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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 3089/93
of 29 October 1993
amending Regulation (EEC) No 2299/89 on a code of conduct for computerized
reservation systems

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84 (2) 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 Regulation (EEC) No 2299/89 ⁽⁴⁾ constitutes a significant step towards the achievement of undistorted competition between air carriers and between computer reservation systems, thereby protecting the interests of consumers;

Whereas it is necessary to extend the scope of Regulation (EEC) No 2299/89 and to clarify its provisions and it is appropriate to take these measures at Community level to ensure that the objectives of the Regulation are met in all Member States;

Whereas this Regulation is without prejudice to the application of Articles 85 and 86 of the Treaty;

Whereas Commission Regulation (EEC) No 83/91 ⁽⁵⁾ exempts agreements for the common purchase development and operation of computer reservation systems from the provisions of Article 85 (1) of the Treaty;

Whereas non-scheduled air services are of major importance in the territory of the Community;

Whereas the bulk of these journeys are package tours or bundled products, with air transport forming only one element of the whole product;

Whereas, in principle, 'seat-only' or unbundled products on non-scheduled air services compete directly with air transport products offered on scheduled services;

Whereas it is desirable to treat like products equally and to ensure fair competition between both kinds of air transport products and the neutral dissemination of information to the consumer;

Whereas it is appropriate to deal with all matters of use of computer reservation systems for all kinds of air transport products in the same Council Regulation;

Whereas consumers looking for different products should be given the possibility to request displays for only scheduled or non-scheduled flights;

Whereas it is desirable to clarify that Regulation (EEC) No 2299/89 should apply to computer reservation systems offered to and/or used by all final consumers, be they individual members of the public or corporate users;

Whereas air carriers using a computer reservation system in their own clearly marked offices or counters should not be subject to the provisions governing the principal display;

Whereas a clear distinction between a contract for participation in or allowing for use of a system and the supply of the technical equipment itself is appropriate, the latter being subject to normal contract law, thus allowing a system vendor to claim his direct costs in the case of the termination of a participation or subscription contract in accordance with the provisions of this Regulation;

Whereas the refusal by parent carriers to provide the same information on schedules, fares and availability to systems other than their own and to accept bookings made by those systems can seriously distort competition between computer reservation systems;

⁽¹⁾ OJ No C 56, 26. 2. 1993, p. 28.

⁽²⁾ OJ No C 176, 28. 6. 1993, p. 65.

⁽³⁾ OJ No C 108, 19. 4. 1993, p. 16.

⁽⁴⁾ OJ No L 220, 29. 7. 1989, p. 1.

⁽⁵⁾ OJ No L 10, 15. 1. 1991, p. 9. Regulation last amended by Regulation (EEC) No 1618/93 (OJ No L 155, 26. 6. 1993, p. 23).

Whereas competitive neutrality of computer reservation systems for air carriers must be ensured in respect of equal functionality and data security, in particular through equal access to functions, information/data and interfaces and a clear separation between private airline facilities and distribution facilities ;

Whereas competitive parity will be enhanced by ensuring the separate legal identity of computer reservation systems ;

Whereas a parent carrier may enjoy unfair advantages arising from its control over its computer reservation system in the competition between air carriers ; whereas, therefore, total equality of treatment of parent and participating carriers is necessary to the extent that a parent carrier uses the facilities of its own system which are covered by this Regulation ;

Whereas it is desirable in the consumer's interest that a principal display be provided for each transaction requested by a consumer ;

Whereas it is desirable that detailed marketing, booking and sales data shall be made available to participating carriers on a non-discriminatory basis and with equal timeliness ; whereas identification or personal information on a passenger or a corporate user must remain private ; whereas, therefore, a system vendor has to ensure by technical means and appropriate safeguards, at least regarding software, that no unauthorized access to information can take place ;

Whereas billing information should be sufficiently detailed to allow participating carriers and subscribers to control their costs ; whereas, in order to facilitate such control, such information should be made available on magnetic media ;

Whereas it is desirable in the consumer interest to clarify that no flight or combination of flights shall be shown more than once in the principal display, except where, in a joint venture or other arrangement, each operating carrier assumes separate responsibility for the offer and sale of air transport products on the flights concerned ;

Whereas the system vendor should ensure that the principles of technical compliance with the provisions concern-

ing equal functionality and data security are monitored by an independent auditor,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 2299/89 is hereby amended as follows :

1. Articles 1, 2 and 3 are replaced by the following :

Article 1

This Regulation shall apply to computerized reservation systems to the extent that they contain air transport products, when offered for use and/or used in the territory of the Community, irrespective of :

- the status or nationality of the system vendor,
- the source of the information used or the location of the relevant central data processing unit,
- the geographical location of the airports between which air carriage takes place.

Article 2

For the purposes of this Regulation :

- (a) "unbundled air transport product" means the carriage by air of a passenger between two airports, including any related ancillary services and additional benefits offered for sale and/or sold as an integral part of that product ;
- (b) "bundled air transport product" means a pre-arranged combination of an unbundled air transport product with other services not ancillary to air transport, offered for sale and/or sold at an inclusive price ;
- (c) "air transport product" means both unbundled and bundled air transport products ;
- (d) "scheduled air service" means a series of flights all possessing the following characteristics ;
 - performed by aircraft for the transport of passengers or passengers and cargo and/or mail for remuneration, in such a manner that seats are available on each flight for individual purchase by consumers either directly from the air carrier or from its authorized agents),

- operated so as to serve traffic between the same two or more points, either ;
 - 1. according to a published timetable : or
 - 2. with flights so regular or frequent that they constitute a recognizably systematic series ;
- (e) "fare" means the price to be paid for unbundled air transport products and the conditions under which this price applies ;
- (f) "computerized reservation system" (CRS) means a computerized system containing information about, *inter alia*, air carriers'
 - schedules,
 - availability,
 - fares, and
 - related services,
 with or without facilities through which :
 - reservations may be made, or
 - tickets may be issued,
 to the extent that some or all of these services are made available to subscribers ;
- (g) "distribution facilities" means facilities provided by a system vendor for the provision of information about air carriers' schedules, availability, fares and related services and for making reservations and/or issuing tickets, and for any other related services ;
- (h) "system vendor" means any entity and its affiliates which is or are responsible for the operation or marketing of a CRS ;
- (i) "parent carrier" means any air carrier which directly or indirectly, alone or jointly with others, owns or effectively controls a system vendor, as well as any air carrier which it owns or effectively controls ;
- (j) "effective control" means a relationship constituted by rights, contracts or any other means which, either separately or jointly and having regard to the considerations of fact or law involved, confer the possibility of directly or indirectly exercising a decisive influence on an undertaking, in particular by :
 - the right to use all or part of the assets of an undertaking,
 - rights or contracts which confer a decisive influence on the composition, voting or decisions of the bodies of an undertaking or otherwise confer a decisive influence on the running of the business of the undertaking ;
- (k) "participating carrier" means an air carrier which has an agreement with a system vendor for the distribution of air transport products through a CRS. To the extent that a parent carrier uses the facilities of its own CRS which are covered by this Regulation, it shall be considered a participating carrier ;
- (l) "subscriber" means a person or an undertaking, other than a participating carrier, using the distribution facilities for air transport products of a CRS under contract or other arrangement with a system vendor ;
- (m) "consumer" means any person seeking information about and/or intending to purchase an air transport product ;
- (n) "principal display" means a comprehensive neutral display of data concerning air services between city-pairs, within a specified time period ;
- (o) "elapsed journey time" means the time difference between scheduled departure and arrival time ;
- (p) "service enhancement" means any product or service offered by a system vendor on its own behalf to subscribers in conjunction with a CRS, other than distribution facilities.

Article 3

1. A system vendor shall have the capacity, in its own name as a separate entity from the parent carrier, to have rights and obligations of all kinds, to make contracts, *inter alia* with parent carriers, participating carriers and subscribers, or to accomplish other legal acts and to sue and be sued.
2. A system vendor shall allow any air carrier the opportunity to participate, on an equal and non-discriminatory basis, in its distribution facilities within the available capacity of the system concerned and subject to any technical constraints outside the control of the system vendor.
3. (a) A system vendor shall not :
 - attach unreasonable conditions to any contract with a participating carrier,

- require the acceptance of supplementary conditions which, by their nature or according to commercial usage, have no connection with participation in its CRS and shall apply the same conditions for the same level of service.
- (b) A system vendor shall not make it a condition of participation in its CRS that a participating carrier may not at the same time be a participant in another system.
- (c) A participating carrier may terminate its contract with a system vendor on giving notice which need not exceed six months, to expire not before the end of the first year.

In such a case a system vendor shall be entitled to recover more than the costs directly related to the termination of the contract.

4. If a system vendor has decided to add any improvement to the distribution facilities provided or the equipment used in the provision of the facilities, it shall provide information on and offer these improvements to all participating carriers, including parent carriers, with equal timelines and on the same terms and conditions, subject to any technical constraints outside the control of the system vendor, and in such a way that there will be no difference in leadtime for the implementation of the new improvements between parent and participating carriers.'

2. The following Article is added :

'Article 3a

1. (a) A parent carrier may not discriminate against a competing CRS by refusing to provide the latter, on request and with equal timeliness, with the same information on schedules, fares and availability relating to its own air services as that which it provides to its own CRS or to distribute its air transport products through another CRS, or by refusing to accept or to confirm with equal timeliness a reservation made through a competing CRS for any of its air transport products which are distributed through its own CRS. The parent carrier shall be obliged to accept and to confirm only those bookings which are in conformity with its fares and conditions.

(b) The parent carrier shall not be obliged to accept any costs in this connection except for reproduction of the information to be provided and for accepted bookings.

(c) The parent carrier shall be entitled to carry out controls to ensure that Article 5 (1) is respected by the competing CRS.

2. The obligation imposed by this Article shall not apply in favour of a competing CRS when, in accordance with the procedures of Article 6 (5) or Article 7 (3) or (4), it has been decided that the CRS is in breach of Article 4a or that a system vendor cannot give sufficient guarantees that obligations under Article 6 concerning unauthorized access of parent carriers to information are complied with.'

3. Article 4 is replaced by the following :

'Article 4

1. Participating carriers and other providers of air transport products shall ensure that the data which they decide to submit to a CRS are accurate, non-misleading, transparent and no less comprehensive than for any other CRS. The data shall, *inter alia*, enable a system vendor to meet the requirements of the ranking criteria as set out in the Annex.

Data submitted via intermediaries shall not be manipulated by them in a manner which would lead to inaccurate, misleading or discriminatory information.

2. A system vendor shall not manipulate the material referred to in paragraph 1 in a manner which would lead to the provision of inaccurate, misleading or discriminatory information.

3. A system vendor shall load and process data provided by participating carriers with equal care and timeliness, subject only to the constraints of the loading method selected by individual participating carriers and to the standard formats used by the said vendor.'

4. The following Article is added :

'Article 4a

1. Loading and/or processing facilities provided by a system vendor shall be offered to all parent and participating carriers without discrimination. Where relevant and generally accepted air transport industry standards are available, system vendors shall offer facilities compatible with them.

2. A system vendor shall not reserve any specific loading and/or processing procedure or any other distribution facility for one or more of its parent carrier(s).

3. A system vendor shall ensure that its distribution facilities are separated, in a clear and verifiable manner, from any carrier's private inventory and management and marketing facilities. Separation may be established either logically by means of software or physically in such a way that any connection between the distribution facilities and the private facilities may be achieved by means of an application-to-application interface only. Irrespective of the method of separation adopted, any such interface shall be made available to all parent and participating carriers on a non-discriminatory basis and shall provide equality of treatment in respect of procedures, protocols, inputs and outputs. Where relevant and generally accepted air transport industry standards are available, system vendors shall offer interfaces compatible with them.

5. Articles 5 and 6 are replaced by the following :

Article 5

1. (a) Displays generated by a CRS shall be clear and non-discriminatory.

(b) A system vendor shall not intentionally or negligently display inaccurate or misleading information in its CRS.

2. (a) A system vendor shall provide a principal display or displays for each individual transaction through its CRS and shall include therein the data provided by participating carriers on flight schedules, fare types and seat availability in a clear and comprehensive manner and without discrimination or bias, in particular as regards the order in which information is presented.

(b) A consumer shall be entitled to have, on request, a principal display limited to scheduled or non-scheduled services only.

(c) No discrimination on the basis of airports serving the same city shall be exercised in constructing and selecting flights for a given city-pair for inclusion in a principal display.

(d) Ranking of flight options in a principal display shall be as set out in the Annex.

(e) Criteria to be used for ranking shall not be based on any factor directly or indirectly relating to carrier identity and shall be applied on a non-discriminatory basis to all participating carriers.

3. Where a system vendor provides information on fares, the display shall be neutral and non-discriminatory and shall contain at least the fares provided for all flights of participating carriers shown in the principal display. The source of such information shall be acceptable to the participating carrier(s) and system vendor concerned.

4. Information on bundled products regarding, *inter alia*, who is organizing the tour, availability and prices, shall not be featured in the principal display.

5. A CRS shall not be considered in breach of this Regulation to the extent that it changes a display in order to meet the specific request(s) of a consumer.

Article 6

1. The following provisions shall govern the availability of information, statistical or otherwise, by a system vendor from its CRS :

(a) information concerning individual bookings shall be provided on an equal basis and only to the air carrier(s) participating in the service covered by and to the subscriber(s) involved in the booking ;

(b) any marketing, booking and sales data made available shall be on the basis that :

(i) such data are offered with equal timeliness and on a non-discriminatory basis to all participating carriers, including parent carriers ;

(ii) such data may and, on request, shall cover all participating carriers and/or subscribers, but shall include no identification of or personal information on a passenger or a corporate user ;

(iii) all requests for such data are treated with equal care and timelessness, subject to the transmission method selected by the individual carrier.

2. A system vendor shall not make personal information concerning a passenger available to others not involved in the transaction without the consent of the passenger.

3. A system vendor shall ensure that the provisions in paragraphs 1 and 2 above are complied with, by technical means and/or appropriate safeguards regarding at least software, in such a way that information provided by or created for air carriers can in no way be accessed by one or more of the parent carriers except as permitted by this Article.

4. A system vendor shall, within three months of the entry into force of this Regulation, make available on request to all participating carriers a detailed description of the technical and administrative measures which it has adopted in order to conform with this Article.

5. Upon receipt of the detailed description of the technical and administrative measures which have been adopted or modified by a system vendor, the Commission shall decide within three months whether the measures are sufficient to provide the safeguards required under this Article. If not, the Commission's decision may invoke the application of Article 3a (2). The Commission shall immediately inform Member States of such a decision. Unless the Council, at the request of a Member State, takes a different decision within two months of the date of the Commission's decision, the latter shall enter into force.'

6. In Article 7, paragraphs 1 and 2 are replaced as follows :

'1. The obligations of a system vendor under Articles 3 and 4 to 6 shall not apply in respect of a parent carrier of a third country to the extent that its CRS outside the territory of the Community does not offer Community air carriers equivalent treatment to that provided under this Regulation and under Commission Regulation (EEC) No 83/91 (*).

2. The obligations of parent or participating carriers under Articles 3a, 4 and 8 shall not apply in respect of a CRS controlled by (an) air carrier(s) of one or more third country (countries) to the extent that outside the territory of the Community the parent or participating carrier(s) is (are) not accorded equivalent treatment to that provided under this Regulation and under Commission Regulation (EEC) No 83/91.

7. In Article 7, the following paragraph is added :

'5. (a) In cases where serious discrimination within the meaning of paragraph 1 or 2 is found to exist, the Commission may by decision instruct CRSs to modify their operations approximately in order to terminate such discrimination. The Commission shall immediately inform Member States of such a decision.

(b) Unless the Council, at the request of a Member State, takes another decision within two months of the date of the Commission's decision, the latter shall enter into force.'

8. Article 8 is replaced by the following :

'Article 8

1. A parent carrier shall neither directly nor indirectly link the use of any specific CRS by a subscriber with the receipt of any commission or other incentive or disincentive for the sale of air transport products available on its flights.

2. A parent carrier shall neither directly nor indirectly require use of any specific CRS by a subscriber for sale or issue of tickets for any air transport products provided either directly or indirectly by itself.

3. Any condition which an air carrier may require of a travel agent when authorizing it to sell and issue tickets for its air transport products shall be without prejudice to paragraphs 1 and 2.'

9. Article 9 (4), (5) and (6) are replaced by the following :

'4. (a) A system vendor shall not attach unreasonable conditions to any subscriber contract allowing for the use of its CRS and, in particular, a subscriber may terminate its contract with a system vendor by giving notice which need not exceed three months, to expire not before the end of the first year.

In such a case, a system vendor shall not be entitled to recover more than the costs directly related to the termination of the contract.

(b) Subject to paragraph 2, the supply of technical equipment is not subject to the conditions set out in (a).

(*) OJ No L 10, 15. 1. 1991, p. 9.'

5. A system vendor shall provide in each subscriber contract for:

- (a) the principal display, conforming to Article 5, to be accessed for each individual transaction, except where a consumer requests information for only one air carrier or where the consumer requests information for bundled air transport products alone;
- (b) the subscriber not to manipulate material supplied by CRSs in a manner which would lead to inaccurate, misleading or discriminatory presentation of information to consumers.

6. A system vendor shall not impose an obligation on a subscriber to accept an offer of technical equipment or software, but may require that equipment and software used be compatible with its own system.'

10. In Article 10, paragraphs 1 and 2 are replaced by the following:

'1. Any fee charged by a system vendor shall be non-discriminatory, reasonably structured and reasonably related to the cost of the service provided and used and shall, in particular, be the same for the same level of service.

The billing for the services of a CRS shall be sufficiently detailed to allow the participating carriers and subscribers to see exactly which services have been used and the fees therefor; as a minimum, booking fee bills must include the following information for each segment:

- type of CRS booking,
- passenger name,
- country,
- IATA/ARC agency identification code,
- city-code,
- city pair or segment,
- booking date (transaction date),
- flight date,
- flight number,
- status code (booking status),
- service type (class of service),
- PNR record locator,
- booking/cancellation indicator.

The billing information shall be offered on magnetic media.

A participating air carrier shall be offered the facility of being informed at the time that any booking/transaction is made for which a booking fee will be charged. Where a carrier elects to be so informed, it shall be offered the option to disallow such booking/transaction, unless the latter has already been accepted.

2. A system vendor shall, on request, provide interested parties with details of current procedures, fees and systems facilities, including interfaces, editing and display criteria used. However, this provision does not oblige a system vendor to disclose proprietary information such as software programmes.'

11. Article 21 is replaced by the following:

'Article 21

The provisions in Article 5, Article 9 (5) and the Annex to this Regulation shall not apply to a CRS used by an air carrier or a group of air carriers in its (their) own office(s) and sales counters clearly identified as such.'

12. The following Article is added:

'Article 21a

1. The system vendor shall ensure that the technical compliance of its CRS with Articles 4a and 6 is monitored by an independent auditor. For this purpose, the auditor shall be granted access at any time to any programs, procedures, operations and safeguards used on the computers or computer systems through which the system vendor is providing its distribution facilities. Each system vendor shall submit its auditor's report on his inspection and findings to the Commission at least once a year. This report shall be examined by the Commission with a view to any necessary action in accordance with Article 11 (1).

2. The system vendor shall inform participating carriers and the Commission of the identity of the auditor at least three months before confirmation of an appointment and at least three months before each annual reappointment. If, within one month of notification, any of the participating carriers objects to the capability of the auditor to carry out the tasks as required under this Article, the Commission shall, within a further two months and after consultation with the auditor, the system vendor and any other party claiming a legitimate interest, decide whether or not the auditor is to be replaced.'

13. Article 22 is replaced by the following :

'Article 22

1. This Regulation shall be without prejudice to national legislation on security, public order and data protection.

2. The beneficiaries of rights arising under Article 3 (4), Articles 4a, 6 and 21 (a) cannot renounce these rights by contractual or any other means.'

14. Article 23 is replaced by the following :

'Article 23

1. The Council shall decide on the revision of this Regulation by 31 December 1997, on the basis of a Commission proposal to be submitted by 31 March 1997, accompanied by a report on the application of this Regulation.

2. The Council shall review the application of Articles 4a and 6 (3), based on a report to be

submitted, at the latest by the end of 1994, by the Commission.'

15. The Annex is replaced by the Annex to this Regulation.

Article 2

1. This Regulation shall enter into force on the 30th day following its publication in the *Official Journal of the European Communities*.

2. The new Articles 3 (1) and 5 (2) (b) of Regulation (EEC) No 2299/89 shall not apply until six months after the date referred to in paragraph 1. The Commission may grant a further 12 months' waiver to CRSs which, for objective reasons, are unable to comply with Article 3 (1) and Article 5 (2) (b).

3. The obligation in point 9 (c) of the Annex to display connecting flights with one line per aircraft segment shall apply from 1 January 1995.

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

Done at Brussels, 29 October 1993.

For the Council

The President

R. URBAIN

ANNEX

Principal display ranking criteria for flights offering unbundled air transport products

1. Ranking of flight options in a principal display, for the day or days requested, shall be in the following order unless requested in a different way by a consumer for an individual transaction :
 - (i) all non-stop direct flights between the city-pairs concerned,
 - (ii) other direct flights, not involving a change of aircraft, between the city-pairs concerned,
 - (iii) connecting flights.
2. A consumer shall at least be afforded the possibility of having, on request, a principal display ranked by departure or arrival time and/or elapsed journey time. Unless otherwise requested by a consumer, a principal display shall be ranked by departure time for group (i) and elapsed journey time for groups (ii) and (iii).
3. Where a system vendor chooses to display information for any city-pair in relation to the schedules or fares of non-participating carriers, but not necessarily all such carriers, such information shall be displayed in an accurate, non-misleading and non-discriminatory manner between carriers displayed.
4. If, to the system vendor's knowledge, information on the number of direct scheduled air services and the identity of the air carriers concerned is not comprehensive, this shall be clearly stated on the relevant display
5. Flights other than scheduled air services shall be clearly identified.
6. Flights involving stops en route shall be clearly identified.
7. Where flights are operated by an air carrier which is not the air carrier identified by the carrier designator code, the actual operator of the flight shall be clearly identified. This requirement shall apply in all cases, except for short-term *ad hoc* arrangements.
8. A system vendor shall not use the screen space in a principal display in a manner which gives excessive exposure to one particular travel option or which displays unrealistic travel options.
9. Except as provided for in paragraph 10, the following shall apply :
 - (a) for direct services, no flight shall be featured more than once in a principal display ;
 - (b) for multi-sector services involving a change of aircraft, no combination of flights shall be featured more than once in a principal display ;
 - (c) flights involving a change of aircraft shall be treated and displayed as connecting flights, with one line per aircraft segment.Nevertheless, only one reservation shall be necessary where the flights are operated by the same air carrier, with the same flight number, and where the air carrier requires only one flight coupon.
10.
 1. Where participating carriers have joint venture or other contractual arrangements requiring two or more of them to assume separate responsibility for the offer and sale of air transport products on a flight or combination of flights, the terms 'flight' (for direct services) and 'combination of flights' (for multi-sector services) in paragraph 9 shall be interpreted as allowing each of the carriers concerned — up to a maximum of two — to have a separate display using its individual carrier designator code.
 2. Where more than two carriers are involved, designation of the two carriers entitled to avail themselves of the exception provided for in subparagraph 1 shall be a matter for the carrier actually operating the flight.
11. A principal display shall, wherever practicable, include connecting flights on scheduled services which are operated by participating carriers and are constructed by using a minimum number of nine connecting points. A system vendor shall accept a request by a participating carrier, to include an indirect service, unless the routing is in excess of 130 % of the great circle distance between the two airports or except where this would lead to the exclusion of services with a shorter elapsed journey time. Connecting points with routings in excess of 130 % need not be used.

COMMISSION REGULATION (EC) No 3090/93

of 10 November 1993

amending Regulation (EEC) No 2780/93 and increasing to 87 800 tonnes the amount of durum wheat held by the Spanish intervention agency for which a standing invitation to tender for resale on the internal market has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾ lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;

Whereas Commission Regulation (EEC) No 2780/93⁽⁴⁾ opened a standing invitation to tender for the resale on the internal market of 50 000 tonnes of durum wheat held by the Spanish intervention agency;

Whereas in the present situation on the market the quantity of durum wheat held by the Spanish intervention agency put up for sale on the internal market of the Community should be increased to 87 800 tonnes;

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

In Article 1 of Regulation (EEC) No 2780/93 'of 50 000 tonnes' is replaced by 'of 87 800 tonnes'.

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, 10 November 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 252, 9. 10. 1993, p. 11.

COMMISSION REGULATION (EC) No 3091/93

of 10 November 1993

amending Regulation (EEC) No 2782/93 and increasing to 200 000 tonnes the amount of durum wheat held by the Greek intervention agency for which a standing invitation to tender for resale on the internal market has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾ lays down the procedures and conditions governing the offer for sale of cereals held by intervention agencies;

Whereas Commission Regulation (EEC) No 2782/93⁽⁴⁾ opened a standing invitation to tender for the resale on the internal market of 100 000 tonnes of durum wheat held by the Greek intervention agency;

Whereas in the present situation on the market the quantity of durum wheat held by the Greek intervention agency put up for sale on the internal market of the Community should be increased to 200 000 tonnes;

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

In Article 1 of Regulation (EEC) No 2782/93 'of 100 000 tonnes' is replaced by 'of 200 000 tonnes'.

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, 10 November 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 252, 9. 10. 1993, p. 15.

COMMISSION REGULATION (EC) No 3092/93

of 9 November 1993

re-establishing the levying of customs duties on products of categories 15, 18 and 83 (order Nos 40.0150, 40.0180 and 40.0830), originating in Indonesia, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas, in respect of products of categories 15, 18 and 83 (order Nos 40.0150, 40.0180 and 40.0830), originating in Indonesia, the relevant ceilings amount to 227 000 pieces, 112 and 60 tonnes respectively;

Whereas on 28 May 1993 imports of the products in question into the Community, originating in Indonesia, a country covered by preferential tariff arrangements, reached and were charged against these ceilings;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 14 November 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Indonesia:

Order No	Category (unit)	CN code	Description
40.0150	15 (1 000 pieces)	6202 11 00	Women's or girls' woven overcoats, raincoats and other coats, cloaks and capes; jackets and blazers, of wool, of cotton or of man-made textile fibres (other than parkas) (of category 21)
		ex 6202 12 10	
		ex 6202 12 90	
		ex 6202 13 10	
		ex 6202 13 90	
		6204 31 00	
		6204 32 90	
40.0180	18 (tonnes)	6204 33 90	Men's and boys' singlets and other vests, underpants, briefs, nightshirts, pyjamas, bathrobes, dressing gowns and similar articles, other than knitted or crocheted
		6204 39 19	
		6210 30 00	
		6207 11 00	
		6207 19 00	
		6207 21 00	
		6207 22 00	
		6207 29 00	
		6207 91 00	
		6207 92 00	
		6207 99 00	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

Order No	Category (unit)	CN code	Description
40.0180 (cont'd)		6208 11 00 6208 19 10 6208 19 90 6208 21 00 6208 22 00 6208 29 00 6208 91 10 6208 91 90 6208 92 10 6208 92 90 6208 99 00	Women's and girls' singlets and other vests, slips, petticoats, briefs, panties, nightdresses, pyjamas, negligés, bathrobes, dressing gowns and similar articles, other than knitted or crocheted
40.0830	83 (tonnes)	6101 10 10 6101 20 10 6101 30 10 6102 10 10 6102 20 10 6102 30 10 6103 31 00 6103 32 00 6103 33 00 ex 6103 39 00 6104 31 00 6104 32 00 6104 33 00 ex 6104 39 00 ex 6112 20 00 6113 00 90 6114 10 00 6114 20 00 6114 30 00	Overcoats, jackets, blazer and other garments, including ski suits, knitted or crocheted, excluding garments of categories 4, 5, 7, 13, 24, 26, 27, 28, 68, 69, 72, 73, 74 and 75

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, 9 November 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 3093/93
of 9 November 1993

re-establishing the levying of customs duties on products of category 65 (order No 40.0650), originating in Argentina, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas, in respect of products of category 65 (order No 40.0650), originating in Argentina, the relevant ceiling amounts to 166 tonnes;

Whereas on 27 April 1993 imports of the products in question into the Community, originating in Argentina, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 14 November 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Argentina:

Order No	Category (unit)	CN code	Description
40.0650	65 (tonnes)	5606 00 10	Knitted or crocheted fabric other than of categories 38 A and 63, of wool, of cotton or of man-made fibres
		ex 6001 10 00	
		6001 21 00	
		6001 22 00	
		6001 29 10	
		6001 91 10	
		6001 91 30	
		6001 91 50	
		6001 91 90	
		6001 92 10	
		6001 92 30	
		6001 92 50	
		6001 92 90	
		6001 99 10	
		ex 6002 10 10	
		6002 20 10	
		6002 20 39	
		6002 20 50	
		6002 20 70	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

Order No	Category (unit)	CN code	Description
40.0650 (cont'd)		ex 6002 30 10 6002 41 00 6002 42 10 6002 42 30 6002 42 50 6002 42 90 6002 43 31 6002 43 33 6002 43 35 6002 43 39 6002 43 50 6002 43 91 6002 43 93 6002 43 95 6002 43 99 6002 91 00 6002 92 10 6002 92 30 6002 92 50 6002 92 90 6002 93 31 6002 93 33 6002 93 35 6002 93 39 6002 93 91 6002 93 99	

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, 9 November 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 3094/93

of 9 November 1993

re-establishing the levying of customs duties on products of category 96 (order No 40.0960), originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas, in respect of products of category 96 (order No 40.0960), originating in China, the relevant ceiling amounts to 78 tonnes;

Whereas on 15 February 1993 imports of the products in question into the Community, originating in China, a country covered by preferential tariff arrangements, reached and were charged against that ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 14 November 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in China:

Order No	Category (unit)	CN code	Description
40.0960	96 (tonnes)	5603 00 10	Non-woven fabrics and articles of such fabrics, whether or not impregnated, coated, covered or laminated
		5603 00 91	
		5603 00 93	
		5603 00 95	
		5603 00 99	
		ex 5807 90 10	
		ex 5905 00 70	
		6210 10 91	
		6210 10 99	
		ex 6301 40 90	
		ex 6301 90 90	
		6302 22 10	
		6302 32 10	
		6302 53 10	
		6302 93 10	
		6303 92 10	
		6303 99 10	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

Order No	Category (unit)	CN code	Description
40.0960 (cont'd)		ex 6304 19 90 ex 6304 93 00 ex 6304 99 00 ex 6305 39 00 6307 10 30 ex 6307 90 99	

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, 9 November 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 3095/93

of 9 November 1993

re-establishing the levying of customs duties on products of category 124 (order No 42.1240), originating in Belarus, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas, in respect of products of category 124 (order No 42.1240), originating in Belarus, the relevant ceiling amounts to 2 038 tonnes;

Whereas on 15. July 1993 imports of the products in question into the Community, originating in Belarus, countries covered by preferential tariff arrangements, reached and were charged against that ceiling;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 14 November 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Belarus:

Order No	Category (unit)	CN code	Description
42.1240	124 (tonnes)	5501 10 00	Synthetic staple fibres
		5501 20 00	
		5501 30 00	
		5501 90 00	
		5503 10 11	
		5503 10 19	
		5503 10 90	
		5503 20 00	
		5503 30 00	
		5503 40 00	
		5503 90 10	
		5503 90 90	
		5505 10 10	
		5505 10 30	
		5505 10 50	
		5505 10 70	
		5505 10 90	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

Article 2

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

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

Done at Brussels, 9 November 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 3096/93

of 9 November 1993

re-establishing the levying of customs duties on products of categories 65 and 72 (order Nos 40.0650 and 40.0720), originating in South Korea, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas, in respect of products of categories 65 and 72 (order Nos 40.0650 and 40.0720), originating in South Korea, the relevant ceilings amount to 34 tonnes and 38 000 pieces respectively;

Whereas on 28 May 1993 imports of the products in question into the Community, originating in South Korea, countries covered by preferential tariff arrangements, reached and were charged against these ceilings;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 14 November 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in South Korea:

Order No	Category (unit)	CN code	Description
40.0650	65 (tonnes)	5606 00 10	Knitted or crocheted fabric other than of categories 38 A and 63, of wool, of cotton or of man-made fibres
		ex 6001 10 00	
		6001 21 00	
		6001 22 00	
		6001 29 10	
		6001 91 10	
		6001 91 30	
		6001 91 50	
		6001 91 90	
		6001 92 10	
		6001 92 30	
		6001 92 50	
		6001 92 90	
		6001 99 10	
		ex 6002 10 10	
		6002 20 10	
		6002 20 39	
		6002 20 50	
		6002 20 70	
		ex 6002 30 10	
		6002 41 00	
		6002 42 10	
		6002 42 30	
		6002 42 50	
		6002 42 90	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

Order No	Category (unit)	CN code	Description
40.0650 (cont'd)		6002 43 31 6002 43 33 6002 43 35 6002 43 39 6002 43 50 6002 43 91 6002 43 93 6002 43 95 6002 43 99 6002 91 00 6002 92 10 6002 92 30 6002 92 50 6002 92 90 6002 93 31 6002 93 33 6002 93 35 6002 93 39 6002 93 91 6002 93 99	
40.0720	72 (1 000 pieces)	6112 31 10 6112 31 90 6112 39 10 6112 39 90 6112 41 10 6112 41 90 6112 49 10 6112 49 90 6211 11 00 6211 12 00	Swimwear, of wool, of cotton or of man-made fibres

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, 9 November 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 3097/93

of 9 November 1993

re-establishing the levying of customs duties on products of categories 17, 19 and 76 (order Nos 40.0170, 40.0190 and 40.0760), originating in India, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas, in respect of products of categories 17, 19 and 76 (order Nos 40.0170, 40.0190 and 40.0760), originating in India, the relevant ceilings amount to 81 000 and 1 746 000 pieces and 169 tonnes respectively;

Whereas on 13 September 1993 imports of the products in question into the Community, originating in India, a country covered by preferential tariff arrangements, reached and were charged against those ceilings;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 14 November 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in India:

Order No	Category (unit)	CN code	Description
40.0170	17 (1 000 pieces)	6203 31 00 6203 32 90 6203 33 90 6203 39 19	Men's or boys' jackets excluding waister jackets and blazers, other than knitted or crocheted, of wool, of cotton or of man-made fibres
40.0190	19 (1 000 pieces)	6213 20 00 6213 90 00	Handkerchiefs other than knitted or crocheted
40.0760	76 (tonnes)	6203 22 10 6203 23 10 6203 29 11 6203 32 10 6203 33 10 6203 39 11 6203 42 11 6203 42 51 6203 43 11 6203 43 31 6203 49 11 6203 49 31	Men's or boys' industrial or occupation al clothing: other than knitted or crocheted: women's or girls' aprons, smock overalls and other industrial or occupation clothing, other than knitted or crocheted

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

Order No	Category (unit)	CN code	Description
40.0760 (<i>cont'd</i>)		6204 22 10	
		6204 23 10	
		6204 29 11	
		6204 32 10	
		6204 33 10	
		6204 39 11	
		6204 62 11	
		6204 62 51	
		6204 63 11	
		6204 63 31	
		6204 69 11	
		6204 69 31	
		6211 32 10	
		6211 33 10	
		6211 42 10	
		6211 43 10	

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, 9 November 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 3098/93

of 9 November 1993

re-establishing the levying of customs duties on products of categories 19, 26 and 28 (order Nos 40.0190, 40.0260 and 40.0280), originating in Pakistan, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

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

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

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

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

Whereas, in respect of products of categories 19, 26 and 28 (order Nos 40.0190, 40.0260 and 40.0280), originating in Pakistan, the relevant ceiling respectively amounts to 1 746 000, 395 000 and 109 000 pieces respectively,

Whereas on 29 July 1993 imports of the products in question into the Community, originating in Pakistan, countries covered by preferential tariff arrangements, reached and were charged against those ceilings;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 14 November 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Pakistan:

Order No	Category (unit)	CN code	Description
40.0190	19 (1 000 pieces)	6213 20 00 6213 90 00	Handkerchiefs other than knitted or crocheted
40.0260	26 (1 000 pieces)	6104 41 00 6104 42 00 6104 43 00 6104 44 00 6204 41 00 6204 42 00 6204 43 00 6204 44 00	Women's or girls' dresses, of wool, of cotton or man-made fibres
40.0280	28 (1 000 pieces)	6103 41 10 6103 41 90 6103 42 10 6103 42 90 6103 43 10 6103 43 90 6103 49 10 6103 49 91 6104 61 10 6104 61 90 6104 62 10 6104 62 90 6104 63 10 6104 63 90 6104 69 10 6104 69 91	Trousers, bib and brace overalls, breeches and shorts (other than swimwear) knitted or crocheted, of wool, of cotton or man-made fibres

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

Article 2

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

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

Done at Brussels, 9 November 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 3099/93

of 9 November 1993

re-establishing the levying of customs duties on products of categories 28 and 76 (order Nos 40.0280 and 40.0760), originating in Thailand, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas, in respect of products of categories 28 and 76 (order Nos 40.0280 and 40.0760), originating in Thailand, the relevant ceilings amount to 104 000 pieces and 169 tonnes respectively;

Whereas on 28 May 1993 imports of the products in question into the Community, originating in Thailand, a country covered by preferential tariff arrangements, reached and were charged against those ceilings;

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

HAS ADOPTED THIS REGULATION:

Article 1

As from 14 November 1993 the levying of customs duties, suspended pursuant to Regulation (EEC) No 3832/90, shall be re-established in respect of the following products, imported into the Community and originating in Thailand:

Order No	Category (unit)	CN code	Description
40.0280	28 (1 000 pieces)	6103 41 10	Trousers, bib and brace overalls, breeches and shorts (other than swimwear) knitted or crocheted, of wool, of cotton or man-made fibres
		6103 41 90	
		6103 42 10	
		6103 42 90	
		6103 43 10	
		6103 43 90	
		6103 49 10	
		6103 49 91	
		6104 61 10	
		6104 61 90	
		6104 62 10	
		6104 62 90	
		6104 63 10	
		6104 63 90	
		6104 69 10	
		6104 69 91	

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

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

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, 9 November 1993.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 3100/93

of 10 November 1993

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EEC) No 1684/92⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for sugar according to destination;

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾ prohibits trade between the European 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 representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾ 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⁽¹⁰⁾;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund 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 Sugar,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 November 1993.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ 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, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 10 November 1993 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	33,93 ⁽¹⁾
1701 11 90 910	32,42 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	33,93 ⁽¹⁾
1701 12 90 910	32,42 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3689
	— ECU/100 kg —
1701 99 10 100	36,89
1701 99 10 910	37,24
1701 99 10 950	37,24
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3689

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

⁽³⁾ 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.

COMMISSION REGULATION (EC) No 3101/93**of 10 November 1993****fixing the amount by which the levy on imports of rice from the Arab Republic of Egypt must be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 1544/93 ⁽²⁾, and in particular Article 11 thereof,

Having regard to Council Regulation (EEC) No 1250/77 of 17 May 1977 on imports of rice from the Arab Republic of Egypt ⁽³⁾, and in particular Article 1 thereof,

Whereas Regulation (EEC) No 1250/77 provides that the levy calculated in accordance with Article 11 of Regulation (EEC) No 1418/76 is to be reduced by an amount to be fixed by the Commission each quarter; whereas this amount must be equal to 25 % of the average of the levies applied during a reference period;

Whereas, pursuant to Commission Regulation (EEC) No 2942/73 of 30 October 1973 laying down detailed rules for the application of Regulation (EEC) No 2412/73 ⁽⁴⁾, as last amended by Regulation (EEC) No 560/91 ⁽⁵⁾, the

reference period is to be the quarter preceding the month in which the amount is fixed;

Whereas the levies to be taken into consideration are therefore those applicable during July, August and September 1993,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in Article 1 of Regulation (EEC) No 1250/77 by which the levy on imports of rice originating in and coming from the Arab Republic of Egypt is to be reduced shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 11 November 1993.

At the request of interested parties it shall apply with effect from 1 November 1993.

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

Done at Brussels, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 146, 14. 6. 1977, p. 9.

⁽⁴⁾ OJ No L 302, 31. 10. 1973, p. 1.

⁽⁵⁾ OJ No L 62, 8. 3. 1991, p. 26.

ANNEX

to the Commission Regulation of 10 November 1993 fixing the amount by which the levy
on imports of rice from the Arab Republic of Egypt must be reduced

(ECU/tonne)

CN code	Amounts to be deducted
1006 10 21	76,98
1006 10 23	82,18
1006 10 25	82,18
1006 10 27	82,18
1006 10 92	76,98
1006 10 94	82,18
1006 10 96	82,18
1006 10 98	82,18
1006 20 11	96,23
1006 20 13	102,72
1006 20 15	102,72
1006 20 17	102,72
1006 20 92	96,23
1006 20 94	102,72
1006 20 96	102,72
1006 20 98	102,72
1006 30 21	122,84
1006 30 23	156,83
1006 30 25	156,83
1006 30 27	156,83
1006 30 42	122,84
1006 30 44	156,83
1006 30 46	156,83
1006 30 48	156,83
1006 30 61	130,82
1006 30 63	168,13
1006 30 65	168,13
1006 30 67	168,13
1006 30 92	130,82
1006 30 94	168,13
1006 30 96	168,13
1006 30 98	168,13
1006 40 00	41,24

COMMISSION REGULATION (EC) No 3102/93

of 10 November 1993

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Egypt must be reduced

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

Having regard to Council Regulation (EEC) No 1030/77
of 17 May 1977 concluding the Interim Agreement
between the European Economic Community and the
Arab Republic of Egypt⁽¹⁾, and in particular the second
subparagraph of paragraph 3 of the exchange of letters
relating to Article 13 of the Agreement,

Whereas the exchange of letters covered by Regulation
(EEC) No 1030/77 provides that the variable component
of the levy calculated in accordance with Article 2 of
Commission Regulation (EEC) No 1620/93⁽²⁾ on the
import and export system for products processed from
cereals and rice, is to be reduced by an amount fixed by
the Commission each quarter; whereas this amount must
be equal to 60 % of the average of the levies in force
during the three months preceding the month during
which the amount is fixed;

Whereas the variable components applicable during July,
August and September 1993 to the products falling within

CN codes 2302 10, 2302 20, 2302 30 and 2302 40 are to
be taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts referred to in the second subparagraph of
paragraph 3 of the exchange of letters covered by Regula-
tion (EEC) No 1030/77 to be deducted from the variable
component applicable to bran and sharps originating in
Egypt shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 11 November
1993.

At the request of interested parties it shall apply with
effect from 1 November 1993.

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

Done at Brussels, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 126, 23. 5. 1977, p. 1.
⁽²⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

to the Commission Regulation of 10 November 1993 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Egypt must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 10 10	31,76
2302 10 90	68,05
2302 20 10	31,76
2302 20 90	68,05
2302 30 10	31,76
2302 30 90	68,05
2302 40 10	31,76
2302 40 90	68,05

COMMISSION REGULATION (EC) No 3103/93

of 10 November 1993

fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Argentina must be reduced

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

Having regard to Council Regulation (EEC) No 1058/88
of 28 March 1988 on the import of bran, sharps and other
residues derived from the sifting, milling or other working
of cereals other than maize and rice and amending
Regulation (EEC) No 2658/87 on the tariff and statistical
nomenclature and on the Common Customs Tariff⁽¹⁾,
and in particular Article 2 (2) thereof,

Whereas Regulation (EEC) No 1058/88 provides that the
variable component of the levy, calculated in accordance
with Article 2 of Commission Regulation (EEC) No
1620/93 of 25 June 1993 on the import and export
system for products processed from cereals and from rice
(²), is to be reduced by an amount equal to 40 % of the
average of the variable components of the levies
applicable to the product in question in the three months
preceding the months during which that amount is fixed ;
whereas that reduction is applicable to products falling
within CN codes 2302 30 10, 2302 30 90, 2302 40 10 and
2302 40 90 for up to a maximum of 550 000 tonnes per
year on the import of the products in question originating
in Argentina and from any other third country which
applies to exports of those products a special tax of an
amount equal to that by which the variable amount of the
levy is reduced and which provides satisfactory proof of
payment of that tax ;

Whereas Commission Regulation (EEC) No 1193/88⁽³⁾,
as amended by Regulation (EEC) No 84/89⁽⁴⁾, lays down
the detailed rules of application of the special
arrangements for imports of bran, sharps and other
residues, whether or not in the form of pellets, derived
from the sifting, milling or other working of cereals other
than maize and rice falling within CN codes 2302 30 and
2302 40,

HAS ADOPTED THIS REGULATION :

Article 1

The amount referred to in Article 1 of Regulation (EEC)
No 1058/88 by which the variable amount of the levy
applicable to imports of bran, sharps and other residues
originating in Argentina and in any other third country
meeting the conditions laid down in that Article must be
reduced shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 11 November
1993.

At the request of interested parties it shall apply with
effect from 1 November 1993.

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

Done at Brussels, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 104, 23. 4. 1988, p. 1.
⁽²⁾ OJ No L 155, 26. 6. 1993, p. 29.

⁽³⁾ OJ No L 111, 30. 4. 1988, p. 87.
⁽⁴⁾ OJ No L 13, 17. 1. 1989, p. 13.

ANNEX

to the Commission Regulation of 10 November 1993 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Argentina must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	21,17
2302 30 90	45,37
2302 40 10	21,17
2302 40 90	45,37

COMMISSION REGULATION (EC) No 3104/93**of 10 November 1993****fixing the amount by which the variable component of the levy applicable to
bran and sharps originating in Algeria, Morocco and Tunisia must be reduced**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1512/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 22 of the Cooperation Agreement and Article 15 of the Interim Agreement between the European Economic Community and the Republic of Tunisia and concerning the import into the Community of bran and sharps originating in Tunisia⁽¹⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1518/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 21 of the Cooperation Agreement and Article 14 of the Interim Agreement between the European Economic Community and the People's Democratic Republic of Algeria and concerning the import into the Community of bran and sharps originating in Algeria⁽²⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Having regard to Council Regulation (EEC) No 1525/76 of 24 June 1976 concluding the Agreement in the form of an exchange of letters relating to Article 23 of the Cooperation Agreement and Article 16 of the Interim Agreement between the European Economic Community and the Kingdom of Morocco and concerning the import into the Community of bran and sharps originating in Morocco⁽³⁾, and in particular the second subparagraph of paragraph 3 of the exchange of letters,

Whereas the Agreement in the form of an exchange of letters annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 provides that the

variable component of the levy calculated in accordance with Article 2 of Commission Regulation (EEC) No 1620/93⁽⁴⁾ on the import and export system for products processed from cereals and from rice is to be reduced by an amount fixed by the Commission each quarter; whereas this amount must be equal to 60 % of the average of the variable components of the levies in force during the three months preceding the month during which the amount is fixed;

Whereas the variable components applicable to the products falling within CN codes 2302 30 and 2302 40 during July, August and September 1993 have been taken into consideration,

HAS ADOPTED THIS REGULATION:

Article 1

The amount referred to in the second subparagraph of paragraph 3 of the exchange of letters forming the Agreement annexed to Regulations (EEC) No 1512/76, (EEC) No 1518/76 and (EEC) No 1525/76 to be deducted from the variable component applicable to bran and sharps originating in Tunisia, Algeria and Morocco respectively, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 11 November 1993.

At the request of interested parties it shall apply with effect from 1 November 1993.

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

Done at Brussels, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 169, 28. 6. 1976, p. 19.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 37.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 53.

⁽⁴⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

to the Commission Regulation of 10 November 1993 fixing the amount by which the variable component of the levy applicable to bran and sharps originating in Algeria, Morocco and Tunisia must be reduced

<i>(ECU/tonne)</i>	
CN code	Amount
2302 30 10	31,76
2302 30 90	68,05
2302 40 10	31,76
2302 40 90	68,05

COMMISSION REGULATION (EC) No 3105/93
of 10 November 1993
fixing the import levy on molasses

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market 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 levy on molasses was fixed by Commission Regulation (EEC) No 1693/93⁽⁴⁾, as last amended by Regulation (EEC) No 2878/93⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1693/93 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

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

rate established during the reference period from 9 November 1993 as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

1. The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be fixed, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00 to ECU 0,30 per 100 kilograms.

2. However, no import levy applies to OCT originating products according to Article 101 (1) of Council Decision 91/482/EEC⁽⁶⁾.

Article 2

This Regulation shall enter into force on 11 November 1993.

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

Done at Brussels, 10 November 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. 36.

⁽⁵⁾ OJ No L 262, 21. 10. 1993, p. 50.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

COMMISSION REGULATION (EC) No 3106/93**of 10 November 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 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 2867/93 (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 November 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 December 1993 for 8 491 tonnes.

Article 2

This Regulation shall enter into force on 11 November 1993.

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

Done at Brussels, 10 November 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 262, 21. 10. 1993, p. 26.

COMMISSION REGULATION (EC) No 3107/93

of 10 November 1993

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of uniflorous (standard) carnations originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EEC) No 2604/93⁽³⁾ opened and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel;

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

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

or

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

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

Whereas Commission Regulation (EEC) No 2890/93⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as last amended by Regulation (EEC) No 2917/93⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For imports of uniflorous (standard) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Regulation (EEC) No 2604/93 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 11 November 1993.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 239, 24. 9. 1993, p. 1.

⁽⁴⁾ OJ No L 263, 22. 10. 1993, p. 10.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽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, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3108/93

of 10 November 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EEC) No 2604/93⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

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

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

or

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

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

Whereas Commission Regulation (EEC) No 2890/93⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as last amended by Regulation (EEC) No 2917/93⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For imports of multiflorous (spray) carnations (CN codes ex 0603 10 13 and ex 0603 10 53) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 2604/93 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 11 November 1993.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 239, 24. 9. 1993, p. 1.

⁽⁴⁾ OJ No L 263, 22. 10. 1993, p. 10.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽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, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3109/93

of 10 November 1993

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of large-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EEC) No 2604/93⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

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

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

or

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

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

Whereas Commission Regulation (EEC) No 2890/93⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as last amended by Regulation (EEC) No 2917/93⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For imports of large-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Council Regulation (EEC) No 2604/93 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 11 November 1993.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 239, 24. 9. 1993, p. 1.

⁽⁴⁾ OJ No L 263, 22. 10. 1993, p. 10.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽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, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3110/93

of 10 November 1993

suspending the preferential customs duties and re-establishing the Common Customs Tariff duty on imports of small-flowered roses originating in Israel

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Council Regulation (EEC) No 2604/93⁽³⁾ opens and provides for the administration of Community tariff quotas for cut flowers and flower buds, fresh, originating in Cyprus, Jordan, Morocco and Israel respectively;

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

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

or

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

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

Whereas Commission Regulation (EEC) No 2890/93⁽⁴⁾ fixes the Community producer prices for carnations and roses for the application of the import arrangements;

Whereas Commission Regulation (EEC) No 700/88⁽⁵⁾, as last amended by Regulation (EEC) No 2917/93⁽⁶⁾, lays down the detailed rules for the application of the arrangements;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For imports of small-flowered roses (CN codes ex 0603 10 11 and ex 0603 10 51) originating in Israel, the preferential customs duty fixed by Regulation (EEC) No 2604/93 is hereby suspended and the Common Customs Tariff duty is hereby re-established.

Article 2

This Regulation shall enter into force on 11 November 1993.

⁽¹⁾ OJ No L 382, 31. 12. 1987, p. 22.

⁽²⁾ OJ No L 311, 17. 11. 1988, p. 1.

⁽³⁾ OJ No L 239, 24. 9. 1993, p. 1.

⁽⁴⁾ OJ No L 263, 22. 10. 1993, p. 10.

⁽⁵⁾ OJ No L 72, 18. 3. 1988, p. 16.

⁽⁶⁾ OJ No L 264, 23. 10. 1993, p. 33.

⁽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, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3111/93

of 10 November 1993

establishing the lists of quality liqueur wines produced in specified regions
referred to in Articles 3 and 12 of Regulation (EEC) No 4252/88

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

Having regard to Council Regulation (EEC) No 4252/88 of 21 December 1988 on the preparation and marketing of liqueur wines produced in the Community⁽¹⁾, as last amended by Regulation (EEC) No 1568/93⁽²⁾, and in particular the second paragraph of Article 22 thereof,

Whereas, pursuant to Articles 3 and 12 of Regulation (EEC) No 4252/88, the list of quality liqueur wines produced in specified regions (quality liqueur wines psr) for which special rules of preparation are allowed should be drawn up on the basis of the information supplied by the Member States; whereas, to enable the products to be more easily identified and to facilitate intra-Community trade, reference should be made to the descriptions of the products as established by Community rules or, where appropriate, by national legislation; whereas the use of those descriptions shall, however, be without prejudice to any rules on the presentation and description of liqueur

wines which may subsequently be adopted within the Community;

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 lists of quality liqueur wines psr referred to in Articles 3 and 12 of Regulation (EEC) No 4252/88 shall be those included in the Annex hereto.

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, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 373, 31. 12. 1988, p. 59.

⁽²⁾ OJ No L 154, 14. 6. 1993, p. 42.

ANNEX

1. List of quality liqueur wines psr whose production involves the use of grape must or a mixture thereof with wine.

(Fourth indent of Article 3 (1) of Regulation (EEC) No 4252/88)

SPAIN

Quality liqueur wines psr	Name of wine as laid down in Community or Member State legislation
Alicante	Moscatel de Alicante
	Vino dulce
Cariñena	Vino dulce
Jerez-Xères-Sherry	Pedro Ximénez
	Moscatel
Montilla-Moriles	Pedro Ximénez
Priorato	Vino dulce
Tarragona	Vino dulce
Valencia	Moscatel de Valencia
	Vino dulce

ITALY

Cannonau di Sardegna, Cinque terre Sclacchetrà, Girò di Cagliari, Malvasia di Boso, Malvasia di Cagliari, Marsala, Monica di Cagliari, Moscato di Cagliari, Moscato di Sorso-Sennori, Moscato di Trani, Nasco di Cagliari, Oltrepò pavese moscato, San Martino della Battaglia, Trentino, Vernaccia di San Gimignano, Vesuvio Lacrima Christi.

2. List of quality liqueur wines psr whose production involves the addition of wine alcohol or dried grape alcohol with an alcoholic strength of not less than 95 % vol and not more 96 % vol.

(Second indent, first subindent, of Article 3 (2) (b) of Regulation (EEC) No 4252/88)

SPAIN

Condado de Huelva, Jerez-Xères-Sherry, Manzanilla-Sanlúcar de Barrameda, Málaga, Montilla-Moriles, Rueda.

PORTUGAL

Madeira, Madeira Wein, Madeira Wine, Vin de Madère, Madera, Vinos di Madera, Madeira Wijn.

3. List of quality liqueur wines whose production involves the addition of spirits distilled from wine or grape marc with an alcoholic strength of not less than 52 % vol and not more than 86 % vol.

(Second indent, second subindent of Article 3 (2) (b) of Regulation (EEC) No 4252/88)

FRANCE

Pineau de Charentes or Pineau charentais, Floc de Gascogne, Macvin du Jura.

4. List of quality liqueur wines psr whose production involves the addition of partially fermented grape must obtained from raisined grapes.

(Third indent, first subindent of Article 3 (2) (b) of Regulation (EEC) No 4252/88)

SPAIN

Quality liqueur wines psr	Name of wine as laid down in Community or Member State legislation
Jerez-Xères-Sherry	Vinos generosos de licor
Málaga	Vinos dulces
Montilla-Moriles	Vinos generosos de licor

ITALY

Aleatico di Gradoli, Caluso o Ebaluce di Caluso, Giro di Cagliari, Malvasia delle Lipari, Malvasia di Cagliari, Moscato passito di Pantelleria.

5. List of quality wines psr whose production involves the addition of concentrated grape must obtained by the action of direct heat, complying, with the exception of this operation, with the definition of concentrated grape must.

(Third indent, second subindent of Article 3 (2) (b) of Regulation (EEC) No 4252/88)

SPAIN

Quality liqueur wines psr	Name of wine as laid down in Community or Member State legislation
Alicante	
Condado de Huelva	Vinos generosos de licor
Jerez-Xérès-Sherry	Vinos generosos de licor
Málaga	Vinos dulces
Montilla-Moriles	Vinos generosos de licor

ITALY

Marsala

6. List of quality liqueur wines whose production involves the addition of concentrated grape must.

(Third indent, third subindent, of Article 3 (2) (b) of Regulation (EEC) No 4252/88)

SPAIN

Quality liqueur wines psr	Name of wine as laid down in Community or Member State legislation
Málaga	Vino dulces
Montilla-Moriles	Vino dulces
Tarragona	Vino dulces

ITALY

Oltrepò pavese moscato, Marsala, Moscato di Trani.

7. List of quality liqueur wines psr produced from grape must with a natural alcoholic strength by volume of not less than 10 % vol obtained by the addition of spirit obtained from wine or grape marc with a registered designation of origin, possibly from the same holding.

(Second subparagraph, first indent, of Article 12 (a) of Regulation (EEC) No 4252/88)

FRANCE

Pineau de Charentes or Pineau charentais, Flocc de Gascogne, Macvin du Jura.

8. List of quality liqueur wines psr produced from fermenting grape must with an initial natural alcoholic strength by volume of not less than 11% vol obtained by the addition of neutral alcohol or of a distillate of wine with an actual alcoholic strength by volume of not less than 70 % vol, or of spirit of vinous origin.

(Second indent, first subindent of the second subparagraph of Article 12 (a) of Regulation (EEC) No 4252/88)

PORTUGAL

Porto, Vin de Porto, Oporto, Port, Port Wine, Portwein, Portvin, Portwijn, Moscatel de Setúbal, Setúbal, Carcavelos.

ITALY

Moscato di Noto, Trentino, Vernaccio di San Gimignano.

9. List of quality liqueur wines psr produced from wine with an initial natural alcoholic strength by volume of not less than 10,5 % vol.

(Second indent, second subindent, of the second subparagraph of Article 12 (a) of Regulation (EEC) No 4252/88)

SPAIN

Jerez-Xérès-Sherry, Manzanilla-Sanlúcar de Barrameda, Condado de Huelva, Rueda.

10. List of quality liqueur wines psr obtained from fermenting grape must with an initial natural alcoholic strength by volume not less than 9 % vol.

(Second indent, third subindent of the second subparagraph of Article 12 (a) of Regulation (EEC) No 4252/88)

PORTUGAL

Madeira, Madeira Wein, Madeira Wine, Vin de Madère, Madera, Vino di Madera, Madeira Wijn.

11. List of quality liqueur wines psr having a total alcoholic strength by volume less than 17,5 % vol but not less than 15 % vol, where national laws applicable thereto before 1 January 1985 expressly so provide.

(Second subparagraph of Article 12 (c) of Regulation (EEC) No 4252/88)

SPAIN

Quality liqueur wines psr	Name of wine as laid down in Community or Member State legislation
Condado de Huelva	Vinos generosos
Jerez-Xérès-Sherry	Vinos generosos
Manzanilla-Sanlúcar de Barrameda	
Málaga	Seco
Montilla-Moriles	Vinos generosos
Priorato	Rancio seco
Rueda	Vinos generosos
Tarragona	Rancio seco

ITALY

Trentino.

PORTUGAL

Quality liqueur wines psr	Name of wine as laid down in Community or Member State legislation
Porto, Vin de Porto, Oporto, Port, Port Wine, Portwein, Portvin, Portwijn, Oivos Madépas	Branco Leve Seco

COMMISSION REGULATION (EC) No 3112/93

of 10 November 1993

laying down detailed rules for the application of the specific aid arrangements for the smaller Aegean islands in respect of vineyards and the private storage of liqueur wines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 Articles 9 (4) and 10 (2) 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⁾, and in particular Articles 6 and 9 (1) thereof,

Whereas Article 9 of Regulation (EEC) No 2019/93 provides for a system of aid per hectare for the continued cultivation of vines for the production of quality wines psr in traditional production areas in the smaller Aegean islands; whereas detailed rules should be laid down for the administration of these arrangements and for the monitoring of the conditions laid down by the Council;

Whereas Article 10 of Regulation (EEC) No 2019/93 provides for aid to be granted for the ageing of locally produced quality liqueur wines; whereas detailed rules for its implementation should be adopted as necessary;

Whereas Commission Regulation (EEC) No 3824/92 of 28 December 1992 laying down the prices and amounts fixed in ecus as a result of monetary realignments⁽³⁾, as last amended by Regulation (EEC) No 1663/93⁽⁴⁾, establishes a list of prices and amounts to which the coefficient of 1,013088 fixed by Commission Regulation (EEC) No 537/93⁽⁵⁾, as last amended by Regulation (EEC) No 1331/93⁽⁶⁾, is to be applied from the beginning of the 1993/94 marketing year as part of the arrangements for the automatic dismantling of negative monetary gaps;

Whereas amongst the aid which could influence wine production provided for under Regulation (EEC) No 2019/93 is aid for the ageing of wines and per hectare

aid for the continued cultivation of vines for the production of quality wines psr; whereas the abovementioned coefficient should be applied to the amounts of aid in question;

Whereas, in order, to ensure that the aid scheme for the ageing of liqueur wines can be administered in a proper and uncomplicated manner, a contract should be concluded between the interested producer and the competent agency for ageing the wine for at least two years; whereas payment of the aid should be made contingent on the lodging of a one-off performance guarantee for a reasonable sum;

Whereas Commission Regulation (EEC) No 1068/93 of 10 April 1993 on detailed rules for determining and applying the agricultural conversion rates⁽⁷⁾ applies in respect of the amounts to be paid pursuant to this Regulation; whereas the rate to be used for the aid for the ageing of wines should be laid down;

Whereas the application of the measures in question, from the beginning of the 1993/94 wine year, should be provided;

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

HAS ADOPTED THIS REGULATION:

TITLE I

Aid for the production of quality wines psr in the smaller Aegean islands

Article 1

The flat-rate per-hectare aid for continuing to cultivate vines suitable for the production of quality wines psr provided for in Article 9 of Regulation (EEC) No 2019/93 shall be granted at the request of wine producers or groups or organizations thereof for areas planted with vine varieties suitable for the production of quality wines psr and which:

⁽¹⁾ OJ No L 184, 27. 7. 1993, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁴⁾ OJ No L 158, 30. 6. 1993, p. 18.

⁽⁵⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁶⁾ OJ No L 132, 29. 5. 1993, p. 114.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

- (a) have been fully utilized and harvested and had all normal cultivation work carried out;
- (b) have been covered by harvest and production declarations as specified in Commission Regulation (EEC) No 3929/87⁽¹⁾;
- (c) meet maximum yield requirements laid down by the Member State as indicated in Article 9 of Regulation (EEC) No 2019/93.

From the beginning of the 1993/94 wine year, the above-mentioned flat-rate aid shall be ECU 394,83 per hectare.

Article 2

1. The application for the per-hectare aid shall be lodged by the interested party with the competent authority during the period fixed by the latter and by 1 May at the latest of each year for the following wine year. However, for the 1993/94 wine year, applications shall be submitted by 31 December 1993 at the latest.

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

- (a) the name, forename and address of the producer, group or organization;
- (b) the areas cultivated for the production of quality wines psr, in hectares and ares, with the land register reference or indication recognized as equivalent by the agency responsible for verification of the areas;
- (c) the grape variety used;
- (d) an estimate of the potential crop.

Article 3

The Member State shall, after recording the actual harvest and yields on the areas concerned, pay the aid prior to 1 April of the wine year for which it is granted.

Article 4

The Member State shall notify the Commission by 30 April at the latest of the areas for which aid applications were lodged and aid actually paid.

TITLE II

Aid for the ageing of quality liqueur wines produced in the smaller Aegean islands

Article 5

1. Aid for the ageing of liqueur wines as provided for in Article 10 (1) of Regulation (EEC) No 2019/93 shall be

granted for batches of liqueur wines produced by methods traditional in the region and whose ageing period is a minimum of two years.

A batch is understood to be a quantity of wine put into storce on the same date for ageing purposes and whose ageing period is uninterrupted.

From the beginning of the 1993/94 wine year, the above-mentioned aid shall be ECU 0,0197 per hectolitre per day.

2. Aid for the ageing of quality liqueur wines shall be granted to producers in the region submitting applications to the competent agency in the first three months of each wine year.

If the total quantity for which applications are submitted is greater than 40 000 hectolitres, each application shall be reduced by a uniform percentage.

The total amount of product in respect of which a producer submits an application may not exceed that contained in the production declaration in accordance with Regulation (EEC) No 3929/87 for the wine year in question.

Article 6

1. Operators who wish to be eligible for the aid scheme shall conclude an ageing contract for a minimum period of two years with the competent agency. The ageing period shall commence on the first day of the wine year in respect of which the crop in question is harvested and shall continue uninterrupted until the end of the following wine year.

The contract shall be concluded on the basis of an application for aid submitted once at the beginning of each wine year. The application must state at least :

- (a) the producer's name and address;
- (b) the number of batches to which the ageing contract relates with a precise identification of each batch (vat number, quantity stored, precise location, etc);
- (c) for each batch : the harvest year, the technical characteristics of the liqueur wine (total alcoholic strength, actual alcoholic strength, sugar content, total acidity, volatile acidity);
- (d) for each batch : the nature of the containers;
- (e) for each batch : indication of the first and last day of the storage period.

⁽¹⁾ OJ No L 369, 29. 12. 1987, p. 59.

2. Performance in accordance with the ageing contract shall confer the right to payment of the total amount of aid determined at the time the contract was signed. The aid shall be paid in instalments of 50 %, at the beginning and at the end of the second year of storage.

3. Payment of the aid shall be subject to the lodging of a performance guarantee for the contract period corresponding to 50 % of the total amount of the aid. The guarantee shall be lodged in accordance with Commission Regulation (EEC) No 2220/85⁽¹⁾.

4. The rate to be used for converting the amount of aid into national currency shall be the agricultural conversion rate applicable on 1 January of the year for which the aid is paid.

Article 7

1. The competent agency shall verify compliance with the ageing contract by means, in particular, of checks of the producer's records and on-site inspections. An on-the-spot check shall be made in respect of each contract during its period of performance.

The performance guarantee shall be released on confirmation that the contract has been duly performed.

2. If the competent agency discovers that the liqueur wine which is the subject of the contract is not fit to be offered or delivered for immediate human consumption, it shall cancel the contract.

Except in the event of *force majeure*, such cancellation of the contract shall entail the recovery of payments made and the seizure of the performance guarantee.

Where *force majeure* is invoked, such cases shall be notified to the competent agency within three working days of their occurrence.

The competent agency shall determine the measures to be taken and shall duly inform the Commission at the earliest opportunity.

TITLE III

General provisions

Article 8

1. Greece shall ensure, by investigation and on-the-spot checks, that the information provided in support of aid applications is accurate.

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 the 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 departments 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 9

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

It shall apply with effect from 1 September 1993.

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

Done at Brussels, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

COMMISSION REGULATION (EC) No 3113/93

of 10 November 1993

introducing a new countervailing charge on fresh lemons originating in Turkey,
and repealing Regulation (EC) No 3058/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 Article 25 (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a third country remains at least ECU 0,6 below the reference price for two consecutive market days, a countervailing charge must be introduced in respect of the exporting country concerned, save in exceptional circumstances; whereas this charge is equal to the difference between the reference price and the arithmetic mean of the last two entry prices available for that exporting country;

Whereas Commission Regulation (EEC) No 1319/93 of 28 May 1993 fixing for the 1993/94 marketing year the reference prices for fresh lemons⁽³⁾ fixed the reference price for products of class I at ECU 47,15 per 100 kilograms net for the period 1 November 1993 to 30 April 1994;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72 according to the dispositions of Regulation (EEC) No 3133/92 of 29 October 1992 altering the entry price for certain fruits and vegetables originating in Mediterranean third countries⁽⁴⁾;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁵⁾, as last amended by

Regulation (EEC) No 249/93⁽⁶⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas the entry price thus calculated for fresh lemons originating in Turkey, results in the fixing of a higher countervailing charge than that laid down by Commission Regulation (EC) No 3058/93 of 5 November 1993 introducing a countervailing charge on fresh lemons originating in Turkey⁽⁷⁾;

Whereas, pursuant to Article 26 (2) of Regulation (EEC) No 1035/72, a new countervailing charge should be fixed and Regulation (EC) No 3058/93 should be repealed;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾ 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⁽⁹⁾;

HAS ADOPTED THIS REGULATION:

Article 1

1. A countervailing charge of ECU 3,05 per 100 kilograms net is applied to fresh lemons (CN code ex 0805 30 10) originating in Turkey.
2. The import duty on these products is fixed at 4 %.

Article 2

This Regulation shall enter into force on 11 November 1993.

Commission Regulation (EC) No 3058/93 is hereby repealed.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 23. 3. 1993, p. 7.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 90.

⁽⁴⁾ OJ No L 313, 30. 10. 1992, p. 18.

⁽⁵⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁶⁾ OJ No L 28, 5. 2. 1993, p. 45.

⁽⁷⁾ OJ No L 273, 5. 11. 1993, p. 23.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ 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, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 3114/93
of 10 November 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 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 (EC) No 3077/93 ⁽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 9 November 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 11 November 1993.

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

Done at Brussels, 10 November 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 276, 9. 11. 1993, p. 5.

ANNEX

to the Commission Regulation of 10 November 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	35,31 ⁽¹⁾
1701 11 90	35,31 ⁽¹⁾
1701 12 10	35,31 ⁽¹⁾
1701 12 90	35,31 ⁽¹⁾
1701 91 00	42,09
1701 99 10	42,09
1701 99 90	42,09 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (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 (EC) No 3115/93

of 10 November 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 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 9

November 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 11 November 1993.

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

Done at Brussels, 10 November 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 10 November 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	87,87 ⁽²⁾ ⁽³⁾
0712 90 19	87,87 ⁽²⁾ ⁽³⁾
1001 10 00	40,94 ⁽¹⁾ ⁽³⁾
1001 90 91	79,85
1001 90 99	79,85 ⁽²⁾
1002 00 00	112,66 ⁽⁶⁾
1003 00 10	119,26
1003 00 20	119,26
1003 00 80	119,26 ⁽²⁾
1004 00 00	90,74
1005 10 90	87,87 ⁽²⁾ ⁽³⁾
1005 90 00	87,87 ⁽²⁾ ⁽³⁾
1007 00 90	99,31 ⁽⁴⁾
1008 10 00	25,19 ⁽²⁾
1008 20 00	25,45 ⁽⁴⁾
1008 30 00	23,99 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	23,99
1101 00 00	148,64 ⁽²⁾
1102 10 00	195,25
1103 11 30	97,20
1103 11 50	97,20
1103 11 90	171,63
1107 10 11	153,01
1107 10 19	117,08
1107 10 91	223,16 ⁽¹⁰⁾
1107 10 99	169,50 ⁽²⁾
1107 20 00	195,73 ⁽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.

⁽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.

⁽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 (EC) No 3116/93

of 10 November 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 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 9 November 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 11 November 1993.

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

Done at Brussels, 10 November 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 10 November 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 11	1st period 12	2nd period 1	3rd period 2
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	12,60	12,49
1001 90 99	0	0	12,60	12,49
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	17,64	17,50
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 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	0	22,43	22,23	22,23
1107 10 19	0	0	16,76	16,61	16,61
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 (EC) No 3117/93

of 10 November 1993

fixing the maximum export refund for white sugar for the 24th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1144/93

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1144/93 of 10 May 1993 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1144/93, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 24th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾ prohibits trade between the European Community and the

Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 24th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1144/93 the maximum amount of the export refund is fixed at ECU 39,840 per 100 kilograms.

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 11 November 1993.

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

Done at Brussels, 10 November 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 116, 12. 5. 1993, p. 5.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 25 October 1993

concerning the institution of a Community system for the exchange of information in respect of certain products which may jeopardize consumers' health or safety

(93/580/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

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

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

Whereas, in the context of the internal market and in particular to maintain its ability to function, Member States and the Commission should be informed of measures restricting or prohibiting the marketing or use of products;

Whereas, to this end, current Community legislation provides for notification procedures in the event of risks arising from products which comply with that legislation, along with a procedure for the rapid exchange of information in respect of consumer products presenting a serious and immediate risk; whereas, on the other hand, there is in general no procedure whereby Member States can receive information on products marketed in a Member State which do not comply with Community or national legislation and which present a degree of risk to consumers' health or safety, although they do not give rise to any serious and immediate risk;

Whereas Council Directive 92/59/EEC of 29 June 1992 on general product safety ⁽³⁾ is intended to introduce, as soon as it is brought into force on 29 June 1994, a notifi-

cation procedure applicable to products which are not covered by an equivalent procedure under specific Community legislation;

Whereas abolition of controls at intra-Community frontiers makes it necessary to bring forward certain measures to be taken pursuant to Article 7 of Directive 92/59/EEC, in order to ensure that the Member States and the Commission have at their disposal, a procedure for the exchange of information on the products in question;

Whereas this procedure should therefore apply to any consumer product which does not comply with the applicable rules and may jeopardize the health or safety of consumers, while not presenting a serious and immediate risk, and in respect of which a Member State has decided to take restrictive measures, in so far as the product concerned is not covered by an equivalent Community notification procedure;

Whereas this Decision does not apply to the following products in so far as Community notification procedures apply to them: agricultural products, foodstuffs, cosmetic products, tobacco products, materials and objects coming into contact with foodstuffs, medicinal preparations, medical products including means of *in vitro* diagnosis, plant health products;

Whereas, by Decision 89/45/EEC ⁽⁴⁾, a warning system has been set up, providing for a procedure for the rapid exchange of information between the Member States and

⁽¹⁾ OJ No C 347, 31. 12. 1992, p. 11.

⁽²⁾ OJ No C 115, 26. 4. 1993, p. 211.

⁽³⁾ OJ No L 228, 11. 8. 1992, p. 24.

⁽⁴⁾ OJ No L 17, 21. 1. 1989, p. 51. Decision as amended by Decision 90/352/EEC (OJ No L 173, 6. 7. 1990, p. 49).

the Commission applicable to consumer products presenting a serious and immediate risk ; whereas, for reasons of effectiveness, it is advisable to follow the structure of that information system, suitably amended in the light of the objective laid down ;

Whereas, in the context of this procedure, it is necessary to provide for the use of a standard format setting out clearly, for users, the type of information to be supplied ;

Whereas whenever it is established, in the context of the functioning of the internal market, that consumer products, because of their non-compliance with the rules that apply to them, risk jeopardizing consumers' health or safety, adequate information should be provided at Community level in order to ensure that appropriate measures can be taken ; whereas this Decision constitutes a measure to accompany the removal of technical controls at internal frontiers ; whereas the provisions of this Decision, which correspond to other existing procedures and are based on those provided for in Article 7 of Directive 92/59/EEC, are necessary to ensure adequate exchange of information ; whereas they are limited to what is strictly necessary in this respect ;

Whereas the measures laid down by this Decision should not pedetermine the arrangements for administrative cooperation within the framework of the implementation of the internal market ;

Whereas the Treaty does not provide for the adoption of this Decision powers other than those under Article 235,

HAS ADOPTED THIS DECISION :

Article 1

1. Any Member State which decides to adopt regulations, laws and administrative measures to prevent, restrict or attach particular conditions to the marketing or use in its territory of a product or product batch, because it does not comply with the relevant Community or national rules and may jeopardize the health or safety of consumers when used in normal and foreseeable conditions, shall notify the Commission thereof. Whenever possible, the producer, distributor or importer of the product or product batch shall first be consulted.

The first subparagraph shall not apply if the measures relate to an event the effect of which is local and in any case limited to the territory of the Member State concerned.

2. The information relating to the product or product batch referred to in paragraph 1 shall be drawn up in accordance with the format set out in Annex I and shall be forwarded to the Commission in accordance with the procedure described in Annex II.

3. On receipt of the information, the Commission shall verify its compliance with the terms of this Decision and, after holding, if necessary, consultations with the parties concerned, shall forward to the competent authorities of the other Member States.

Article 2

This Decision shall apply to all products intended for use by consumers except products intended exclusively for professional use.

This Decision shall apply inasmuch as the notification referred to in Article 1 (1) is not prescribed in a specific instrument of Community legislation.

Article 3

Each Member State shall indicate to the Commission one or more competent national authorities designated to forward or receive the information referred to in Article 1. On receipt of this indication, the Commission shall forward it to the competent authorities of the other Member States.

Article 4

In justified cases, if the competent authority of the Member State supplying information under this Decision so requests, the information shall be treated as confidential.

Article 5

This Decision shall apply until 29 June 1994.

Article 6

This Decision is addressed to the Member States.

Done at Luxembourg, 25 October 1993.

For the Council

The President

Ph. MAYSTADT

*ANNEX I***COMMUNITY SYSTEM FOR THE EXCHANGE OF INFORMATION****Application of Decision 93/580/EEC****1. *Notifying Member State***

(Name and address of person to contact for further information)

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2. *Date of notification*

--

3. *Product category*

--

4. *Description of product, packaging (*) () and labelling***

Name of product :
Brand name :

(*) Include sufficient details to identify the product clearly (in particular : materials, colours, dimensions).

(**) Give model numbers and other markings.

9. *Where was the product found?*

9a) *At* (tick appropriate box):

☐

retailer

☐

wholesaler

☐

other

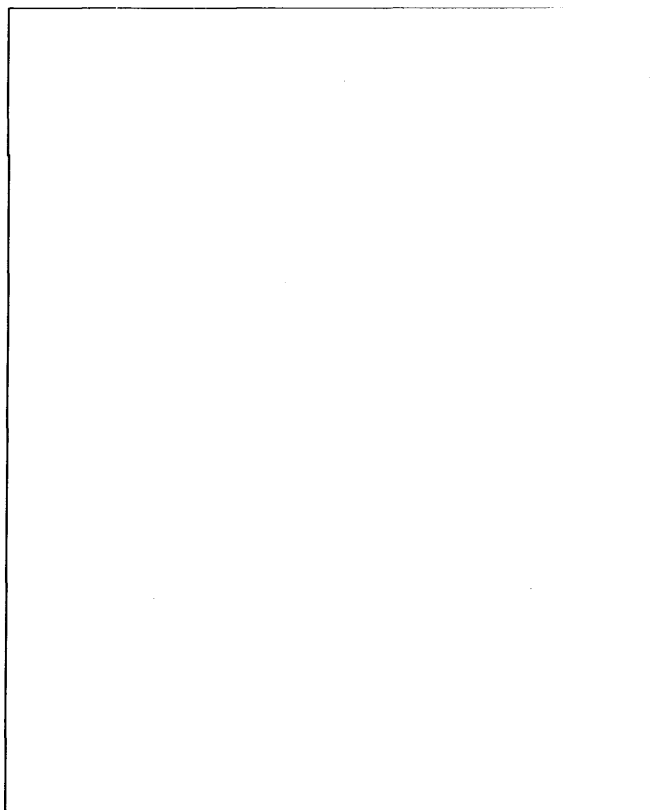
10. *Nature of risk*

(Specify the risk and any requirements with which the product does not comply, including, where appropriate, details and results of tests carried out on product and any accidents which have occurred)

11. *Details of measures taken*

(Including scope, effective date and grounds)

12. *Additional information*
(Especially if the products are
sold in other Member States)



ANNEX II

TRANSMISSION PROCEDURE

Member States' notifications in respect of products falling within the scope of Article 1 of this Decision are to be forwarded, by fax or telex, to the following address :

Commission of the European Communities,
Consumer Policy Service,
Unit 3 — General product and services safety,
200, rue de la Loi,
B-1049 Brussels.

Fax : (32) 2 296 43 23 ;
Telex : COMEU B 21877.

COMMISSION

COMMISSION DECISION

of 3 November 1993

suspending the buying-in of butter in certain Member States

(Only the Danish, German, English, French and Dutch texts are authentic)

(93/581/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 the first subparagraph of Article 7a (1) and Article 7a (3) thereof,

Whereas Council Regulation (EEC) No 777/87 ⁽³⁾, as last amended by Regulation (EEC) No 1634/91 ⁽⁴⁾, sets out the circumstances under which the buying-in of butter and skimmed-milk powder may be suspended and subsequently resumed and, where suspension takes place, the alternative measures that may be taken;

Whereas Commission Regulation (EEC) No 1547/87 ⁽⁵⁾, as last amended by Regulation (EEC) No 2011/91 ⁽⁶⁾, lays down the criteria on the basis of which the buying-in of butter by invitation to tender is to be opened and suspended in a Member State or, as regards the United Kingdom and the Federal Republic of Germany, in a region;

Whereas Commission Decision 93/480/EEC ⁽⁷⁾ suspends buying-in in certain Member States; whereas information on market prices shows that the condition laid down in Article 1 (3) of Regulation (EEC) No 1547/87 is currently no longer met in Northern Ireland; whereas the list of Member States where that suspension applies must be adapted accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

The buying-in of butter by invitation to tender as provided for in Article 1 (3) of Regulation (EEC) No 777/87 is hereby suspended in Belgium, Denmark, Germany, France and Luxembourg.

Article 2

Decision 93/480/EEC is hereby repealed.

Article 3

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the French Republic, the Grand Duchy of Luxembourg and the United Kingdom.

Done at Brussels, 3 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 26.

⁽⁵⁾ OJ No L 144, 4. 6. 1987, p. 12.

⁽⁶⁾ OJ No L 185, 11. 7. 1991, p. 5.

⁽⁷⁾ OJ No L 225, 4. 9. 1993, p. 40.

COMMISSION DECISION

of 10 November 1993

amending Decision 93/531/EEC concerning certain protection measures relating to African swine fever in Portugal

(93/582/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION :

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular, Article 10 (4) thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular, Article 9 (4) thereof,

Whereas, as a result of outbreaks of African swine fever in the Alentejo region of Portugal, the Commission adopted Decision 93/531/EEC of 15 October 1993 concerning certain protection measures relating to African swine fever in Portugal⁽⁴⁾;

Whereas the occurrence of African swine fever is liable to present a serious threat to the herds of other Member States in view of the trade in live pigs, fresh pigmeat and certain meat-based products;

Whereas the temporary protection measures adopted by Decision 93/531/EEC must be extended pending clarification of the African swine fever situation;

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

Article 1

Decision 93/531/EEC is hereby amended as follows :

In Article 5 '10 November 1993' is replaced by '15 December 1993'.

Article 2

The Member States shall amend the measures which they apply to trade to as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 10 November 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 395, 30. 12. 1989, p. 13.

⁽⁴⁾ OJ No L 258, 16. 10. 1993, p. 33.