) and the second indent of the second subparagraph of Article 5 (8) shall be as follows :

- ECU 1,336 per ewe in the case of producers referred to in Article 5 (3) of that Regulation,
- ECU 1,336 per she-goat in the case of the producers referred to in Article 5 (5) of that Regulation.

Article 5

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, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1847/93

of 9 July 1993

amending Regulation (EEC) No 3201/90 laying down detailed rules for the description and presentation of wines and grape musts

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1566/93 ⁽²⁾, and in particular Article 72 (5) thereof,

Whereas Council Regulation (EEC) No 2392/89 ⁽³⁾, as last amended by Regulation (EEC) No 3897/91 ⁽⁴⁾, lays down general rules for the description and presentation of wines and grape musts;

Whereas Commission Regulation (EEC) No 3201/90 ⁽⁵⁾, as last amended by Regulation (EEC) No 3650/92 ⁽⁶⁾ lays down in Annex IV thereto the list of the names and vine varieties that may be used to describe a wine imported from a third country; whereas a request made by Australia to adapt the said Annex should be acceded to;

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

HAS ADOPTED THIS REGULATION:

Article 1

The names of the following varieties are added to Annex IV, Chapter '4. Australia'

'4. AUSTRALIA

Albillo

Aligoté

Alvarelhao

Aubun

Biancone

Boal

Canocazo

Carmenere

Dolcetto

Dourado

Counoise

Ehrenfelser

Farana

Flora

Furmint

Garganega

Gouais

Goyura

Graciano

Grignolino

Harslevelu

Kerner

Lambrusco

Macabeo

Malvasia

Melon

Meslier

Morio Muscat

Mourvedre

Muscat

Muscat Hamburg

Nebbiolo

Oeillade

Ondenc

Orange Muscat

Parellada

Pedro Ximenes

Picolit

Red Traminer

Refosco

Roussane

Sangiovese

Sauvignon Vert

Siegerrebe

Syrian

Tarrango

Terret Noir

Tinta Cao

Tinta Francisca

Tinta Mole

Touriga

Touriga Nacional

Ugni Blanc

Valdigue

Viognier

Xarel-lo

Zweigeltrebe'

Petit Meslier

Black Muscat

Irvine's White

Gewürztraminer

Sangiovese

Negra Mole

Trebiano

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.⁽²⁾ OJ No L 154, 25. 6. 1993, p. 39.⁽³⁾ OJ No L 232, 9. 8. 1989, p. 13.⁽⁴⁾ OJ No L 368, 31. 12. 1991, p. 5.⁽⁵⁾ OJ No L 309, 8. 11. 1990, p. 1.⁽⁶⁾ OJ No L 369, 18. 12. 1992, p. 25.

Article 2

This Regulation shall enter into force on the seventh 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, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1848/93

of 9 July 1993

laying down detailed rules for the application of Council Regulation (EEC) No 2082/92 on certificates of specific character for agricultural products and foodstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2082/92 of 14 July 1992 on certificates of specific character for agricultural products and foodstuffs⁽¹⁾, and in particular Article 20 thereof,

Whereas, in order to ensure that Regulation (EEC) No 2082/92 is applied uniformly, precise deadlines should be set for the registration procedure;

Whereas, in order to take account of differences in legal situation in the Member States, a statement of objection within the meaning of Article 8 of Regulation (EEC) No 2082/92 presented by a group of individuals linked by a common interest may be admissible;

Whereas, in order for the Commission to be able to define the Community symbol and the indication provided for in Articles 12 and 15 respectively of Regulation (EEC) No 2082/92, the necessary information should be gathered in order for an evaluation to be made;

Whereas these arrangements constitute a new Community system in response to requests from consumers for information about specific traditional products; whereas it is essential to explain the meaning of the Community symbol and the indication to the public, without thereby removing the need for producers and/or processors to promote their respective products;

Whereas Regulation (EEC) No 2082/92 does not rule out the existence of national systems of certification for agricultural products and foodstuffs; whereas the use, where appropriate, of a national symbol in conjunction with the Community symbol should be permitted in the labelling, presentation and advertising of such products;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Regulatory Committee on Certificates of Specific Character,

HAS ADOPTED THIS REGULATION:

Article 1

1. The six-month period referred to in Article 9 (1) of Regulation (EEC) No 2082/92 shall start to run on the date of publication in the *Official Journal of the Euro-*

pean Communities referred to in second subparagraph of Article 8 (1) of that Regulation.

2. The six-month period shall consist of:

- a period of five months during which any natural or legal person legitimately concerned by the registration may object to the planned registration pursuant to Article 8 (3) of Regulation (EEC) No 2082/92, and
- a period of one month, or a longer period insofar as the period provided for in paragraph 1 is observed, made available to the competent authorities in the Member States for the transmission of such objectives to the Commission.

Article 2

For the purposes of the dispatch by the competent authorities of the Member State within the time limit laid down of:

- notifications of objections within the meaning of Article 9 (1) of Regulation (EEC) No 2082/92, and
- notifications of objections and statements within the meaning of Article 11 (4) of Regulation (EEC) No 2082/92,

account shall be taken of either the date of dispatch, the postmark being accepted as date of dispatch, or the date of receipt where the documents are delivered to the Commission directly or by telex or fax.

Article 3

Where national law treats a group of individuals without legal personality as a legal person, the said group of individuals shall be authorized to consult the application within the meaning and subject to the conditions of Article 8 (2) of Regulation (EEC) No 2082/92 and to lodge an objection within the meaning and subject to the conditions of Article 8 (3) of that Regulation.

Article 4

1. The Community symbol referred to in Article 2 of Regulation (EEC) No 2082/92 and the indication referred to in Article 15 of that Regulation shall be defined as soon as possible in accordance with the procedure laid down in Article 19 of that Regulation.

⁽¹⁾ OJ No L 208, 24. 7. 1992, p. 9.

2. For a period of five years following the date of entry into force of this Regulation, the Commission shall take the necessary steps to inform the public of the meaning of the indication and of the Community symbol. Such steps shall not take the form of aid to producers and/or processors.

Article 5

The simultaneous use of the Community symbol and national symbols shall be authorized for agricultural products and foodstuffs which satisfy both the requirements of Regulation (EEC) No 2082/92 and national

requirements to which those products or foodstuffs correspond.

Article 6

Subsequent to the registration provided for in Article 9 (1) of Regulation (EEC) No 2082/92, the competent authorities shall ensure that any individual may consult the specification of the agricultural product or foodstuff which has been so registered.

Article 7

This Regulation shall enter into force on 26 July 1993.

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

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1849/93
of 9 July 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 1685/93 ⁽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 10 July 1993.

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

Done at Brussels, 9 July 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 159, 1. 7. 1993, p. 20.

ANNEX

to the Commission Regulation of 9 July 1993 fixing the import levies on rice and broken rice

CN code	Arrangement in Regulation (EEC) No 3877/86 ⁽¹⁾	Levies ⁽²⁾	
		ACP Bangladesh (⁽¹⁾)(⁽²⁾)(⁽³⁾)	Third countries (except ACP) (⁽⁴⁾)
1006 10 21	—	156,00	319,21
1006 10 23	—	173,71	354,62
1006 10 25	—	173,71	354,62
1006 10 27	265,97	173,71	354,62
1006 10 92	—	156,00	319,21
1006 10 94	—	173,71	354,62
1006 10 96	—	173,71	354,62
1006 10 98	265,97	173,71	354,62
1006 20 11	—	195,90	399,01
1006 20 13	—	218,03	443,27
1006 20 15	—	218,03	443,27
1006 20 17	332,45	218,03	443,27
1006 20 92	—	195,90	399,01
1006 20 94	—	218,03	443,27
1006 20 96	—	218,03	443,27
1006 20 98	332,45	218,03	443,27
1006 30 21	—	241,73	507,32
1006 30 23	—	312,91	649,60
1006 30 25	—	312,91	649,60
1006 30 27	487,20	312,91	649,60
1006 30 42	—	241,73	507,32
1006 30 44	—	312,91	649,60
1006 30 46	—	312,91	649,60
1006 30 48	487,20	312,91	649,60
1006 30 61	—	257,80	540,30
1006 30 63	—	335,84	696,38
1006 30 65	—	335,84	696,38
1006 30 67	522,29	335,84	696,38
1006 30 92	—	257,80	540,30
1006 30 94	—	335,84	696,38
1006 30 96	—	335,84	696,38
1006 30 98	522,29	335,84	696,38
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 1850/93**of 9 July 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 1686/93 ⁽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 10 July 1993.

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

Done at Brussels, 9 July 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 159, 1. 7. 1993, p. 22.

ANNEX

to the Commission Regulation of 9 July 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 7	1st period 8	2nd period 9	3rd period 10
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 1851/93
of 9 July 1993
amending Regulation (EEC) No 1627/89 on the buying in of beef by invitation to tender

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 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender⁽³⁾, as last amended by Regulation (EEC) No 1490/93⁽⁴⁾, opens buying in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying in of the quantities necessary

to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in an amendment, in accordance with the Annexes hereto, to the list of Member States or regions of a Member State where buying in is open by invitation to tender, and the list of the quality groups which may be bought in,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 12 July 1993.

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

Done at Brussels, 9 July 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 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 147, 18. 6. 1993, p. 18.

*ANEXO — BILAG — ANHANG — ΠΑΡΑΡΤΗΜΑ — ANNEX — ANNEXE — ALLEGATO —
BIJLAGE — ANEXO*

Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado 1 del artículo 1

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten Qualitätsgruppen

Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1 παράγραφος 1

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}, paragraphe 1

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1, lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do artigo 1.º

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχή κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
Belgique	×	×				
Denmark		×	×			
Deutschland	×	×				
España	×	×				
France	×	×				×
Nederland		×				
Ireland				×	×	×
Great Britain				×		
Northern Ireland				×	×	

COMMISSION REGULATION (EEC) No 1852/93

of 9 July 1993

on the issue of import licences for high-quality fresh, chilled or frozen beef and veal

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

Having regard to Council Regulation (EEC) No 3391/92 of 23 November 1992 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1993) ⁽¹⁾, and in particular Article 2 thereof,

Whereas Commission Regulation (EEC) No 3633/92 of 16 December 1992 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EEC) No 3391/92 and (EEC) No 3393/92 in the beef and veal sectors ⁽²⁾ provides in Article 7, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 3662/92 ⁽⁴⁾;

Whereas Article 1 (1) (d) of Regulation (EEC) No 3633/92 fixes the amount of high-quality fresh, chilled or frozen

beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1993 at 10 000 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 until 5 July 1993 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EEC) No 3633/92 shall be met in full.

2. Applications for licences may be submitted, in accordance with Article 12 of Regulation (EEC) No 2377/80, during the first five days of August 1993 for 5 740 tonnes.

Article 2

This Regulation shall enter into force on 10 July 1993.

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

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 346, 27. 11. 1992, p. 1.

⁽²⁾ OJ No L 368, 17. 12. 1992, p. 27.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.

COMMISSION REGULATION (EEC) No 1853/93**of 9 July 1993****fixing the export refunds on fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular Article 30 (4) thereof,

Whereas Article 30 of Regulation (EEC) No 1035/72 provides that, to the extent necessary to allow economically significant quantities to be exported, the difference between prices in international trade for the products referred to in that Article and prices for the products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2518/69 of 9 December 1969 laying down general rules for the granting of refunds on exports of fruit and vegetables and criteria for fixing their amounts⁽³⁾, as amended by Regulation (EEC) No 2455/72⁽⁴⁾, provides that when refunds are being fixed, account must be taken of the existing situation and future trends with regard to prices and availabilities of fruit and vegetables on the Community market on the one hand and prices in international trade on the other; whereas account must also be taken of the costs indicated in (b) of that Article and of the economic aspects of the proposed exports;

Whereas, pursuant to Article 3 of Regulation (EEC) No 2518/69, when prices on the Community market are being determined account must be taken of the prices which are most favourable from the exportation point of view; whereas, when prices in international trade are being determined, the quotations and prices referred to in paragraph 2 of that Article must be taken into account;

Whereas the situation with regard to international trade or the specific requirements of certain markets may make it necessary to vary the refund for a given product according to the destination of that product;

Whereas tomatoes, fresh lemons, fresh sweet oranges, apples, peaches and nectarines of the common quality standards 'Extra' Class, Class I and Class II, table grapes of 'Extra' Class and Class I, almonds and hazelnuts, and

unshelled walnuts may at present be exported in economically significant quantities;

Whereas the refund applicable to exports of tomatoes to Sweden should be amended during the period 1 July to 30 September 1993 pursuant to the undertakings entered into with that country under the 1980 agreement⁽⁵⁾;

Whereas Council Regulation (EEC) No 990/93⁽⁶⁾ prohibits trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia und Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

Whereas it follows from applying these detailed rules to the present market situation and to its future trends, and in particular to quotations and prices for fruit and vegetables in the Community and in international trade that the refunds should be as set out in the Annex hereto;

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

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds in the fruit and vegetables sector shall be fixed at the amounts specified in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 15 July 1993.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 318, 18. 12. 1969, p. 17.

⁽⁴⁾ OJ No L 266, 25. 11. 1972, p. 7.

⁽⁵⁾ OJ No L 194, 28. 7. 1980, p. 12.

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

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

Done at Brussels, 9 July 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 9 July 1993 fixing the export refunds on fruit and vegetables

(ECU/100 kg net)			(ECU/100 kg net)		
Product code	Destination of refund (1)	Amounts of refunds (2)	Product code	Destination of refund (1)	Amounts of refunds (2)
0702 00 10 100	04	4,50 (3)	0806 10 11 900	—	—
0702 00 10 900	—	—	0806 10 15 200	04	4,84
0702 00 90 100	04	4,50 (3)	0806 10 15 900	—	—
0702 00 90 900	—	—	0806 10 19 200	04	4,84
0802 12 90 000	04	9,67	0806 10 19 900	—	—
0802 21 00 000	04	11,30	0808 10 31 100	—	—
0802 22 00 000	04	21,80	0808 10 31 910	02	8,00
0802 31 00 000	04	14,00	0808 10 31 990	—	—
0805 10 11 200	01	11,00	0808 10 33 100	—	—
0805 10 11 900	—	—	0808 10 33 910	02	8,00
0805 10 15 200	01	11,00	0808 10 33 990	—	—
0805 10 15 900	—	—	0808 10 39 100	—	—
0805 10 19 200	01	11,00	0808 10 39 910	02	8,00
0805 10 19 900	—	—	0808 10 39 990	—	—
0805 10 21 200	01	11,00	0808 10 51 100	—	—
0805 10 21 900	—	—	0808 10 51 910	02	8,00
0805 10 25 200	01	11,00	0808 10 51 990	—	—
0805 10 25 900	—	—	0808 10 53 100	—	—
0805 10 29 200	01	11,00	0808 10 53 910	02	8,00
0805 10 29 900	—	—	0808 10 53 990	—	—
0805 10 31 200	01	11,00	0808 10 59 100	—	—
0805 10 31 900	—	—	0808 10 59 910	02	8,00
0805 10 35 200	01	11,00	0808 10 59 990	—	—
0805 10 35 900	—	—	0808 10 81 100	—	—
0805 10 39 200	01	11,00	0808 10 81 910	02	8,00
0805 10 39 900	—	—	0808 10 81 990	—	—
0805 10 41 200	01	11,00	0808 10 83 100	—	—
0805 10 41 900	—	—	0808 10 83 910	02	8,00
0805 10 45 200	01	11,00	0808 10 83 990	—	—
0805 10 45 900	—	—	0808 10 89 100	—	—
0805 10 49 200	01	11,00	0808 10 89 910	02	8,00
0805 10 49 900	—	—	0808 10 89 990	—	—
0805 20 50 100	—	—	0809 30 10 100	03	5,00
0805 20 50 900	—	—	0809 30 10 900	—	—
0805 30 10 100	04	13,50	0809 30 90 100	03	5,00
0805 30 10 900	—	—	0809 30 90 900	—	—
0806 10 11 200	04	4,84			

(1) The destinations are as follows:

01 Austria, Switzerland, Finland, Sweden, Greenland, Norway, Iceland, Malta, Poland, the Czech Republic, the Slovak Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia, the former Yugoslav Republic of Macedonia,

02 Sweden, Norway, Iceland, Austria, the Faroe Islands, Finland, Greenland, Malta, Syria, Poland, the Czech Republic, the Slovak Republic, Hungary, Romania, Bulgaria, Albania, Estonia, Latvia, Lithuania, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Bosnia-Herzegovina, Croatia, Slovenia, the former Yugoslav Republic of Macedonia, Bolivia, Brazil, Venezuela, Peru, Panama, Ecuador, Colombia, the countries and territories of Africa other than South Africa, countries of the Arabian peninsula (Saudi Arabia, Bahrain, Qatar, Oman, the United Arab Emirates (Abu Dhabi, Dubai, Sharjah, Ajman, Umm al Qaiwain, Fujairah and Ras al Khaimah), Kuwait, Yemen), Iran, Jordan, Hong Kong, Singapore, Malaysia, Indonesia, Thailand and Taiwan,

03 all destinations excluding Switzerland and Austria,

04 all destinations.

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

(3) For exports to Sweden in the period 1 July to 30 September 1993, the refund is reduced to ECU 1,16 per 100 kg.

COMMISSION REGULATION (EEC) No 1854/93

of 9 July 1993

altering, for the 1993/94, marketing year, the adjustment aid and additional aid
to the sugar refining industry

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 1548/93 ⁽²⁾, and in particular the seventh indent of Article 9 (6) thereof,

Whereas Article 9 (4b) of Regulation (EEC) No 1785/81 provides that during the 1993/94 marketing years adjustment aid of ECU 0,08 per 100 kilograms of sugar expressed as white sugar is to be granted as an intervention measure to the Community's preferential raw cane sugar refining industry; whereas, as provided for in those provisions, additional aid equal to that amount is to be granted during the same period for the refining of raw cane sugar produced in the French overseas departments;

Whereas the fourth subparagraph of Article 9 (4b) of Regulation (EEC) No 1785/81 provides that the adjustment aid and the additional aid referred to above may be altered in respect of a given marketing year in the light in particular of the storage levy fixed for that year; whereas the storage levy for the 1993/94 marketing year was fixed by Commission Regulation (EEC) No 1710/93 ⁽³⁾ at ECU 3,50 per 100 kilograms of white sugar; whereas this amount is higher than that applicable for the 1992/93 marketing year;

Whereas account should, however, be taken in the alteration in the aid in question that has already been made for

the 1990/91, 1991/92 and 1992/93 marketing years in order to neutralize the effect of successive storage levy reductions on the refining margin for the 1993/94 marketing year;

Whereas these provisions must apply from the beginning of the 1993/94 marketing year on 1 July 1993;

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

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of the adjustment aid and of the additional aid provided for respectively in the second and third subparagraphs of Article 9 (4b) of Regulation (EEC) No 1785/81 shall be fixed at ECU 0,58 per 100 kilograms of sugar expressed as white sugar for the 1993/94 marketing year.

Article 2

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

It shall apply with effect from 1 July 1993.

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

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 83.

COMMISSION REGULATION (EEC) No 1855/93
of 9 July 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 sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1548/93 ⁽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 1695/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 1821/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1695/93 to the information known to the Commission that the

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 8 July 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 10 July 1993.

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

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 40.

⁽⁵⁾ OJ No L 166, 8. 7. 1993, p. 29.

ANNEX

to the Commission Regulation of 9 July 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽³⁾
1701 11 10	34,27 ⁽¹⁾
1701 11 90	34,27 ⁽¹⁾
1701 12 10	34,27 ⁽¹⁾
1701 12 90	34,27 ⁽¹⁾
1701 91 00	43,09
1701 99 10	43,09
1701 99 90	43,09 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 17 June 1993

on import licences in respect of beef and veal products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/390/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EEC) No 444/91 ⁽²⁾, and in particular Article 27 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 3662/92 ⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 June 1993, expressed in terms of boned

meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating in Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia, the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the remaining quantities, in respect of which licences may be applied for from 1 July 1993, should be fixed within the scope of the total quantity of 52 100 tonnes;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries ⁽⁵⁾, as last amended by Council Regulation (EEC) No 1601/92 ⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 June 1993 import licences concerning beef and veal products, expressed in terms of boned meat, originating in certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Federal Republic of Germany:

- 840,00 tonnes originating in Botswana,
- 30,00 tonnes originating in Madagascar,
- 395,00 tonnes originating in Zimbabwe,
- 340,00 tonnes originating in Namibia;

Hellenic Republic:

- 45,00 tonnes originating in Madagascar;

Italian Republic:

- 70,00 tonnes originating in Madagascar;

Kingdom of the Netherlands:

- 602,00 tonnes originating in Botswana,
- 135,00 tonnes originating in Madagascar;

United Kingdom:

- 1 710,00 tonnes originating in Botswana,
- 127,00 tonnes originating in Swaziland,
- 710,00 tonnes originating in Zimbabwe,
- 530,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of July 1993 in respect of the following quantities of boned beef and veal:

— Botswana :	10 991,00 tonnes,
— Kenya :	142,00 tonnes,
— Madagascar :	6 861,70 tonnes,
— Swaziland :	2 938,00 tonnes,
— Zimbabwe :	4 161,90 tonnes,
— Namibia :	9 813,00 tonnes.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 17 June 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 9 July 1993

altering the adjustment aid to the Portuguese refining industry for raw sugar imported from third countries at a reduced levy for the 1993/94 marketing year into Portugal

(Only the Portuguese text is authentic)

(93/391/EEC)

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 1548/93 ⁽²⁾, and in particular the seventh indent of Article 9 (6) thereof,

Whereas Article 9 (4) (c) of Regulation (EEC) No 1785/81 provides that, during the 1993/94 marketing years, adjustment aid is to be granted as an intervention measure to the refining industry for raw sugar imported into Portugal at a reduced levy pursuant to Article 16 (a), of Regulation (EEC) No 1785/81, and refined into white sugar in Portugal; whereas that aid amounts to ECU 0,08 per 100 kilograms of sugar expressed as white sugar for quantities of such sugar thus imported and refined in Portugal; whereas the quantities of raw sugar imported at a reduced levy are those referred to in the said Article 16 (a), paragraphs 1 and 2, the import of which at a reduced levy is authorized for the marketing year under consideration;

Whereas the third subparagraph of Article 9 (4c) of Regulation (EEC) No 1785/81 provides that the abovementioned adjustment aid may be altered for a given marketing year, in the light in particular of the amount of the storage levy fixed for that year; whereas although sugar imported into Portugal at a reduced levy is not subject to the storage levy, in view of the quantities of such sugar refined that levy is a determining factor for the prices as a whole on the market for white sugar and therefore for the margin of the Portuguese refineries;

Whereas the amount of the storage levy for the 1993/94 marketing year was fixed by Commission Regulation (EEC) No 1710/93 ⁽³⁾ at ECU 3,50 per 100 kilograms of

white sugar; whereas this amount is higher than that applicable for the 1992/93 marketing year;

Whereas account should, however, be taken in the alteration in the aid in question that has already been made for the 1990/91, 1991/92 and 1992/93 marketing years in order to neutralize the effect of successive storage levy reductions on the refining margin for the 1993/94 marketing year;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Sugar,

HAS ADOPTED THIS DECISION:

Article 1

The adjustment aid provided for in the second subparagraph of Article 9 (4) (c) of Regulation (EEC) No 1785/81 shall be fixed at ECU 0,58 per 100 kilograms of sugar expressed as white sugar for the 1993/94 marketing year.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 83.

COMMISSION DECISION

of 9 July 1993

revoking Council Decision 93/358/EEC authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of wood of conifers (*Coniferales*) other than of *Thuja* L., *Pinus* L. and mixtures with *Pinus* L., originating in Canada

(93/392/EEC)

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

Having regard to Council Directive 77/93/EEC of 21 December 1976 on protection measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community⁽¹⁾, as last amended by Directive 93/19/EEC⁽²⁾, and in particular Article 15 (3),

Having regard to Council Decision 93/358/EEC of 26 May 1993 authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of wood of conifers (*Coniferales*) other than of *Thuja* L., *Pinus* L. and mixtures with *Pinus* L., originating in Canada⁽³⁾, and in particular Article 3, second sentence thereof,

Whereas by Decision 93/358/EEC the Member States were authorized to provide, under certain conditions, for derogations from certain general rules of Directive 77/93/EEC for wood of conifers other than *Thuja*, *Pinus* and mixtures with *Pinus*, originating in Canada;

Whereas the conditions require that the wood shall be totally stripped of its bark and free of grub holes, and be accompanied by a standardized 'Certificate of Debarking and Grub-Hole Control' to certify compliance with these standards;

Whereas the United Kingdom has informed the Commission on 17 June 1993 of two cases of recent detection of *Monochamus* spp. (non-European) on two consignments of wood of spruce and a mix of spruce/pine/fir respectively, both originating in Quebec (Canada); although accompanied by certificates of the aforesaid type, the two consignments contained packs or boards with grub holes, and one of them contained pieces which retained bark;

Whereas it can therefore be established that the conditions laid down for the authorization have not been complied with;

Whereas pursuant to the provisions of the Decision by which the authorization was granted, this authorization shall be revoked prior to the date of its ordinary expiry;

Whereas, however, it seems appropriate to permit entry into the Community of consignments which are already

on transport at the time of coming into force of its Decision, provided that an intensified inspection pursuant to Article 12 of Directive 77/93/EEC is carried out and that compliance with the conditions for the authorization is established in these inspections;

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

HAS ADOPTED THIS DECISION:

Article 1

1. The authorization granted in Article 1 of Decision 93/358/EEC is hereby revoked.
2. The Member States may however make use of the authorization in respect of consignments not shipped after the date of notification of this Decision and arriving at the point of entry as designated by the Member States into the Community before 15 August 1993, provided that each consignment is thoroughly inspected pursuant to Article 12 of Directive 77/93/EEC with the assistance of the experts referred to in Article 19a of the said Directive under the procedure laid down therein and found, in these inspections, to fully comply with the conditions for the authorization.
3. The designated entry points as referred to in paragraph 2 are to be notified to the Commission and all other Member States.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 26, 31. 1. 1977, p. 20.

⁽²⁾ OJ No L 96, 22. 4. 1993, p. 33.

⁽³⁾ OJ No L 148, 19. 6. 1993, p. 37.