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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2835/93

of 18 October 1993

re-establishing the levying of customs duties on products falling within CN codes 3102 30 and 3102 80 00, originating in Poland, to which the tariff ceilings set out in Council Regulation (EEC) No 3918/92 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3918/92 of 28 December 1992 opening and providing for the administration of Community tariff quotas and ceilings for certain agricultural and industrial products and establishing a reduced variable component for certain processed agricultural products originating in Hungary, Poland and the territory of the former Czech and Slovak Federal Republic (CSFR) (1993) ⁽¹⁾, amended by Regulation (EEC) No 2232/93 ⁽²⁾, and in particular Article 6 thereof,

Whereas, pursuant to Article 1 of Regulation (EEC) No 3918/92, Hungary, Poland and the territory of the former Czech and Slovak Federal Republic (CSFR) shall benefit from preferential tariff arrangements, in particular the preferential tariff ceilings laid down in column 6 of Annex I to that Regulation; whereas, pursuant to Article 6, as soon as the ceilings have been reached, the Commission may adopt a regulation re-establishing the customs duties applicable to the third countries in question until the end of the calendar year;

Whereas that ceiling was reached by charges of imports of the products listed in the Annex, originating in Poland, to which the tariff preferences apply;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 22 October 1993 the levying of customs duties, suspended for 1993 pursuant to Regulation (EEC) No 3918/92, shall be re-established on imports into the Community of the products listed in the Annex, originating in Poland.

Article 2

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

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

Done at Brussels, 18 October 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 396, 31. 12. 1992, p. 12.

⁽²⁾ OJ No L 200, 10. 8. 1993, p. 1.

ANNEX

Order No	CN code	Description
21.0099	3102 30	— Ammonium nitrate, whether or not aqueous solution :
	3102 30 10	— — In aqueous solution
	3102 30 90	— — Other
21.0103	3102 80 00	— Mixtures of urea and ammonium nitrate in aqueous or ammoniacal solution

COMMISSION REGULATION (EEC) No 2836/93

of 18 October 1993

laying down detailed rules for the application of Council Regulation (EEC) No 1765/92 of the regional base areas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support scheme for producers of certain arable crops⁽¹⁾, as last amended by Regulation (EEC) No 1552/93⁽²⁾, and in particular Article 12 thereof,

Whereas Regulation (EEC) No 1765/92 provides, among other things, for the compensatory payment scheme to be applied within a system of regional base areas; whereas, in order to ensure on the one hand the necessary transparency and on the other uniform management of the said areas, there is a need to specify as areas to be taken into account in assessing the percentage by which the base area as fixed by Commission Regulation (EEC) No 845/93⁽³⁾ may have been exceeded, together with the rules for determining that percentage;

Whereas, moreover, where a separate base area is determined for maize special rules must be laid down as regards the areas to be taken into account in calculating the percentage by which the base area applicable to producers taking part, respectively, in the simplified and in the general scheme may have been exceeded;

Whereas the rules for fixing the percentage by which the base area may have been exceeded must guarantee in all cases that the base area is adhered to;

Whereas the applications of this Regulation has repercussions on sowings, currently taking place;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. In determining the amount by which the regional base area referred to in Article 2 (6) of Regulation (EEC) No 1765/92 may have been exceeded, the competent authority of the Member State shall take into account, on the one hand, the regional base area fixed by Regulation (EEC) No 845/93 and, on the other, the sum of the areas for which applications for aid have been submitted in respect of the region in question.

2. In determining the sum of the areas for which applications for aid have been submitted, no account shall be taken of the applications or parts of applications found in the course of administrative checks to be clearly unjustified.

Where the case arises, the area actually determined in the course of onsite checks pursuant to Article 6 of Commission Regulation (EEC) No 3887/92⁽⁴⁾ shall be counted.

3. The sum of the areas for which applications have been submitted, adjusted in accordance with paragraph 2, shall be increased:

- by the areas which are still the subject of a set-aside commitment in accordance with Title I of Council Regulation (EEC) No 2328/91⁽⁵⁾ in regions where there is a special base area for maize the area which is still the subject of a set-aside commitment shall be allocated according to the same criterion used for determining the base areas;
- by the areas sown with arable crops within the meaning of Regulation (EEC) No 1765/92, used to support an application for aid under Council Regulation (EEC) No 805/68⁽⁶⁾.

4. If the base area is found to have been exceeded the Member State shall, by 15 September at the latest, determine to one decimal place the percentage by which it has been exceeded. However, for the first year to which these rules apply this date shall be postponed to the third day following the entry into force of this Regulation. The percentage thus determined shall be:

- used to calculate the proportion reduction in the area eligible for the compensatory payment, in accordance with the first indent of Article 2 (6) of Regulation (EEC) No 1765/92,
- added, in cases as referred to in the second indent of Article 2 (6) of Regulation (EEC) No 1765/92, to the set-aside percentage applicable to the holding question.

The Member States shall inform the Commission without delay and not later than 30 September. However, for the first year to which these rules apply this date shall be postponed to the 15th day following the entry into force of this Regulation. In addition, the Member State shall notify producers as soon as it appears possible that the base area will be exceeded.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 19.

⁽³⁾ OJ No L 88, 8. 4. 1993, p. 27.

⁽⁴⁾ OJ No L 391, 31. 12. 1992, p. 36.

⁽⁵⁾ OJ No L 218, 6. 8. 1991, p. 1.

⁽⁶⁾ OJ No L 148, 28. 6. 1968, p. 24.

Article 2

1. If there is a separate base area for maize the following provisions shall apply:

- for producers taking part in the simplified scheme the proportional reduction in the areas eligible for compensatory payments shall be calculated by comparing the sum of the areas for which aid applications have been submitted under both the general and the simplified scheme, as adjusted in accordance with Article 1, with the sum of the base areas fixed for the region concerned for maize and other crops.

However, if for a given region the maize yield and the yield for other cereals are set at the same level or if the maize yield is set at a lower level the Member State concerned shall be authorized to calculate the reduction by comparing the sum of the applications submitted, under the simplified and the general scheme, for each of the crops, with the corresponding base areas,

- for producers taking part in the general scheme the proportional reduction in the areas eligible for compensatory payments and the percentage of special set-aside shall be calculated separately for maize and other crops by comparing the sum of the areas for which aid applications have been submitted in each case, under both the general and the simplified scheme, as adjusted in accordance with Article 1, with the corresponding base areas.

However, where the base area for maize is not exceeded the reduction applicable to crops other than

maize shall be calculated by comparing the area in respect of which aid applications for crops other than maize have been submitted, under both the simplified and the general scheme, with the base area for crops other than maize, increased by the difference between the sum of the application submitted in respect of maize under both the simplified and the general scheme and the base area for maize.

2. For the purposes of paragraph 1, the areas for which aid applications have been submitted in respect of each of the crops shall take into account the corresponding set-aside.

Article 3

The uncompensated special set-aside referred to in Article 2 (6) of Regulation (EEC) No 1765/92 shall be effected in accordance with Commission Regulation (EEC) No 2293/92⁽¹⁾ and, where appropriate, Commission Regulation (EEC) No 334/93⁽²⁾ or (EEC) No 2595/93⁽³⁾.

Article 4

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

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

Done at Brussels, 18 October 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 221, 6. 8. 1992, p. 19.

⁽²⁾ OJ No L 38, 16. 2. 1993, p. 12.

⁽³⁾ OJ No L 238, 23. 9. 1993, p. 21.

COMMISSION REGULATION (EEC) No 2837/93

of 18 October 1993

laying down detailed rules for the application of Council Regulation (EEC) No 2019/93 with regard to the maintenance of olive groves in traditional olive-growing areas

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2019/93 of 19 July 1993 introducing specific measures for the smaller Aegean Islands concerning certain agricultural products⁽¹⁾, and in particular Article 11 (2) thereof,

Whereas Regulation (EEC) No 2019/93 provides for the grant of a flat-rate annual aid per hectare to maintain olive groves in traditional olive growing areas, provided that the olive groves are kept and maintained in good production conditions; whereas, therefore, the detailed rules for applying the aid scheme in question, including the conditions governing the grant of aid and the provisions relating to inspection, should be laid down;

Whereas, given the variations in growing conditions and traditional practices in the regions concerned, the conditions for the proper maintenance of olive groves must be based on the maintenance work recognized as necessary according to local practices and traditions;

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

HAS ADOPTED THIS REGULATION:

Article 1

The flat-rate aid per hectare to maintain olive groves, provided for in Article 11 of Regulation (EEC) No 2019/93, shall be granted for areas:

- (a) with a minimum density of 50 trees per hectare;
- (b) in which the work recognized as necessary, in accordance with local practices and traditions, for the maintenance of the olive groves in good condition is carried out in an appropriate manner;
- (c) which, in the case of olive groves for the production of olive oil, have been the subject of a crop declaration pursuant to Article 3 of Council Regulation (EEC) No 2261/84⁽²⁾;

⁽¹⁾ OJ No L 184, 27. 7. 1993, p. 1.

⁽²⁾ OJ No L 208, 3. 8. 1984, p. 3.

- (d) which have been the subject of an aid application, in accordance with Article 2.

Article 2

1. The producers concerned shall lodge an aid application with the competent body by 15 June of each year at the latest. However, for 1993 the said application shall be lodged by 30 November 1993 at the latest.

Except in the case of *force majeure*, where an application is lodged after the due date the amount of aid to which the producer would have been entitled had the application been lodged in due time shall be reduced by 1 % per working day. If the delay exceeds 20 days the application shall be inadmissible.

The aid shall be paid out during the period 16 October to 30 November of each year. However, for 1993 payment shall be made by 31 December 1993 at the latest.

2. The aid application shall include at least the following:

- the surname, forenames and address of the applicant,
- the surface areas under cultivation, in hectares,
- the number of olive trees involved,
- in the case of olive groves for the production of olive oil, the reference for the last crop declaration submitted,
- the land register reference of the surface areas or an equivalent reference recognized by the body responsible for checking the areas.

Article 3

Greece shall carry out administrative and on-the-spot checks in order to verify that the conditions for the granting of the aid have been complied with.

The on-the-spot checks shall include, for each Nomos, at least 10 % of the aid applications submitted. However, this percentage shall be limited to 5 % in the first year of application. If a significant number of irregularities is detected in a given Nomos, the competent authorities shall carry out further checks in the year in question and shall increase the percentage of applications to be checked in the following year for that Nomos.

The applications selected for on-the-spot checks shall be determined by the competent authority, notably on the basis of a risk analysis, subject to efforts to ensure the selection of a representative sample.

The on-the-spot checks shall involve :

- measurement of all the areas covered by the application,
- verification of the upkeep of the olive groves in good production conditions,
- verification of compliance with the minimum density requirement.

Article 4

1. If it is found that the actual area exceeds the area declared in the aid application, the aid shall be calculated on the basis of the area declared.
2. If the checks shows that the area declared exceeds that actually observed by a maximum of 20 %, the aid shall be calculated on the basis of the area actually observed, less the excess which has been identified.
3. If the excess is greater than the limit laid down in paragraph 2, the application for the year in question shall be rejected. Furthermore, if the application has been deliberately falsified or the applicant has been guilty of serious negligence in completing it, he shall not be eligible for aid the following year.
4. The aid shall not be granted if the conditions relating to the proper upkeep of the olive groves or to the minimum density are not complied with.
5. If the check cannot be undertaken by virtue of some act of the applicant, the aid shall not be granted for the year in question, except in cases of *force majeure*. The interested party must supply the competent authorities with written evidence of the factors constituting *force*

majeure within 10 days of the date laid down for the inspection.

Article 5

By 31 December of each year Greece shall notify the Commission of :

1. the number of aid applications and areas in receipt of aid, in hectares and by Nomos ;
2. the percentage of applications and areas checked ;
3. the number of applications and irregularities and the areas involved.

However, the information must be supplied for 1993 by 28 February 1994 at the latest.

Article 6

1. In cases where aid has been paid unduly, the competent departments shall recover the amounts paid, plus interest running from the date of payment until that of actual recovery. The interest rate shall be that in force for similar recovery operations under national law.
2. The aid recovered and any interest shall be made over to the paying department or agencies, which shall make a deduction proportionate to the Community financing rate from the volume of expenditure financed by the European Agricultural Guidance and Guarantee Fund.

Article 7

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, 18 October 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 2838/93
of 18 October 1993
amending Regulation (EEC) No 1579/93 in respect of aid for milk producers in
Portugal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 739/93 of 17 March 1993 on the application of the common price for milk powder in Portugal ⁽¹⁾, and in particular Article 3 thereof,

Whereas Commission Regulation (EEC) No 1579/93 ⁽²⁾ lays down detailed rules for the application of the aid scheme for milk producers in Portugal; whereas the Portuguese authorities have had serious problems in applying the scheme since its introduction on 1 April 1993; whereas certain of the scheme's rules must be amended in order not to discourage producers who wish to abandon milk production to lighten the administrative burden;

Whereas this scheme entered into force on 1 April 1993; whereas the detailed rules for its application must apply from that same date;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1579/93 is hereby amended as follows:

1. The second paragraph of Article 2 is deleted.
2. The following paragraph is added to Article 3:

'4. Aid shall be paid as follows:

- (a) For producers submitting an aid application relating to the delivery quota, the competent authority shall pay the aid directly to the producers or via the purchaser each month on the basis of a declaration from the purchaser showing the quantity delivered during the previous month and after checking the quantity actually eligible and compliance with the guaranteed total quantity for deliveries.
- (b) For producers submitting an application relating to the direct sales quota, the aid shall be paid at the end of the marketing year after checks have been carried out on the quantity actually eligible and compliance with the guaranteed total quantity for direct sales.'

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 1 April 1993.

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

Done at Brussels, 18 October 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 77, 31. 3. 1993, p. 4.

⁽²⁾ OJ No L 152, 24. 6. 1993, p. 12.

COMMISSION REGULATION (EEC) No 2839/93

of 18 October 1993

on the special sale of intervention butter for export to the Republics of the former Soviet Union

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Articles 6 (7) and 28 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 purpose of the common agricultural policy ⁽³⁾, and in particular Article 4 thereof,

Whereas Article 6 of Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽⁴⁾, as last amended by Regulation (EEC) No 2045/91 ⁽⁵⁾, provides that, when butter is put on sale for export, special conditions may be laid down to take account of the special requirements for such sales and to guarantee that the product is not diverted from its destination;

Whereas on 22 June 1993 the Committee of the Protocol relating to milk fat, acting within the framework of the General Agreement on Tariffs and Trade (GATT), granted a derogation from Article 3 of the Protocol relating to milk fat in order to allow sales of butter to the Republics created after the dissolution of the Soviet Union at prices lower than the minimum GATT price;

Whereas the quantities of butter at present in storage are such that they should be used for such sales; whereas, therefore, it seems desirable to make certain quantities of butter in public of storage available to operators, using the tendering procedure in order to fix the minimum selling price;

Whereas, in order to ensure that the butter is not diverted from its destination, a system of supervision should operate from the time the butter is removed from storage until it has reached its destination in the third country concerned; whereas, for reasons of clarity, it should be specified that the provisions on supervision laid down by Commission Regulation (EEC) No 3002/92 of 16 October

1992 laying down common detailed rules for verifying the use and/or destination of products from intervention ⁽⁶⁾, as last amended by Regulation (EEC) No 1938/93 ⁽⁷⁾ are applicable; whereas, moreover, in view of the specific nature of this operation, additional conditions should be introduced;

Whereas Commission Regulation (EEC) No 1756/93 of 30 June 1993 fixing the operative events for the agricultural conversion rate applicable to milk and milk products ⁽⁸⁾ lays down the detailed rules for the conversion into national currencies of minimum prices and selling prices similar to those referred to in this Regulation; whereas the same rules should be applied to the conversion of those prices into national currencies;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Under the conditions laid down in this Regulation, a maximum quantity of 50 000 tonnes of butter with a fat content greater than or equal to 82 % and purchased in accordance with Article 6 (1) of Regulation (EEC) No 804/68 shall be sold. The allocation by Member State of the quantities of butter sold shall be that set out in the Annex.

2. The butter sold pursuant to this Regulation shall be exported in the unaltered state to the Republics created after the dissolution of the Soviet Union (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, Ukraine, Estonia, Latvia and Lithuania).

Article 2

1. The butter shall be sold ex-cold storage plant by standing invitation to tender until 14 December 1993. The tendering procedure shall be organized by each intervention agency for the relevant quantities of butter it holds.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁵⁾ OJ No L 187, 13. 7. 1991, p. 1.

⁽⁶⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁷⁾ OJ No L 176, 20. 7. 1993, p. 12.

⁽⁸⁾ OJ No L 161, 2. 7. 1993, p. 48.

2. The Annex shall serve as notice of invitation to tender. The information concerning quantities and places where the butter is stored may be obtained by prospective tenderers at the addresses indicated in the Annex. In addition, intervention agencies may display notices and publish additional information.

3. During the term of validity of the standing invitation to tender, the intervention agencies shall organize special invitations to tender. Each of the latter shall cover any of the butter referred to in Article 1 remaining available.

4. Tenderers shall submit their tenders to one of the intervention agencies referred to in the Annex not later than 12 noon on the second and fourth Tuesdays of each month. Where the Tuesday is a public holiday, the deadline shall be extended until 12 noon on the first subsequent working day. After expiry of the abovementioned time limit and before the following Thursday, the intervention agencies shall notify the Commission of tenders received. However, the deadline for the first submission of tenders shall be 12 noon on 26 October 1993 and the deadline for the last submission shall be 12 noon on 14 December 1993.

Article 3

1. Intervention agencies shall update and make available to the Commission and to prospective tenderers on request the list of the cold stores where the butter for sale is stored and the quantities available.

2. Intervention agencies shall take the measures necessary to enable prospective tenderers to examine at their own expense, before tendering, samples of the butter for sale.

Article 4

1. Interested parties shall participate in special invitations to tender either by lodging their written tenders with the intervention agency against an acknowledgment of receipt or by forwarding a registered letter to the intervention agency or by any other means of written telecommunication.

2. Tenders shall state:

- (a) the name and address of the tenderer;
- (b) the quantity applied for;
- (c) the price tendered per tonne of butter, not including domestic taxes, ex-cold storage depot, expressed in ecus;
- (d) the cold storage depots where the butter is held.

3. Tenders shall be valid only if:

- (a) they cover a minimum of 500 tonnes;
- (b) they are accompanied by a written undertaking by the tenderer waiving any rights to legal action in respect

of the quality and characteristics of the butter sold and a written undertaking to export the butter awarded, in an unaltered state, within the time limit laid down in Article 8 (3) to the destinations indicated in Article 1;

- (c) proof is furnished that the tenderer has lodged, before the expiry of the deadline for the submission of tenders, the tendering security referred to in Article 5 for the special invitation to tender concerned.

4. Tenders may not be withdrawn after the expiry of the deadline referred to in Article 2 (4) for the submission of tenders relating to the special invitation to tender concerned.

Article 5

1. Pursuant to this Regulation the maintenance of tenders after the expiry of the deadline for the submission of tenders, the payment of the price within the time limit referred to in the first subparagraph of Article 7 (1) and the payment of any storage costs due shall constitute primary requirements whose fulfilment shall be ensured by the lodging of a security of ECU 25 per tonne.

2. Tendering securities shall be lodged in the Member States in which tenders are submitted.

Article 6

1. A minimum selling price for butter to be exported in the unaltered state shall be fixed for each special invitation to tender in the light of the tenders received and in accordance with the procedure laid down in Article 30 of Regulation (EEC) No 804/68. Tender shall be rejected if the proposed price is lower than the minimum price. Where two or more tenders under consideration relating to the same store and offering the same prices or the same difference from the minimum price relate to a total quantity exceeding the quantity available, the quantity available shall be allocated proportionately to the quantities tendered for.

A decision may be taken to make no award in respect of the invitation to tender.

2. At the same time as the minimum selling price is fixed and in accordance with the same procedure, the amount of the security to guarantee the fulfilment of the primary requirements concerning import of the butter in the unaltered state into the Republics created after the dissolution of the Soviet Union within the time limit laid down in Article 8 (3) shall also be fixed.

3. The prices to be paid by successful tenderers shall be converted into national currency using the agricultural conversion rate applicable on the date of payment of the price referred to in Article 7 (2).

4. Obligations arising under the invitation to tender shall not be transferable.

5. Tenderers shall be informed individually forthwith by the intervention agency of the outcome of their tenders.

6. The intervention agencies shall issue removal orders showing:

- (a) the quantity in respect of which the price has been paid and the security referred to in Article 7 (2) has been lodged;
- (b) the cold storage depot in which it is stored;
- (c) the closing date for removal.

Article 7

1. The successful tenderers shall remove the butter which has been sold to them within 21 days following the closing date for the submission of tenders under the special invitation to tender concerned.

The butter may be removed in batches, each of which may not be less than 15 tonnes.

Except in cases of *force majeure*, where the butter is not removed within the time limit referred to in the first subparagraph, storage shall be at the expense of the successful tenderer with effect from the first day following the expiry of that time limit.

2. The successful tenderers shall pay the intervention agency the price shown in their tenders within the time limit referred to in paragraph 1, before removal of the butter, and in respect of each quantity they remove, and shall lodge the security referred to in Article 6 (2). Securities shall be lodged in the Member State where the tender is submitted.

Except in cases of *force majeure*, where the successful tenderer has failed to pay the price or lodged the security referred to in the first subparagraph within the time limit laid down, in addition to the loss of the security referred to in Article 5 (1) the sale shall be cancelled for the remaining quantities.

Article 8

1. The butter shall be supplied by the intervention agency in packaging bearing the following description in clearly visible and legible letters in the language or languages of the exporting country and in Russian:

— Regulation (EEC) No 2839/93: Butter for the ex-Soviet Union'.

2. The butter referred to in paragraph 1 may be exported in its original packaging or after having been repackaged in another packaging in the Member State where the butter has been removed from storage. The competent authority of the Member State in whose territory the repackaging takes place shall supervise such operations.

The cost of such supervision shall be borne by the operator concerned.

If the butter is repackaged, the packaging shall bear the description in paragraph 1 in clearly visible, legible letters.

3. The customs formalities for release for consumption in the Republics created after the dissolution of the Soviet Union have to be completed by 31 March 1994 at the latest.

Article 9

1. Except in cases of *force majeure*, the security referred to in Article 6 (2) shall be forfeit in proportion to those quantities for which the proof referred to in Article 15 of Regulation (EEC) No 3002/92 has not been produced within the time limit of 12 months as from the date on which the export declaration is accepted.

However, if the proof is furnished within the 18 months following the abovementioned period, 85 % of the security shall be reimbursed.

2. If the butter has been exported and released for consumption in a third country other than the destinations laid down and if proof is furnished that the product has left the Community's customs territory, only that part of the security referred to in Article 6 (2) shall be forfeit which corresponds to the difference between the security and the lowest export refund rate applicable on the day on which the export declaration was accepted for the product concerned.

3. The provisions of Commission Regulations (EEC) No 3002/92 and (EEC) No 2220/85 (1) shall apply except where this Regulation provides otherwise.

Article 10

1. No export refund shall be granted in respect of the butter sold pursuant to this Regulation.

2. The removal orders referred to in Article 3 (1) (b) of Regulation (EEC) No 3002/92, export declarations and, where applicable, T 5 control copies shall bear the following:

- Sin restitución [Reglamento (CEE) n° 2839/93]
- Uden restitution [Forordning (EØF) nr. 2839/93]
- Keine Erstattung [Verordnung (EWG) Nr. 2839/093]
- Άνευ επιστροφής [Κανονισμός (ΕΟΚ) αριθ. 2839/93]
- Without refund [Regulation (EEC) No 2839/93]
- Sans restitution [Règlement (CEE) n° 2839/93]
- Senza restituzione [Regolamento (CEE) n. 2839/93]
- Zonder restitutie [Verordening (EEG) nr. 2839/93]
- Sem restituição [Reglamento (CEE) n° 2839/93].

(1) OJ No L 205, 3. 8. 1985, p. 5.

3. In addition to the statements provided for in Regulation (EEC) No 3002/92, box 104 of T 5 control copis shall contain one or more of the following:

- Destinado a la exportación hacia las Repúblicas de la ex-Unión Soviética
- Skal udføres til republikkerne i det tidligere Sovjetunionen
- Zur Ausfuhr in die Republikken der ehemaligen Sowjetunion
- Προς εξαγωγή στις Δημοκρατίες της πρώην Σοβιετικής Ενώσεως
- To be exported to the Republics of the ex-Soviet Union
- Destiné à l'exportation vers les Républiques de l'ex-Union soviétique
- Da esportare nelle Repubbliche dell'ex Unione Sovietica
- Voor uitvoer naar de Republieken van de voormalige Sowjetunie

— Destinada à exportação para às Repúblicas da ex-União Soviética.

Article 11

The Member States shall notify the Commission every Tuesday of the quantities of butter which were the subject, the previous week, of a sales contract and/or removal pursuant to this Regulation.

Article 12

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, 18 October 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Notice of invitation to tender for the sale of butter held by the following intervention agencies in accordance with Regulation (EEC) No 2839/93**I. Allocation of the quantities of butter referred to in Article 1 :**

<i>(tonnes)</i>	
	Maximum quantities
Germany	8 000
Spain	12 000
Ireland	22 000
Netherlands	6 000
United Kingdom	2 000
Total	50 000

II. Addresses of the intervention agencies concerned :

- Bundesanstalt für landwirtschaftliche Markterordnung (BALM),
Adickesale 40,
Postfach 180107
D-60 322 Frankfurt am Main
[tel.: (49) 69/1 56 40 ; telex : 411 727 ; telefax : (49) 69/1 56 47 90/7 91 ;
teletex : 699 76 24/33]
- Department of Agriculture, Food and Forestry,
Intervention Unit,
Agriculture House,
Kildare Street,
IRL-Dublin,
[tel.: (353 1) 678 90 11 ; telex : 93 607 agri-ei ; telefax : (353 1) 661 62 63]
- Voedselvoorzienings In- en Verkoopbureau,
Burgemeester Kessenplein 3, Postbus 960,
NL-6430 AZ Hoensbroek
[tel.: (31-45) 23 83 83 ; telex : 56 396 ; telefax : (31-45) 22 27 35]
- Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
UK-Reading Berks RG1 7QW
[tel.: (44) 734 58 36 26 ; telex : 848 302 ;
telefax : (44) 734 58 36 26 — 2370]
- Servicio Nacional de Productos Agrarios (SENPA)
Calle de la Beneficencia 8
E-28004 Madrid
[tel.: (34) 1 522 29 61 ; telex : 41818 SENPA E — 234 27 ;
telefax : (34) 1 521 98 32].

COMMISSION REGULATION (EEC) No 2840/93
of 18 October 1993
amending Regulation (EEC) No 2638/93 on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Commission Regulation (EEC) No 2638/93⁽³⁾ issued an invitation to tender for the supply, as food aid, of 2 095 tonnes of vegetable oil; whereas some of the conditions specified in the Annex I to the Regulation should be amended,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EEC) No 2638/93 is hereby amended as follows:

for lot B, footnote⁽⁴⁾ shall read:

⁽⁴⁾ Shipment to take place in 20-foot containers, FLC/FCL. The supplier will be responsible for the

cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second subparagraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer must submit to the recipient's agent a complete packing list of each container, specifying the number of metal canisters belonging to each shipping number as specified in the invitation to tender. The rows of cartons (each third tier) must be separated by a hardboard layer (minimum 2 300 × 610 × 3 mm).

The successful tenderer must seal each container with a numbered locktainer, the number of which is to be provided to the recipient's forwarder.

Article 2

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, 18 October 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 242, 28. 9. 1993, p. 1.

COMMISSION REGULATION (EEC) No 2841/93**of 18 October 1993****abolishing the countervailing charge on apples originating in New Zealand**

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

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

Whereas Commission Regulation (EEC) No 2599/93⁽³⁾ introduced a countervailing charge on apples originating in New Zealand;

Whereas for these products originating in New Zealand there were no prices for six consecutive working days; whereas the conditions specified in Article 26 (1) of Regu-

lation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of apples originating in New Zealand can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2599/93 is hereby repealed.

Article 2

This Regulation shall enter into force on 19 October 1993.

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

Done at Brussels, 18 October 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 238, 23. 9. 1993, p. 29.

COMMISSION REGULATION (EEC) No 2842/93

of 18 October 1993

fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EEC) No 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 2816/93⁽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 15 October 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 19 October 1993.

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

Done at Brussels, 18 October 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 257, 15. 10. 1993, p. 8.

ANNEX

to the Commission Regulation of 18 October 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	35,17 ⁽¹⁾
1701 11 90	35,17 ⁽¹⁾
1701 12 10	35,17 ⁽¹⁾
1701 12 90	35,17 ⁽¹⁾
1701 91 00	42,33
1701 99 10	42,33
1701 99 90	42,33 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

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

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

COMMISSION REGULATION (EEC) No 2843/93

of 18 October 1993

altering the basic amount of the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EEC) No 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 syrups and certain other sugar products were fixed by Commission Regulation (EEC) No 2676/93 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2676/93 to the information known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 15 October 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to Regulation (EEC) No 2676/93 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 October 1993.

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

Done at Brussels, 18 October 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 245, 1. 10. 1993, p. 31.

ANNEX

to the Commission Regulation of 18 October 1993 altering the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question (1)	Amount of levy per 100 kg of dry matter (1)
1702 20 10	0,4233	—
1702 20 90	0,4233	—
1702 30 10	—	52,75
1702 40 10	—	52,75
1702 60 10	—	52,75
1702 60 90	0,4233	—
1702 90 30	—	52,75
1702 90 60	0,4233	—
1702 90 71	0,4233	—
1702 90 90	0,4233	—
2106 90 30	—	52,75
2106 90 59	0,4233	—

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

COMMISSION REGULATION (EEC) No 2844/93

of 18 October 1993

fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 (1) of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75;

Whereas, in accordance with the second subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for a period of the same duration as that for which refunds are fixed for the same products exported unprocessed;

Whereas, in accordance with paragraph 2 of that Article, when that rate is being determined particular account should be taken of:

(a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world market;

(b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty

which are manufactured under similar conditions; and

(c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas a specific rate of refund should be fixed for eggs in shell, exported in the form of egg albumin, taking into account the difference between the prices of such eggs on the Community market and on the world market;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75, are hereby fixed as shown in the Annex hereto.

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.

Article 2

This Regulation shall enter into force on 19 October 1993.

(⁵) OJ No L 102, 28. 4. 1993, p. 14.

(¹) OJ No L 282, 1. 11. 1975, p. 49.

(²) OJ No L 128, 11. 5. 1989, p. 29.

(³) OJ No L 323, 29. 11. 1980, p. 27.

(⁴) OJ No L 327, 27. 11. 1990, p. 4.

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

Done at Brussels, 18 October 1993.

For the Commission

Martin BANGEMANN

Vice-President

ANNEX

to the Commission Regulation of 18 October 1993 fixing the rates of the refunds applicable to eggs and egg yolks exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	Rate of refund (ECU/100 kg)
0407 00	Birds' eggs, in shell, fresh, preserved or cooked :	
0407 00 30	– Of poultry : – – Other : a) On exportation of ovalbumin of CN code 3502 10 b) On exportation of other goods	20,00 12,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter :	
0408 11	– Egg yolks :	
ex 0408 11 10	– – Dried : – – – Suitable for human consumption : not sweetened	60,00
0408 19	– – Other :	
ex 0408 19 11	– – – Suitable for human consumption : – – – – Liquid : not sweetened	26,00
ex 0408 19 19	– – – – Frozen : not sweetened	28,00
0408 91	– Other :	
ex 0408 91 10	– – Dried : – – – Suitable for human consumption : not sweetened	58,00
0408 99	– – Other :	
ex 0408 99 10	– – – Suitable for human consumption : not sweetened	10,00

COMMISSION REGULATION (EEC) No 2845/93

of 18 October 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⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Articles 10 (5) and 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 ⁽³⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2703/93 ⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 15

October 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 2703/93 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 19 October 1993.

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

Done at Brussels, 18 October 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 245, 1. 10. 1993, p. 108.

ANNEX

to the Commission Regulation of 18 October 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	94,34 ⁽²⁾ ⁽³⁾
0712 90 19	94,34 ⁽²⁾ ⁽³⁾
1001 10 00	69,37 ⁽¹⁾ ⁽³⁾
1001 90 91	86,29
1001 90 99	86,29 ^(*)
1002 00 00	114,05 ^(*)
1003 00 10	120,43
1003 00 20	120,43
1003 00 80	120,43 ^(*)
1004 00 00	91,02
1005 10 90	94,34 ⁽²⁾ ⁽³⁾
1005 90 00	94,34 ⁽²⁾ ⁽³⁾
1007 00 90	101,92 ^(*)
1008 10 00	21,43 ^(*)
1008 20 00	28,78 ^(*)
1008 30 00	27,36 ^(*)
1008 90 10	⁽⁷⁾
1008 90 90	27,36
1101 00 00	157,09 ^(*)
1102 10 00	197,18
1103 11 30	141,31
1103 11 50	141,31
1103 11 90	179,92
1107 10 11	164,48
1107 10 19	125,65
1107 10 91	225,25 ⁽¹⁰⁾
1107 10 99	171,05 ^(*)
1107 20 00	197,55 ⁽¹⁰⁾

⁽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.

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

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

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

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

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

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

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

COMMISSION REGULATION (EEC) No 2846/93**of 18 October 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⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, 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⁽³⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93⁽⁴⁾ and subsequent amending Regulations;

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

rate established during the reference period from 15 October 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 19 October 1993.

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

Done at Brussels, 18 October 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 18 October 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 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 24 September 1993

amending Decision 91/649/EEC on the establishment of an addendum to the Community support framework for Community structural assistance in Spain (Andalusia, Asturias, Castile-Léon, Castile-La Mancha, Valencia, Extremadura, Galicia, the Canary Islands, Murcia, Ceuta-Melilla) on the improvement of the conditions under which agricultural and forest products are processed and marketed

(Only the Spanish text is authentic)

(93/532/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

le-Léon, Castile-La Mancha, Valencia, Extremadura, Galicia, the Canary Islands, Murcia, Ceuta-Melilla);

Having regard to the Treaty establishing the European Economic Community,

Whereas the Commission approved, by Decision 91/649/EEC⁽¹⁾, the addendum to the abovementioned Community support framework on improvement of the conditions under which agricultural and forest products are processed and marketed, covering the period 1 January 1991 to 31 December 1993;

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽²⁾, as last amended by Regulation (EEC) No 3577/90⁽³⁾, and in particular Article 7 (2) thereof,

Whereas the Monitoring Committee for the Community support programme decided on 18 December 1992 to allocate ECU 24 967 million at constant 1989 prices, (i.e. indexed until 1993 : ECU 30 million) to the addendum to the Community support framework on the improvement of the conditions under which agricultural and forest products are processed and marketed;

Having regard to Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditions for forestry products⁽³⁾,

Whereas the replenished appropriations and the additional budget resources allocated to the addendum require an adjustment of the funding envisaged as Community budget assistance;

After consulting the Committee or the Development and Conversion of Regions,

Whereas the Commission approved, by Decision 89/641/EEC⁽⁴⁾, the Community support framework for structural assistance in Spain (Andalusia, Asturias, Casti-

Whereas the Monitoring Committee set up in Spain within the framework of the implementation of Regulations (EEC) No 866/90 and (EEC) No 867/90 proposed on 18 June 1993 an amendment to the plan for financing the addendum to the Community support framework;

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 91, 6. 4. 1990, p. 7.

⁽⁴⁾ OJ No L 370, 19. 12. 1989, p. 41.

⁽⁵⁾ OJ No L 350, 19. 12. 1991, p. 49.

Whereas the amendment proposed by that Committee consists of a new financial plan for the assistance from the Guidance Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) as regards the overall amount and the amounts for each product laid down in Article 2 (b) of Decision 91/649/EEC;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee for Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 (b) of Commission Decision 91/649/EEC of 10 December 1991 is hereby amended as follows:

- (b) an indicative financing plan specifying, at constant 1991 prices indexed until 1993, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, i.e. ECU 420 385 945 for the whole period, and the overall amounts envisaged as Community budget assistance, broken down as follows:

(ECU)

1. Forest products	1 767 614
2. Meat	38 423 865
3. Milk and milk products	9 732 309
4. Eggs and poultry	2 765 215
5. Livestock : sundry	6 616 766
6. Cereals	5 438 696
7. Oil seeds	15 364 418
8. Wine and alcohol	10 544 081
9. Fruit and vegetables	32 879 168
10. Flowers and plants	215 188
11. Seeds	1 158 244
12. Potatoes	2 223 196
Total	127 128 760

The resulting national financing requirement of approximately ECU 21 275 598 for the public sector and ECU 271 981 587 for the private sector may be partially covered by Community loans from the European Investment Bank and other loan instruments.

Article 2

This Decision is addressed to the Kingdom of Spain and the Ministry of Agriculture, Fisheries and Food.

Done at Brussels, 24 September 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 24 September 1993

amending Decision 91/651/EEC on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural and forest products are processed and marketed in Spain (with the exception of the regions of Andalusia, Asturias, Castile-León, Castile-La Mancha, Valencia, Extremadura, Galicia, the Canary Islands, Murcia, Ceuta-Melilla)

(Only the Spanish text is authentic)

(93/533/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽¹⁾, as last amended by Regulation (EEC) No 3577/90⁽²⁾, and in particular Article 7 (2) thereof,

Having regard to Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditions for forestry products⁽³⁾,

Whereas the Commission approved, by Decision 91/651/EEC⁽⁴⁾, the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural and forest products are processed and marketed in Spain (with the exception of the regions of Andalusia, Asturias, Castile-León, Castile-La Mancha, Valencia, Extremadura, Galicia, the Canary Islands, Murcia, Ceuta-Melilla), covering the period 1 January 1991 to 31 December 1993;

Whereas the replenished appropriations and the additional budget resources allocated to the Community support framework require an adjustment of the funding envisaged as Community budget assistance;

Whereas the Monitoring Committee set up in Spain within the framework of the implementation of Regulations (EEC) No 866/90 and (EEC) No 867/90 proposed on 18 June 1993 an amendment to the plan for financing the Community support framework;

Whereas the amendment proposed by that Committee consists of a new financial plan for the assistance from the Guidance Section of the European Agricultural Guidance and Guarantee Fund (EAGGF) as regards the overall

amount and the amounts for each product laid down in Article 2 (b) of Commission Decision 91/651/EEC;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee for Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 (b) of Commission Decision 91/651/EEC is hereby amended as follows:

- (b) an indicative financing plan specifying, at constant 1991 prices indexed until 1993, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, i.e. ECU 243 932 115 for the whole period, and the overall amounts envisaged as Community budget assistance, broken down as follows:

	(ECU)
1. Forest products	880 509
2. Meat	20 711 850
3. Milk and milk products	2 829 256
4. Eggs and poultry	2 002 660
5. Livestock: sundry	963 522
6. Cereals	3 436 970
7. Oil seeds	1 046 178
8. Wine and alcohol	6 062 110
9. Fruit and vegetables	10 525 572
10. Flowers and plants	—
11. Seeds	—
12. Potatoes	399 062
Total	48 857 689

The resulting national financing requirement of approximately ECU 12 235 474 for the public sector and ECU 182 838 952 for the private sector may be partially covered by Community loans from the European Investment Bank and other loan instruments.'

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 91, 6. 4. 1990, p. 7.

⁽⁴⁾ OJ No L 350, 19. 12. 1991, p. 53.

Article 2

This Decision is addressed to the Kingdom of Spain and the Ministry of Agriculture, Fisheries and Food.

Done at Brussels, 24 September 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 28 September 1993

fixing the aid for private storage of carcasses and half-carcasses of lamb in connection with the invitations to tender issued pursuant to Regulation (EEC) No 2457/93

(93/534/EEC)

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 7 (5) thereof,

Having regard to Commission Regulation (EEC) No 3446/90 of 27 November 1990 laying down detailed rules for granting private storage aid for sheepmeat and goatmeat⁽³⁾, as amended by Regulation (EEC) No 1258/91⁽⁴⁾, and in particular Article 12 (1) (f) thereof,

Whereas Commission Regulation (EEC) No 3447/90 of 28 November 1990 on special conditions for the granting of private storage aid for sheepmeat and goatmeat⁽⁵⁾, as last amended by Regulation (EEC) No 1258/91, supplements the provisions of Regulation (EEC) No 3446/90 and lays down in particular detailed rules governing invitations to tender;

Whereas Commission Regulation (EEC) No 2457/93⁽⁶⁾ opens invitations to tender for the fixing of aid for the private storage of carcasses and half-carcasses of lamb;

Whereas, in accordance with Article 12 (1) (f) of Regulation (EEC) No 3446/90, a maximum amount of aid for private storage should be fixed on the basis of tenders received or no action must be taken in respect of the invitation to tender;

Whereas the tenders received lead to action being taken in respect of the invitations to tender;

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

HAS ADOPTED THIS DECISION:

Article 1

The aid referred to in Article 12 (1) (f) of Regulation (EEC) No 3446/90 for the invitations to tender opened by Regulation (EEC) No 2457/93, shall be as follows: ECU 750 per tonne.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 28 September 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 333, 30. 11. 1990, p. 39.

⁽⁴⁾ OJ No L 120, 15. 5. 1991, p. 15.

⁽⁵⁾ OJ No L 333, 30. 11. 1990, p. 46.

⁽⁶⁾ OJ No L 225, 4. 9. 1993, p. 28.

COMMISSION DECISION

of 30 September 1993

amending Decision 92/82/EEC on the establishment of the Community support framework for Community structural assistance on the improvement of the conditions under which agricultural and forestry products are processed and marketed in Denmark

(Only the Danish text is authentic)

(93/535/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the amounts per sector provided for in Article 2 of Decision 92/82/EEC;

Having regard to the Treaty establishing the European Economic Community,

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee for Agricultural Structures and Rural Development,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products ⁽¹⁾, as amended by Regulation (EEC) No 3577/90 ⁽²⁾, and in particular Article 7 (2) thereof,

HAS ADOPTED THIS DECISION:

Having regard to Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditions for forestry products ⁽³⁾,

Article 1

Whereas the Commission adopted on 13 December 1991 Decision 92/82/EEC ⁽⁴⁾ which establishes the Community support framework for Community structural assistance pursuant to Regulation (EEC) No 866/90 for the period 1 January 1991 to 31 December 1993;

Article 2 of Commission Decision 92/82/EEC of 13 December 1991 is hereby amended as follows:

Whereas the replenished and additional budgetary funds require a revision of the financial arrangements envisaged for budgetary assistance from the Community;

- (b) an indicative financing plan specifying, at constant 1991 prices indexed to 1993, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 137 620 064 for the whole period, and the financial arrangements envisaged for budgetary assistance from the Community, broken down as follows:

Whereas the Monitoring Committee set up to monitor implementation of Regulations (EEC) No 866/90 and (EEC) No 867/90 in Denmark decided on 8 July 1993 to amend the financing plan for the Community support framework;

	(ECU)
1. Forestry	359 898
2. Meat	10 225 673
3. Milk and milk products	4 722 452
4. Eggs and poultrymeat	811 396
5. Fruit and vegetables	219 870
6. Flowers and plants	525 757
7. Seed	337 460
Total	17 202 508

Whereas the decision of the Monitoring Committee requires the adjustment of the European Agricultural Guidance and Guarantee Fund (EAGGF), Guidance Section, assistance with regard to the overall amount and

The resultant national financing requirement, ECU 6 881 003 for the public sector and ECU 113 536 553 for the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.'

⁽¹⁾ OJ No L 91, 6. 4. 1990, p. 1.

⁽²⁾ OJ No L 353, 17. 12. 1990, p. 23.

⁽³⁾ OJ No L 91, 6. 4. 1990, p. 7.

⁽⁴⁾ OJ No L 31, 7. 2. 1992, p. 46.

Article 2

This declaration of intent is addressed to the Kingdom of Denmark.

Done at Brussels, 30 September 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 4 October 1993

concerning Regulation (EEC) No 685/69 in respect of the fixing of aid for the private storage of butter and cream

(93/536/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Commission Regulation (EEC) No 685/69 of 14 April 1969 on detailed rules of application for intervention on the market in butter and cream⁽¹⁾, as last amended by Regulation (EEC) No 1756/93⁽²⁾, and in particular the first paragraph of Article 29 thereof,

Whereas Article 29 of Regulation (EEC) No 685/69 lays down that, in the event of an adjustment of the buying-in price expressed in national currency for butter, the private storage aid will be reduced or increased accordingly; whereas the Commission, if the market situation so justifies, may derogate from this rule in accordance with the procedure laid down in Article 30 of Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽³⁾, as last amended by Regulation (EEC) No 2071/92⁽⁴⁾; whereas the new agrimonetary rules introduced on 1 January 1993 entail frequent adjustments to the agricultural conversion rates, thereby creating ambiguities with regard to the calculation of compensation resulting from the adjustment of the buying in price on 1 July 1993;

Whereas, in the light of the market situation, taking into consideration the reduction in the intervention price for butter, account should not be taken of all the adjustments to the agricultural conversion rates and compensation

should be calculated on the basis of 90 % of the intervention price;

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

HAS ADOPTED THIS DECISION:

Article 1

The compensation referred to in Article 29 of Regulation (EEC) No 685/69 shall be equal to the difference between 90 % of the buying-in price expressed in national currency applicable on 30 June 1993, on the one hand, and 90 % of that applicable on 1 July 1993, on the other.

The compensation referred to in the preceding paragraph shall apply only to butter in respect of which the first day of the contractual storage period precedes 1 July 1993 and which is still in storage on that date.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 4 October 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 90, 15. 4. 1969, p. 12.

⁽²⁾ OJ No L 161, 2. 7. 1993, p. 48.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 64.