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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 342/94

of 7 February 1994

amending Regulation (EEC) No 3918/92 opening and providing for the administration of Community tariff quotas and ceilings for certain agricultural and industrial products and establishing a reduced variable component for certain processed agricultural products originating in Hungary, Poland and the territory of the former Czech and Slovak Federal Republic (CSFR) (1993)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

Whereas the Europe Agreement between the European Economic Community, on the one hand and the Republic of Hungary, on the other hand, was signed on 16 December 1991; whereas pending the entry into force of that Agreement, the Community has concluded an Interim Agreement on trade and trade-related measures with the country⁽¹⁾;

Whereas Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽²⁾ establishes in Article 7 (2) the procedure for adapting the detailed rules for determining and managing reduced agricultural components where a preferential agreement so provides;

Whereas Protocol 3 to the Interim Agreement provides for the reduction of duties, in particular the fixed component of the levy, applied to goods listed in Table 1 of

Annex II to the said Protocol within the framework of quotas established in Table 1 of Annex I to the Protocol; whereas to take account of the fixed component of the levy and the quotas provided for 1994, it is necessary to amend Annex II to Regulation (EEC) No 3918/92⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Council Regulation (EEC) No 3918/92 is hereby replaced for the tariff quotas 09.5209 to 09.5255, by the Annex to this Regulation.

The tariff quotas mentioned in that Annex shall be administered according to the rules laid down by the said Regulation.

Article 2

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

It shall be applicable from 1 January until 31 December 1994.

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

Done at Brussels, 7 February 1994.

For the Council

The President

Th. PANGALOS

⁽¹⁾ OJ No L 116, 30. 4. 1992, p. 2.

⁽²⁾ OJ No L 318, 20. 12. 1993, p. 1.

⁽³⁾ OJ No L 396, 31. 12. 1992, p. 12. Regulation as amended by Regulation (EEC) No 2232/93 (OJ No L 200, 10. 8. 1993, p. 1).

ANNEX

ANNEX II

HUNGARY

Order No	CN code	Description (Extracts of CN codes)	Quota volume (tonnes)	Duty to be applied
09.5209	0710 40 0711 90 30		5 850	0 + MOBR 0 + MOBR
09.5211	1519 12 00 1519 20 00		350	0 3,3
09.5213	1704 10 11 1704 10 19 1704 10 91 1704 10 99 1704 90 30 1704 90 51*11 1704 90 51*19 1704 90 51*90 1704 90 55 1704 90 61 1704 90 65 1704 90 71 1704 90 75 1704 90 81 1704 90 99*10 1704 90 99*90	— — — Pastes, including marzipan, in immediate packing of a net content of 1 kg or more : — — — — Sugar fondant : — — — — — Containing less than 70 % by weight (including invert sugar expressed as sucrose) — — — — — Containing 70 % or more by weight (including invert sugar expressed as sucrose) — — — — — Other — — — — — Other : — — — — — Containing less than 70 % by weight (including invert sugar expressed as sucrose) — — — — — Containing 70 % or more by weight (including invert sugar expressed as sucrose)	2 930	0 + MOBR MAX 23 } 0 + MOBR MAX 18 } 0 + MOBR MAX 27 + AD S/Z 0 + MOBR MAX 27 + AD S/Z 0 + MOBR MAX 27 + AD S/Z
09.5215	1803		660	4,4
09.5217	1804 00 00		1 060	3,2
09.5219	1805 00 00		30	3,6
09.5221		Chocolate and other food preparations containing cocos : — Cocoa powder, containing added sugar or other sweetening matter : — — Containing no sucrose or containing less than 65 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose — — Containing no sucrose or containing less than 5 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose :	1 460	

Order No	CN code	Description (Extracts of CN codes)	Quota volume (tonnes)	Duty to be applied
09.5221 (cont')	1806 10 10*11	— — — — Not otherwise sweetened than by the addition of sucrose		0
	1806 10 10*19	— — — — Other		4
		— — — — Other :		
	1806 10 10*91	— — — — Not otherwise sweetened than by the addition of sucrose		0 + MOBR
	1806 10 10*99	— — — — Other		0 + MOBR
		— — Containing 65 % or more but less than 80 % by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose :		
	1806 10 30*10	— — — — Not otherwise sweetened than by the addition of sucrose		0 + MOBR
	1806 10 30*90	— — — — Other		0 + MOBR
		— — Containing 80 % or more by weight of sucrose (including invert sugar expressed as sucrose) or isoglucose expressed as sucrose :		
	1806 10 90*10	— — — — Not otherwise sweetened than by the addition of sucrose		0 + MOBR
	1806 10 90*90	— — — — Other		0 + MOBR
	1806 20 10			0 + MOBR MAX 27 + AD S/Z
	1806 20 30			0 + MOBR MAX 27 + AD S/Z
	1806 20 50			0 + MOBR MAX 27 + AD S/Z
	1806 20 70			6,3 + MOBR
		— — — — Other :		
	1806 20 80*10	— — — — — Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR MAX 27 + AD S/Z
	1806 20 80*90	— — — — — Containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR MAX 27 + AD S/Z
	1806 20 95*10	— — — — — Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR MAX 27 + AD S/Z
	1806 20 95*90	— — — — — Containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR MAX 27 + AD S/Z
	1806 31 1806 32 1806 90 11 1806 90 19 1806 90 31 1806 90 39 1806 90 50			0 + MOBR MAX 27 + AD S/Z
		— Other :		
		— — Spreads containing cocoa :		
	1806 90 60*10	— — — — In immediate packings of a net capacity of 1 kg or less		0 + MOBR MAX 27 + AD S/Z
	1806 90 60*90 1806 90 70	— — — — Other :		
		— — — — — Other :		
	1806 90 90*11	— — — — — Containing less than 70 % by weight of sucrose		0 + MOBR MAX 27 + AD S/Z

Order No	CN code	Description (Extracts of CN codes)	Quota volume (tonnes)	Duty to be applied
09.5221 (cont')	1806 90 90*19	- - - - - Containing 70 % or more by weight of sucrose		0 + MOB MAX 27 + AD S/Z
	1806 90 90*91	- - - - - Containing less than 70 % by weight of sucrose		0 + MOBR MAX 27 + AD S/Z
	1806 90 90*99	- - - - - Containing 70 % or more by weight of sucrose		0 + MOB MAX 27 + AD S/Z
09.5223	1901 10 00		13	0 + MOBR
09.5225	1901 20		720	0 + MOBR
09.5227	1901 90 11	- - - Other	1 390	0 + MOBR
	1901 90 19	- - Other :		
		- - - Preparations based on flour of leguminous vegetables in the form of sun-dried discs of dough, known as "papad" :		
		- - - - - Containing cocoa :		
	1901 90 90*12	- - - - - Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		
	1901 90 90*14	- - - - - Other		
		- - - - - Other :		
	1901 90 90*16	- - - - - Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		
	1901 90 90*18	- - - - - Other		
		- - - Crushed maize grains, pressure cooked in water, containing a salt, intended for use as intermediary products in the manufacture of cornflakes and similar preparations :		
		- - - - - Containing cocoa :		
	1901 90 90*21	- - - - - Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight :		
	1901 90 90*23	- - - - - Other		
		- - - Other :		
	1901 90 90*27	- - - - - Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		
	1901 90 90*29	- - - - - Other		
		- - - Preparations for dietetic or culinary purposes :		
		- - - - - Containing cocoa :		
	1901 90 90*61	- - - - - Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight :		
	1901 90 90*63	- - - - - Other		
		- - - - - Other :		
	1901 90 90*65	- - - - - Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		

Order No	CN code	Description (Extracts of CN codes)	Quota volume (tonnes)	Duty to be applied
09.5227 (cont')	1901 90 90*67	- - - - - Other		0 + MOBR
	1901 90 90*71 to 1901 90 90*77			0 + MOBR
	1901 90 90*93	- - - - - Containing cocoa : - - - - - Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		0 + MOBR
	1901 90 90*95	- - - - - Other - - - - - Other :		0 + MOBR
	1901 90 90*97	- - - - - Whether or not containing less than 1,5 % by weight of milk with a starch or flour content of 50 % or more, but less than 75 % by weight		0 + MOBR
	1901 90 90*99	- - - - - Other : - - - - - Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms		0 + MOBR
09.5228	1902 11		310	0 + MOBR
	1902 19			
	1902 20 91			
	1902 20 99			
	1902 30			
	1902 40 10			
	1902 40 90			
09.5229	1903 00 00*10	- Tapioca and sago substitutes from potato starches	34	0 + MOBR
	1903 00 00*90	- Other		
09.5231	1904 10		110	0 + MOBR
	1904 90 10			0 + MOBR
	1904 90 90			0 + MOBR
09.5233	1905 10		1 020	0 + MOBR MAX 24 + AD F/M
	1905 20			0 + MOBR
	1905 30 11			0 + MOBR MAX 35 + AD S/Z
	1905 30 30			0 + MOBR
	1905 30 51			MAX 30 + AD S/Z
	1905 30 59			
	1905 30 91			
	1905 30 99			0 + MOBR MAX 35 + AD F/M
	1905 40			0 + MOBR
	1905 90 10			0 + MOBR MAX 20 + AD F/M
	1905 90 20			0 + MOBR
	1905 90 30			
	1905 90 40			0 + MOBR MAX 30 + AD F/M
	1905 90 45			
	1905 90 55			
	1905 90 60			0 + MOBR MAX 35 + AD F/M
				0 + MOBR
	1905 90 90			MAX 30 + AD F/M

Order No	CN code	Description (Extracts of CN codes)	Quota volume (tonnes)	Duty to be applied
09.5235	2001 90 30 2004 90 10 2005 80		10 280	0 + MOBR
09.5237	2101 10 99 2101 20 10*10 2101 20 10*90 2101 20 90	– Extracts, essences and concentrates of tea or maté, and preparations with a basis of these extracts, essences or concentrates or with a basis of tea or maté : – – Containing no milk fats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 2,5 % milk proteins, 5 % sucrose or isoglucose, 5 % glucose or starch : – – – Preparations with a basis of tea or maté – – – Other	13	0 + MOBR 0 4,4 0 + MOBR
09.5239	2101 30 11 2101 30 19 2101 30 91 2101 30 99		570	7,7 0 + MOBR 8,6 0 + MOBR
09.5241	2103 10 00*10 2103 10 00*90 2103 20 00*10 2103 20 00*90 2103 30 90 2103 90 90*11 2103 90 90*19 2103 90 90*91 2103 90 90*99	– Soya sauce : – – With a vegetable oil basis – – Other – Tomato ketchup and other tomato sauces : – – Sauces with a basis of tomato purée – – Other – Other : – – Other : – – – Containing tomato : – – – – With a vegetable oil basis – – – – Other – – – – Other : – – – – With a vegetable oil basis – – – – Other	2 330	4,4 4,4 6 7 6,5 5,9 5,9 5,9 5
09.5243	2104 10 00*10 2104 10 00*10 2104 10 00*90 2104 20 00	– Soups and broths and preparations therefor : – – Containing tomato – – Other	660	7 7 8,6
09.5245	2105		55	0 + MOBR MAX 27 + AD S/Z
09.5247	2106 10 10 2106 10 90		160	8,2 0 + MOBR
09.5249	2106 90 10	– – Other : – – – Containing no milk fats, milk proteins, sucrose, isoglucose, glucose or starch or containing less than 1,5 % milk fat, 2,5 % milk proteins, 5 % sucrose or isoglucose, 5 % glucose or starch :	1 000	0 + MOBR MAX Ecu 25/100 kg/net

Order No	CN code	Description (Extracts of CN codes)	Quota volume (tonnes)	Duty to be applied
09.5249 (cont')	2106 90 91*10	- - - - Hydrolysates of proteins, autolysates of yeast		4,4
	2106 90 91*90	- - - - Other		
		- - - - Food preparations consisting of natural honey enriched with royal jelly:		4,4
	2106 90 99*12	- - - - - Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
	2106 90 99*14	- - - - - Containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
		- - - - - Other:		
		- - - - - Containing 26 % or more by weight of milk fat:		
		- - - - - In immediate packings of a net capacity of 1 kg or less:		
	2106 90 99*22	- - - - - - Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
	2106 90 99*24	- - - - - - Containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOB
		- - - - - - Other:		
	2106 90 99*30	- - - - - - Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
	2106 90 99*32	- - - - - - Containing 70 % or more by weight of sucrose including invert sugar expressed as sucrose)		0 + MOB
		- - - - - - Other:		
	2106 90 99*92	- - - - - - Containing less than 70 % by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOBR
	2106 90 99*94	- - - - - - Containing 70 % or more by weight of sucrose (including invert sugar expressed as sucrose)		0 + MOB
09.5251	2202 10 00 2202 90 10*10	- Other:	1 630	0
		- - Not containing products of heading Nos 0401 to 0404 or fat obtained from products of heading Nos 0401 to 0404:		
		- - - Containing sugar (sucrose or invert sugar)		4,4

Order No	CN code	Description (Extracts of CN codes)	Quota volume (tonnes)	Duty to be applied
09.5251 (cont')	2202 90 91 2202 90 95 2202 90 99			0 + MOBR
09.5253	2203		1 320	7
09.5255	2205 10 10 2205 10 90 2205 90 10 2205 90 90		380	ECU 6,8/hl ECU 0,6/% vol/hl + ECU 4/hl ECU 5,6/hl ECU 0,6/% vol/hl'

COMMISSION REGULATION (EC) No 343/94**of 15 February 1994****opening compulsory distillation as provided for in Article 39 of Council Regulation (EEC) No 822/87 and derogating for the 1993/94 wine year from certain detailed rules for the application thereof**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine⁽¹⁾, as last amended by Regulation (EEC) No 1566/93⁽²⁾, and in particular Article 39 (9), (10) and (11) thereof,

Whereas the data available at present to the Commission, and in particular those in the forward estimate for the 1993/94 wine year, show that a feature of the current year is an imbalance on the market for table wine and wine suitable for yielding table wine; whereas the conditions laid down in Article 39 (1) of Regulation (EEC) No 822/87 for initiating compulsory distillation are therefore fulfilled;

Whereas in view of the prices and the desirable level of availability at the end of the year, the distillation of 18 200 000 hectolitres of table wine appears necessary in the Community; whereas that quantity is based on the forward estimate to take account of the unbalanced situation, characterized in particular by stocks carried over from one wine year to the next, which are higher than the estimates used as the basis for establishing the financial data for the wine year;

Whereas the experience acquired in the previous marketing year of the option whereby grape must intended for the production after 15 March of products other than table wine may be deducted from the volume to be used for determining the quantity of wine to be delivered for distillation is inadequate for judging the effect of the measure; whereas that option should be made available again in the current marketing year so that its impact can be assessed;

Whereas a large number of small producers of grapes belong to cooperative wineries or producer groups; whereas the articles of association of these organizations are such that in certain production regions the delivery obligation provided for in Article 39 of Regulation (EEC) No 822/87 falls on the organization as a whole and in others falls on the producers individually; whereas in

consequence there is a danger that the exemption provided for small producers will differ greatly in effect between regions; whereas both this fact and the difficulties that were produced by the introduction of a dual exemption arrangement within regions must be taken into account for the fixing of the minimum quantity for delivery by producers;

Whereas experience has shown that the fulfilment of a producer's obligation through the delivery of wine obtained in a region of production other than that of the production of the said winegrower has contributed to the imbalance on the market in certain regions; whereas the obligation should be considered as fulfilled only where wine delivered and wine which is the subject of the obligation are obtained from the same region;

Whereas, in accordance with Article 39 (7) of Regulation (EEC) No 822/87, distillers may either receive aid in respect of the product to be distilled or deliver the product obtained from distillation to the intervention agency; whereas the amount of the aid must be fixed on the basis of the criteria laid down in Article 16 of Council Regulation (EEC) No 2046/89⁽³⁾, as amended by Regulation (EEC) No 1567/93⁽⁴⁾;

Whereas the derogation provided for in the first subparagraph of Article 39 (10) of Regulation (EEC) No 822/87 was extended for one wine year by Regulation (EEC) No 1566/93; whereas the detailed rules relating thereto must be extended for the same period;

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

1. Distillation as provided for in Article 39 (1) of Regulation (EEC) No 822/87 is hereby adopted for the 1993/94 wine year.
2. The total quantity of table wine to be distilled shall be 18 200 000 hectolitres.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 39.

⁽³⁾ OJ No L 202, 14. 7. 1989, p. 14.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 41.

3. The quantities to be distilled in the regions as referred to in Article 4 (2) of Commission Regulation (EEC) No 441/88⁽¹⁾ shall be as follows:

- Region 1: —,
- Region 2: —,
- Region 3: 2 550 000 hectolitres,
- Region 4: 12 150 000 hectolitres,
- Region 5: 500 000 hectolitres,
- Region 6: 3 000 000 hectolitres,
- Region 7: — hectolitres.

4. Region 6 as referred to in paragraph 3 shall be divided into two parts as follows:

- Part A: consisting of the Regions of Asturias, the Balearic Islands, Cantabria and Galicia and the provinces of Guipúzcoa and Vizcaya,
- Part B: consisting of any territory in Region 6 not included in Part A.

The quantities to be distilled in the abovementioned parts of Region 6 shall be as follows:

- Part A: 0,
- Part B: 3 000 000 hectolitres.

Article 2

Notwithstanding Article 6 (1) of Regulation (EEC) No 441/88 producers may deduct from the volume indicated in the first paragraph of that Article quantities of grape must intended for the preparation of products other than table wine not yet processed by 15 March, provided that they undertake to process them by 31 August. If such processing has not taken place by the latter date, producers must deliver for compulsory distillation in the form of wine a quantity resulting from the application of the percentage provided for in Article 8 to the quantity of unprocessed must, plus 20 %. That quantity must be delivered by the date fixed by the competent national authority pursuant to Article 12 (5) of Regulation (EEC) No 441/88.

Article 3

Notwithstanding Article 9 (1) of Regulation (EEC) No 441/88 the quantity of table wine below which producers are exempted from the obligation to deliver shall be five hectolitres except for producers in the regions indicated in the first indent of the second subparagraph of Article 7 of that Regulation, for whom it shall be 25 hectolitres.

Article 4

Without prejudice to the application of Article 44 of Regulation (EEC) No 822/87, the buying-in prices for table wine to be delivered for compulsory distillation shall

be ECU 0,83 per % vol alcohol and per hectolitre for table wine of type AI, RI and RII.

Article 5

The aid for which the distiller may qualify, as against the prices laid down in Article 4, shall be:

- (a) where the product obtained from distillation complies with the definition of neutral spirits as set out in the Annex to Regulation (EEC) No 2046/89: ECU 0,31 per % vol alcohol per hectolitre;
- (b) where the product obtained from distillation is wine spirits complying with the quality criteria laid down by national provisions in force: ECU 0,20 per % vol alcohol per hectolitre;
- (c) where the product obtained from distillation is a raw alcohol with an alcoholic strength of at least 52 % vol: ECU 0,20 per % vol alcohol per hectolitre.

Article 6

1. The price to be paid to the distiller by the intervention agency for the product delivered in accordance with the second indent of the first subparagraph of Article 39 (7) of Regulation (EEC) No 822/87, as against the prices laid down in Article 4, shall be ECU 1,27 per % vol alcohol per hectolitre.

These prices shall apply to neutral spirits complying with the definition as set out in the Annex to Regulation (EEC) No 2046/89.

2. For spirits other than those referred to in paragraph 1, the prices given in that paragraph shall be reduced by ECU 0,11 per % vol alcohol per hectolitre.

Article 7

The aid for which fortifiers of wine for distillation shall qualify, as against the prices laid down in Article 4, shall be:

- ECU 0,19 per % vol alcohol per hectolitre.

Article 8

For the purpose of Article 12 (1) and (2) of Regulation (EEC) No 441/88 the obligation shall be deemed to have been fulfilled only where the wine delivered is obtained from the same region as that of the producer's own production.

Article 9

In Article 21 of Regulation (EEC) No 441/88, '1987/88 until 1992/93' is replaced by '1987/88 until 1993/94'.

Article 10

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

⁽¹⁾ OJ No L 45, 18. 2. 1988, p. 15.

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

Done at Brussels, 15 February 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 344/94

of 15 February 1994

opening, for the 1993/94 wine year, distillation of table wine as provided for in
Article 41 of Council Regulation (EEC) No 822/87

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1566/93 ⁽²⁾, and in particular Articles 41 (7) and (10) and 47 (3) thereof,

Whereas Commission Regulation (EEC) No 2721/88 ⁽³⁾, as last amended by Commission Regulation (EEC) No 2181/91 ⁽⁴⁾, lays down detailed rules for voluntary distillation as provided for in Articles 38, 41 and 42 of Regulation (EEC) No 822/87; whereas Commission Regulation (EEC) No 2093/93 ⁽⁵⁾ fixes the price, the aid and certain other factors applicable to preventive distillation for the 1993/94 wine year;

Whereas Article 41 (1) of Regulation (EEC) No 822/87 provides that in years during which the compulsory distillation indicated in Article 39 thereof is decided on, support distillation is to be introduced as soon as the said measure enters into force;

Whereas Commission Regulation (EC) No 343/94 ⁽⁶⁾ opened for the 1993/94 wine year distillation as indicated in the said Article 39; whereas distillation as provided for in Article 41 (1) of Regulation (EEC) No 822/87 must therefore be opened;

Whereas, given the improvement in market conditions expected to result from application in the 1993/94 wine year of the provisions on compulsory distillation of the said Article 39, application of the present support distillation measure should be restricted to the regions in which compulsory distillation is opened, the total quantity of table wine that may be distilled should be restricted to 3 000 000 hectolitres and the total quantity of table wine for which each producer may submit one or more delivery contract declarations for approval by the intervention agency should be limited to an appropriate percentage of the quantity of table wine that he produced during the 1993/94 wine year;

Whereas because of the large differences in yields per hectare recorded in the different production regions defined for the purposes of compulsory distillation opera-

tions by Regulation (EEC) No 441/88 ⁽⁷⁾, as last amended by Regulation (EEC) No 3699/92 ⁽⁸⁾, there is a risk, because of the way in which the total volume is allocated among producers, that this market support operation will be concentrated in a single region; whereas so that its impact will be balanced a maximum volume for each region should therefore be set;

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

Distillation under Article 41 (1) of Regulation (EEC) No 822/87 is hereby opened for the 1993/94 wine year for all table wine up to a maximum of 3 000 000 hectolitres obtained from grapes grown in the production regions as indicated in Article 4 of Commission Regulation (EEC) No 441/88 in which compulsory distillation has been opened for the 1993/94 wine year.

This quantity is allocated by region as defined in Article 4 (2) of Regulation (EEC) No 441/88, as follows:

- Region 1 : —,
- Region 3 : 400 000 hectolitres,
- Region 4 : 1 800 000 hectolitres,
- Region 5 : 400 000 hectolitres,
- Region 6 : 400 000 hectolitres,
- Region 7 : —.

Article 2

1. The total quantity of table wine for which each producer may conclude one or more contracts may not exceed 20 hectolitres per hectare of area used for the production of table wine. For Spain this quantity is limited at 4 hectolitres per hectare.

2. Member States may restrict the number of contracts a producer may sign for the distillation operation concerned.

Article 3

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

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 39.

⁽³⁾ OJ No L 241, 1. 9. 1988, p. 88.

⁽⁴⁾ OJ No L 202, 25. 7. 1991, p. 16.

⁽⁵⁾ OJ No L 190, 30. 7. 1993, p. 14.

⁽⁶⁾ See page 9 of this Official Journal.

⁽⁷⁾ OJ No L 45, 18. 2. 1988, p. 15.

⁽⁸⁾ OJ No L 374, 22. 12. 1992, p. 54.

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

Done at Brussels, 15 February 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 345/94

of 16 February 1994

**amending Regulation (EEC) No 2444/93 opening a standing invitation to tender
for the sale of Grana padano cheese held by the Italian intervention agency**

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 (EC) No 230/94 ⁽²⁾, and in particular Article 8 (5) thereof,

Whereas Article 1 of Commission Regulation (EEC) No 2444/93 ⁽³⁾, as last amended by Regulation (EC) No 101/94 ⁽⁴⁾, provides for the sale by intervention to tender of Grana padano cheese delivered into storage before 1 April 1992; whereas, given the development of stocks of this cheese and the quantities available, this sale should be extended to cheese delivered into storage before 1 May 1992; whereas, given the urgent nature of the said sale as a result of the age of the cheese in question, this amendment should be applied without delay;

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

HAS ADOPTED THIS REGULATION:

Article 1

'1 April 1992' in Article 1 of Regulation (EEC) No 2444/93 is hereby replaced by '1 May 1992'.

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, 16 February 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 224, 3. 9. 1993, p. 9.

⁽⁴⁾ OJ No L 18, 21. 1. 1994, p. 7.

COMMISSION REGULATION (EC) No 346/94

of 16 February 1994

laying down detailed rules for the period 1 January to 30 June 1994 for the application of the import arrangements for fresh, chilled or frozen beef provided for in the Interim Agreements on trade between the Community and Bulgaria and Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

between the Community and the above-mentioned two countries ;

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3641/93 of 20 December 1993 on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community of the one part, and the Republic of Bulgaria of the other part ⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3642/93 of 20 December 1993 on certain procedures for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community of the one part, and Romania of the other part ⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽³⁾, as last amended by Regulation (EC) No 3611/93 ⁽⁴⁾,

Whereas the Interim Agreement on trade and trade-related matters between the Community and the Republic of Bulgaria ⁽⁵⁾, signed in Brussels on 8 March 1993, entered into force on 31 December 1993 ; whereas the Interim Agreement on trade and trade-related matters between the Community and Romania ⁽⁶⁾, signed in Brussels on 1 February 1993, entered into force on 1 May 1993 ; whereas the said Agreements provide for a reduction in the levy and the Common Customs Tariff (CCT) duty on imports of fresh, chilled or frozen beef falling within CN codes 0201 and 0202 within certain quantity limits ;

Whereas appropriate measures for applying the Interim Agreements must take effect on 1 January 1994 ; whereas they must, however, be limited initially to the first half of 1994 in order to take account of the Additional Protocols to the Interim Agreements which have been signed

Whereas provision is also made in the Annexes to the said Agreements for the quantities of meat exported from one of the two beneficiary countries in the context of triangular operations receiving Community financial assistance to be deducted from the available quantities ; whereas, therefore, provision should be made for calculation mechanisms to take account of those operations ; whereas the provisions to be adopted for the second half of 1994, will include the quantities which have not been the subject of licence applications during the first half of 1994 ;

Whereas, while recalling the provisions of the Interim Agreements intended to guarantee the origin of the product, the system should be managed on the basis of import licences ; whereas, to that end, detailed rules should be laid down concerning, in particular, the submission of applications and the information which must be included on the applications and licences, notwithstanding certain provisions of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products ⁽⁷⁾, as last amended by Regulation (EC) No 3519/93 ⁽⁸⁾, and 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 ⁽⁹⁾, as last amended by Regulation (EC) No 2867/93 ⁽¹⁰⁾ ; whereas it should also be laid down that the licences are to be issued after a delay for consideration and, where necessary, with the application of a single percentage reduction ;

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

⁽¹⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽²⁾ OJ No L 333, 31. 12. 1993, p. 17.

⁽³⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽⁴⁾ OJ No L 328, 29. 12. 1993, p. 7.

⁽⁵⁾ OJ No L 323, 23. 12. 1993, p. 2.

⁽⁶⁾ OJ No L 81, 2. 4. 1993, p. 2.

⁽⁷⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 16.

⁽⁹⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽¹⁰⁾ OJ No L 262, 21. 10. 1993, p. 26.

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The quantities of fresh, chilled or frozen beef falling within CN codes 0201 and 0202 which may be imported within the framework of the import arrangements established by Article 15 (2) of the Interim Agreements shall be:

- 75 tonnes for meat originating in Bulgaria,
- 540 tonnes for meat originating in Romania.

From the quantities available during the said period shall be deducted the quantities which are the subject of the triangular operations referred to in Annexes XII a to the Agreements with Bulgaria and Romania. However, the total quantities available may not be less than the minimum quantities indicated therein.

Article 2

1. The reduction in the import levy and in the CCT duties shall amount to 40 % of the full rates applying on the day of acceptance of the declaration of release for free circulation.

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

- (a) applicants for import licences must be natural or legal persons who, at the time applications are submitted, can prove to the satisfaction of the competent authorities of the Member State concerned that they have been active in trade in beef and veal with third countries during the last 12 months and are entered in the official register of a Member State;
- (b) licence applications may be presented only in the Member State in which the applicant is registered;
- (c) licence applications must cover at least 15 tonnes of meat by product weight and at most the quantity available for the period in question;
- (d) Section 7 of licence applications and licences shall show the country of provenance and Section 8 shall show the country of origin; licences shall carry with them an obligation to import from the country indicated;
- (e) Section 20 of licence applications and licences shall show one of the following:

Reglamento (CE) n° 346/94,
Forordning (EF) nr. 346/94,
Verordnung (EG) Nr. 346/94,
Κανονισμός (ΕΚ) αριθ. 346/94,
Regulation (EC) No 346/94,
Règlement (CE) n° 346/94,

Regolamento (CE) n. 346/94,

Verordening (EG) nr. 346/94,

Regulamento (CE) n° 346/94.

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

Exacción reguladora y derecho del AAC tal como establece el Reglamento (CE) n° 346/94,

Importafgift og FTT-told i henhold til forordning (EF) nr. 346/94,

Abschöpfung und Zoll des GZT gemäß Verordnung (EG) Nr. 346/94,

Εισφορά και δασμός του ΚΔ όπως προβλέπεται από τον κανονισμό (ΕΚ) αριθ. 346/94,

Levy and CCT duty as provided for in Regulation (EC) No 346/94,

Prélèvement et droit du TDC comme prévus par le règlement (CE) n° 346/94,

Prelievo e dazio della TDC a norma del regolamento (CE) n. 346/94,

Heffing en recht van het GDT overeenkomstig Verordening (EG) nr. 346/94,

Direito nivelador e direito da pac previstos no Regulamento (CE) n° 346/94.

3. Notwithstanding Article 8 (2) of Regulation (EEC) No 2377/80, Section 16 of licence applications and licences may include one or more subheadings of CN codes 0201 and 0202.

Article 3

1. Licence applications shall be submitted to the competent authorities not later than 18 February 1994.

2. Where the same applicant lodges more than one application relating to the same country of origin, all applications from that person shall be inadmissible.

3. The Member States shall notify the Commission of the applications lodged not later than the fifth working day following the end of the period for submission of applications. Such notification shall comprise a list of applicants and quantities applied for as well as countries of origin of the products.

All notifications, including notifications of invalid applications, shall be made by telex or fax, using the model in the Annex to this Regulation, where applications have been made.

4. The Commission shall decide to what extent quantities may be awarded in respect of licence applications.

If the quantities in respect of which licences have been applied for exceed the quantities available, the Commission shall fix a single percentage reduction in quantities applied for per country concerned.

5. Subject to a decision to accept applications by the Commission, import licences shall be issued as soon as possible. They shall be valid throughout the Community.

Article 4

1. The full levy and the normal CCT duties shall be collected on quantities in excess of those stated on the import licence.

2. Import licences issued pursuant to this Regulation shall not be transferable.

3. The security for import licences shall be ECU 10 per 100 kilograms by weight of product and the term of validity of licences issued pursuant to Article 3 (5) shall expire on 30 June 1994.

4. Without prejudice to this Regulation, Regulations (EEC) Nos 3719/88 and 2377/80 shall apply.

Article 5

The products shall be released for free circulation on presentation of an EUR. 1 movement certificate issued by the exporting country in accordance with Protocol 4 annexed to the Interim Agreements.

Article 6

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

It shall apply with effect from 1 January 1994.

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

Done at Brussels, 16 February 1994.

For the Commission

René STEICHEN

Member of the Commission

(Application of Regulation (EC) No 346/94)

Date _____ period _____

APPLICATION FOR IMPORT LICENCES AT REDUCED LEVY AND COMMON CUSTOMS TARIFF
(CTT) DUTY

Country of origin	Serial number	Applicant (name and address)	Quantity (tonnes)
Bulgaria			
		Total quantity applied for :	
Romania			
		Total quantity applied for :	
Total for the two countries			

Tel. :

COMMISSION REGULATION (EC) No 347/94

of 16 February 1994

amending Regulation (EEC) No 2828/93 laying down common rules on verification of the use and/or destination of imported products falling within CN codes 1515 90 59 and 1515 90 99

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 3179/93⁽²⁾, and in particular Article 16 (6) thereof,

Whereas Commission Regulation (EEC) No 2828/93⁽³⁾, as amended by Regulation (EC) No 3495/93⁽⁴⁾, lays down common rules on the use of imported products covered by CN codes 1515 90 59 and 1515 90 99 ;

Whereas, in order to ensure uniform application of the verification rules, the wording of Article 3 of Regulation (EEC) No 2828/93 should be clarified ;

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

Article 1

In the first paragraph of Article 3 of Regulation (EEC) No 2828/93, the second indent is hereby replaced by the following :

‘— their final utilization, where applicable after processing, has been as products other than olive oil.’

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, 16 February 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 258, 16. 10. 1993, p. 15.

⁽⁴⁾ OJ No L 319, 21. 12. 1993, p. 15.

COMMISSION REGULATION (EC) No 348/94

of 16 February 1994

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 (EC) No 133/94⁽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⁾, as amended by Regulation (EC) No 3528/93⁽¹⁰⁾, 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⁽¹¹⁾;

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 17 February 1994.

(¹) OJ No L 177, 1. 7. 1981, p. 4.

(²) OJ No L 22, 27. 1. 1994, p. 7.

(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 320, 22. 12. 1993, p. 32.

(¹¹) 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, 16 February 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 16 February 1994 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	32,99 ⁽¹⁾
1701 11 90 910	30,75 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	32,99 ⁽¹⁾
1701 12 90 910	30,75 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3586
	— ECU/100 kg —
1701 99 10 100	35,86
1701 99 10 910	34,74
1701 99 10 950	34,74
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3586

⁽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 349/94

of 16 February 1994

fixing the maximum export refund for white sugar for the 37th 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 (EC) No 133/94⁽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 37th 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 37th 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 37,280 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 17 February 1994.

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

Done at Brussels, 16 February 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 116, 12. 5. 1993, p. 5.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

COMMISSION REGULATION (EC) No 350/94**of 16 February 1994****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⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 2703/93 ⁽⁵⁾ and subsequent amending Regulations ;

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

February 1994, 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 17 February 1994.

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

Done at Brussels, 16 February 1994.

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 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 108.

ANNEX

to the Commission Regulation of 16 February 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	82,06 ⁽²⁾ ⁽³⁾
0712 90 19	82,06 ⁽²⁾ ⁽³⁾
1001 10 00	0 ⁽¹⁾ ⁽²⁾
1001 90 91	94,57
1001 90 99	94,57 ⁽²⁾
1002 00 00	116,11 ⁽⁶⁾
1003 00 10	119,81
1003 00 90	119,81 ⁽²⁾
1004 00 00	94,04
1005 10 90	82,06 ⁽²⁾ ⁽³⁾
1005 90 00	82,06 ⁽²⁾ ⁽³⁾
1007 00 90	95,52 ⁽⁴⁾
1008 10 00	24,04 ⁽²⁾
1008 20 00	42,31 ⁽⁴⁾
1008 30 00	0 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	169,93 ⁽²⁾
1102 10 00	200,23
1103 11 10	30,45
1103 11 90	193,40
1107 10 11	179,21
1107 10 19	136,66
1107 10 91	224,14 ⁽¹⁰⁾
1107 10 99	170,23 ⁽²⁾
1107 20 00	196,59 ⁽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 351/94**of 16 February 1994****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⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93 ⁽⁵⁾ and subsequent amending Regulations;

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

February 1994, 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 17 February 1994.

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

Done at Brussels, 16 February 1994.

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 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 16 February 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period
	2	3	4	5
0709 90 60	0	0	4,51	4,51
0712 90 19	0	0	4,51	4,51
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	4,51	4,51
1005 90 00	0	0	4,51	4,51
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period	4th period
	2	3	4	5	6
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EC) No 352/94

of 16 February 1994

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

(EC) No 191/94 ⁽⁷⁾, as amended by Regulation (EC) No 216/94 ⁽⁸⁾;

Having regard to the Treaty establishing the European Community,

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽⁹⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹⁰⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,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 11 (3) thereof,Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽³⁾, as last amended by Regulation (EEC) No 1544/93 ⁽⁴⁾, and in particular Article 12 (4) thereof,

HAS ADOPTED THIS REGULATION:

*Article 1*Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽⁵⁾, as amended by Regulation (EC) No 3528/93 ⁽⁶⁾,The import levies to be charged on products processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93 ⁽¹¹⁾ as fixed in the Annex to amended Regulation (EC) No 191/94 are hereby altered to the amounts set out in the Annex.*Article 2*

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation

This Regulation shall enter into force on 17 February 1994.

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

Done at Brussels, 16 February 1994.

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 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.⁽⁷⁾ OJ No L 24, 29. 1. 1994, p. 76.⁽⁸⁾ OJ No L 27, 1. 2. 1994, p. 51.⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.⁽¹⁰⁾ OJ No L 202, 26. 7. 1978, p. 8.⁽¹¹⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

to the Commission Regulation of 16 February 1994 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (7)	
	ACP	Third countries (other than ACP)
1103 21 00	168,77	174,81
1104 19 10	168,77	174,81
1104 29 11	124,70	127,72
1104 29 31	150,02	153,04
1104 29 91	95,64	98,66
1104 30 10	70,32	76,36
1108 11 00	206,27	226,82
1109 00 00	375,04	556,38

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

COMMISSION REGULATION (EC) No 353/94
of 16 February 1994
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 133/94 ⁽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⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾, 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 ⁽⁵⁾, as last amended by Regulation (EC) No 339/94 ⁽⁶⁾;

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

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 15 February 1994, 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 17 February 1994.

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

Done at Brussels, 16 February 1994.

For the Commission

René STEICHÈN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 40.

⁽⁶⁾ OJ No L 43, 16. 2. 1994, p. 14.

ANNEX

to the Commission Regulation of 16 February 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	33,90 ⁽¹⁾
1701 11 90	33,90 ⁽¹⁾
1701 12 10	33,90 ⁽¹⁾
1701 12 90	33,90 ⁽¹⁾
1701 91 00	40,22
1701 99 10	40,22
1701 99 90	40,22 ⁽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.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 16 February 1994

drawing up a list of third countries from which the Member States authorize imports of fresh poultrymeat

(94/85/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/494/EEC of 26 June 1991 on animal health conditions governing intra-Community trade in and imports from third countries of fresh poultrymeat⁽¹⁾, as amended by Directive 92/116/EEC⁽²⁾, and in particular Article 9 thereof,

Whereas the countries listed in the Annex to this Decision which traditionally supply the Member States, have been requested to show, through the provision of written assurances supported by appropriate documentation or as a result of on-the-spot inspections, that they satisfy the requirements of the Community;

Whereas these assurances shall be examined by the Standing Veterinary Committee;

Whereas this list applies without prejudice to Commission Decision 93/342/EEC⁽³⁾ which laid down the criteria to classify third countries with regard to avian influenza and Newcastle disease;

Whereas it may also be necessary in certain cases to specify the parts of countries from which imports will be authorized;

Whereas this list can be amended at any time to take into account new information or new situations; whereas the listing of any country shall be reviewed at any time when further information, in particular resulting from on-the-

spot inspections, indicates that conditions in the third country concerned may have changed or that previously received information was incomplete, inexact or inaccurate;

Whereas, although the list of third countries forms the basis of the Community arrangements applicable to imports from third countries laid down in Directive 91/494/EEC, other measures, particularly concerning specific animal health conditions, public health requirements, residue plans and certification will have to be taken into account in order to achieve complete harmonization of the conditions for importation of fresh poultrymeat;

Whereas, pending the adoption by the Commission of the animal health certification for importation of fresh poultrymeat from the countries specified in this list, Member States may continue to apply, on importation, their animal health requirements in force on 1 January 1994;

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

HAS ADOPTED THIS DECISION:

Article 1

The Member States shall authorize imports of fresh poultrymeat in accordance with the list in the Annex.

Article 2

This Decision shall apply from 1 July 1994.

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 35.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 1.

⁽³⁾ OJ No L 137, 8. 6. 1993, p. 24.

Article 3

This Decision is addressed to all Member States.

Done at Brussels, 16 February 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

ISO Code	Country	Fresh poultry meat	Special remarks
AR	Argentina	x	Peninsular (Western) Malaysia only
AT	Austria	x	
AU	Australia	x	
BG	Bulgaria	x	
BR	Brazil	x	
CA	Canada	x	
CH	Switzerland	x	
CL	Chile	x	
CY	Cyprus	x	
CZ	Czech Republic	x	
FI	Finland	x	
HU	Hungary	x	
IL	Israel	x	
MY	Malaysia	x	
NO	Norway	x	
NZ	New Zealand	x	
PL	Poland	x	
RO	Romania	x	
SE	Sweden	x	
SK	Slovakia	x	
TH	Thailand	x	
US	United States of America	x	
UY	Uruguay	x	
ZA	South Africa	x	
ZW	Zimbabwe	x	

COMMISSION DECISION

of 16 February 1994

drawing up a provisional list of third countries from which Member States
authorize imports of wild game meat

(94/86/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Directive 92/45/EEC of 16
June 1992 on public health and animal health problems
relating to the killing of wild game and the placing on
the market of wild game meat⁽¹⁾, as amended by Direc-
tive 92/116/EEC⁽²⁾, and in particular Article 16 (2) and (3)
thereof,

Whereas imports of wild game meat must come from
third countries or parts of third countries which are able
to offer to Member States equivalent guarantees to the
conditions laid down for the placing on the Community
market;

Whereas in view of facilitating the new system of
controls, it is necessary to draw up a provisional list of
third countries or parts of third countries concerned, from
which imports of wild feathered game meat or other wild
game meat are authorized;

Whereas it is justified to separate imports of fresh meat of
ungulates which are authorized from third countries
appearing on the list of Part I of the Annex of Council
Decision 79/542/EEC⁽³⁾, as last amended by Commission
Decision 93/507/EEC⁽⁴⁾;

Whereas, considering the adaptation to the new system
which will follow the adoption of these lists, it is justified
to foresee a period of time for their application;

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

HAS ADOPTED THIS DECISION:

Article 1

Member States shall authorize imports of wild feathered
game meat from third countries appearing on the list in
Part I of the Annex.

Member States shall authorize imports of wild game meat
other than wild feathered game meat from third countries
appearing on the list in Part II of the Annex.

Article 2

This Decision shall apply from 1 July 1994.

Article 3

This Decision is addressed to Member States.

Done at Brussels, 16 February 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 268, 14. 9. 1992, p. 35.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 1.

⁽³⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽⁴⁾ OJ No L 237, 22. 9. 1993, p. 36.

ANNEX

The following lists are lists in principle and importations shall fulfil the relevant animal and public health requirements.

PART I

List of third countries from which Member States shall authorize imports of wild feathered game meat :

- The list of third countries from which Member States authorize imports of fresh poultry meat appearing in Commission Decision 94/85/EC ⁽¹⁾, but excluding those third countries permitted to export fresh poultry meat to the Community by virtue of the exercise of the derogations in Article 4, paragraphs 3 and 4 of Commission Decision 93/342/EEC ⁽²⁾.
- Greenland

PART II

List of third countries from which Member States authorize imports of wild game meat other than wild feathered game meat :

A. *For meat derived from wild clovenhoofed animals and solipeds :*

third countries listed in the appropriate columns for fresh meat of wild clovenhoofed animals and wild solipeds in the first part of the Annex to Council Decision 79/542/EEC including any restrictions laid down in the column for special remarks for fresh meat.

B. *For meat derived from wild game other than those referred to in Part I and Part II (A) above :*

third countries listed in the first part of the Annex to Council Decision 79/542/EEC.

⁽¹⁾ See page 31 of this Official Journal.

⁽²⁾ OJ No L 137, 8. 6. 1993, p. 24.

CORRIGENDA

Corrigendum to Council Directive 93/114/EC of 14 December 1993 amending Directive 70/524/EEC concerning additives in feedingstuffs

(Official Journal of the European Communities No L 334 of 31 December 1993)

On page 25, Article 1 point 1, in new Article 7a, second indent second line :

for: '... Annexes I and II ...',

read: '... Annexes II and III ...'.
