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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 595/94

of 17 March 1994

**fixing the difference in white sugar prices to be used in calculating the levy for
processed fruit and vegetable products and for wine**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EC) No 549/94 ⁽²⁾, and in particular Article 10 (4) thereof,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987, on the common organization of the market in wine ⁽³⁾ as last amended by Regulation (EEC) No 1566/93 ⁽⁴⁾, and in particular Article 55 (3) thereof,

Whereas, in order that the Member States may determine the amount of the levy applicable in respect of the various added sugars to imports of the products listed in Annex III to Regulation (EEC) No 426/86 and of the products falling within CN codes 2009 60 11, 2009 60 71, 2009 60 79 and 2204 30 99 which are listed in Article 1 (2) (a) of Regulation (EEC) No 822/87, it is necessary in accordance with Article 10 (3) of Regulation (EEC) No 426/86 and Article 55 (2) of Regulation (EEC) No 822/87 to determine the difference between, firstly, the average of the threshold prices for one kilogram of white sugar for

each month of the quarter for which the difference is being determined and, secondly, the average of the cif prices for one kilogram of white sugar used in fixing the levies on white sugar, as calculated for a period comprising the first 15 days of the month preceding the quarter for which the difference is being determined and the two months immediately preceding that month; whereas, pursuant to the abovementioned Regulations, this difference must be determined by the Commission for each quarter of the calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 April to 30 June 1994 the difference referred to in Article 10 (3) of Regulation (EEC) No 426/86 and in Article 55 (2) of Regulation (EEC) No 822/87 is fixed at ECU 0,4021.

Article 2

This Regulation shall enter into force on 1 April 1994.

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

Done at Brussels, 17 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 69, 12. 3. 1994, p. 5.

⁽³⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 39.

COMMISSION REGULATION (EC) No 596/94**of 17 March 1994****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon ⁽¹⁾,

Having regard to the Treaty establishing the European Community,

Whereas by Regulation (EEC) No 3131/78 ⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;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 (2) thereof,Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender ⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria ⁽³⁾, as last amended by Regulation (EEC) No 1900/92 ⁽⁴⁾, and in particular Article 5 thereof,

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco ⁽⁵⁾, as last amended by Regulation (EEC) No 1901/92 ⁽⁶⁾, and in particular Article 5 thereof,Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community ⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories;Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia ⁽⁷⁾, as last amended by Regulation (EEC) No 413/86 ⁽⁸⁾, and in particular Article 5 thereof,

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 14 and 15 March 1994 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey ⁽⁹⁾, as last amended by Regulation (EEC) No 1902/92 ⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

imported product, such amount to be fixed at a standard rate ; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 3

This Regulation shall enter into force on 18 March 1994.

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

Done at Brussels, 17 March 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

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

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by:

- (a) Lebanon: ECU 0,60 per 100 kg;
- (b) Tunisia: ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (c) Turkey: ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force;
- (d) Algeria and Morocco: ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country; however, the repayment may not exceed the amount of the tax in force.

⁽³⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code:

- (a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg;
- (b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products ⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

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

COMMISSION REGULATION (EC) No 597/94
of 16 March 1994
on the supply of vegetable oil as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain countries and beneficiary organizations 2 740 tonnes of vegetable oil;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilized in the Community, as Community food aid for supply to the recipient listed in the Annexes, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 16 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I**LOTS A and B**

1. **Operation Nos⁽¹⁾**: 1602/92 (Lot A) and 1603/92 (Lot B)
2. **Programme**: 1992
3. **Recipient⁽²⁾**: Nicaragua
4. **Representative of the recipient**: Enimport (Sr. Regi Delgadillo) Carretera a Masaya, Frente a Camino de Oriente Managua (tel. 67 10 32; fax 74 48 43)
5. **Place or country of destination⁽³⁾**: Nicaragua
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods⁽³⁾**: see OJ No C 114, 29. 4. 1991, p. 1 (under III.A. (1) (b))
8. **Total quantity**: 2 500 tonnes net
9. **Number of lots**: two (Lot A: 1 250 tonnes; Lot B: 1 250 tonnes)
10. **Packaging and marking⁽⁴⁾ (⁽¹⁰⁾)**: see OJ No C 114, 29. 4. 1991, p. 1 (under III.A. (2) (1), III.A. (2) (3) and III.A. (3))
 - Metal casks
 - Markings in Spanish
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing-landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: San Juan del Sur
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the part of shipment stage**: Lot A: 9 — 29. 5. 1994; Lot B: 4 — 24. 7. 1994
18. **Deadline for the supply**: Lot A: 26. 6. 1994; Lot B: 21. 8. 1994
19. **Procedure for determining the costs of supply⁽⁴⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 5. 4. 1994
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 19. 4. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: Lot A: 23. 5 — 12. 6. 1994; Lot B: 18. 7 — 7. 8. 1994
 - (c) deadline for the supply: Lot A: 10. 7. 1994; Lot B: 4. 9. 1994**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 3. 5. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: Lot A: 6 — 26. 6. 1994; Lot B: 1 — 21. 8. 1994
 - (c) deadline for the supply: Lot A: 24. 7. 1994; Lot B: 18. 9. 1994
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles (telex 22037 AGREC B or 25670 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer**: —

LOT C

1. **Operation Nos⁽¹⁾**: see Annex II
2. **Programme**: 1993
3. **Recipient⁽²⁾**: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 NL EURON)
4. **Representative of the recipient⁽⁷⁾**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods⁽³⁾(⁽⁴⁾)(⁽⁵⁾)**: see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (1) (b))
8. **Total quantity**: 240 tonnes net
9. **Number of lots**: one (see Annex II)
10. **Packaging and marking⁽⁶⁾(⁽¹¹⁾)**: see OJ No C 114, 29. 4. 1991, p. 1 (under III.A (2) (1), III.A (2) (3) and III.A (3))
Five litre metal canisters without cardboard cross-pieces
Markings in French (C1 - C4) and English (C5)
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 9. — 29. 5. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply⁽⁸⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 5. 4. 1994
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 19. 4. 1994
 - (b) period for making the goods available at the port of shipment: 23. 5 — 12. 6. 1994
 - (c) deadline for the supply: —**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 3. 5. 1994
 - (b) period for making the goods available at the port of shipment: 6 — 26. 6. 1994
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Brussels (telex 22037 AGREC B or 25670 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer**: —

Notes :

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) Commission delegation to be contacted by the successful tenderer : OJ No C 114, 29. 4. 1991, p. 33 (Costa Rica).
- (⁶) Notwithstanding OJ No C 114, point III.A.3 (c) is replaced by the following : 'the words "European Community"'.
(⁷) The supplier should send a duplicate of the original invoice to : MM. De Keyzer and Schütz BV, Postbus 1438, Blaak 16, NL-3000 BK Rotterdam.
- (⁸) Radiation certificate must be issued by official authorities and be legalized for following countries : Egypt.
- (⁹) The successful tenderer shall supply to the beneficiary or its representative, on delivery, a sanitary certificate.
- (¹⁰) By way of derogation from OJ No C 114 : 190 to 200-litre/kilo metal casks. The casks must be made of sheet of a minimum thickness of 1,0 mm for the cover, 0,9 mm for the body and 1,0 mm for the base (10/9/10).
- (¹¹) Shipment to take place in 20-foot containers, FLC/FCL. The supplier will be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient will be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

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

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

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

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	País de destino
Parti	Totalmængde (tons)	Delmængde (tons)	Aktion nr.	Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Acção n°	País de destino
C	240	C1 : 45 C2 : 45 C3 : 45 C4 : 15 C5 : 90	1438/93 1439/93 1440/93 1441/93 1442/93	Algérie Algérie Algérie Algérie Egypt

COMMISSION REGULATION (EC) No 598/94
of 16 March 1994
on the supply of vegetable oil as food aid

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

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

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain recipients 573 tonnes of vegetable oil;

Whereas it is necessary to make these supplies in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No 790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submission of tenders; whereas, in order to avoid republication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

Vegetable oil shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annex, in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annex. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

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

Done at Brussels, 16 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOTS A, B, C and D

1. **Operation Nos** ⁽¹⁾: 1004/93 (Lot A); 1005/93 (Lot B); 1006/93 (Lot C); 1007/93 (Lot D)
2. **Programme**: 1993
3. **Recipient** ⁽²⁾: UNRWA Headquarters, Supply Division, Vienna International Centre, PO Box 700, A-1400 Vienna (telex 135310 UNRWA A; fax (1) 230 75 29)
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officer,

Lot A:	Ashdod:	West Bank, PO Box 19149, Jerusalem (tel. 972 (2) 89 05 55; telex 26194 UNRWA IL; fax 972 (2) 81 65 64)
Lot B:	Latakia:	PO Box 4313, Damascus, SAR (tel. 963 (11) 66 02 17; telex 412006 UNRWA SY; fax 963 (11) 24 75 13)
Lot C:	Beirut:	PO Box 947, Beirut, Lebanon (tel. 86 31 32; telex 21430 UNRWA LE; fax 87 11 45 02 32 (via Satellite))
Lot D:	Amman:	PO Box 484, Amman, Jordan (tel. 962 (6) 74 19 14 / 77 22 26; telex 23402 UNRWA JFO JO; fax 962 (6) 68 54 76)
5. **Place or country of destination** ⁽³⁾:
 - Lot A: Israel
 - Lot B: Syria
 - Lot C: Lebanon
 - Lot D: Jordan
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (1) (b))
8. **Total quantity**: 573 tonnes
9. **Number of lots**: four (Lot A: 300 tonnes; Lot B: 48 tonnes; Lot C: 100 tonnes; Lot D: 125 tonnes)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾ ⁽¹⁰⁾: OJ No C 114, 29. 4. 1991, p. 1 (under IIIA (2) (1), IIIA (2) (3) and IIIA (3))
 - Metal casks
 - Markings in English
 - Supplementary markings on the packaging:
 - Lots A, B and C: 'UNRWA'
 - Lot D: 'UNRWA — Expiry date: ' ⁽⁸⁾
11. **Method of mobilization**: the Community market
12. **Stage of supply**: Lots A, B: free at port of landing — landed; Lots C, D: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lot A: Ashdod; Lot B: Latakia
16. **Address of the warehouse and, if appropriate, port of landing**: Lot C: UNRWA depots in Beirut, Lebanon; Lot D: UNRWA depots in Amman, Jordan
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 2** — 15. 5. 1994
18. **Deadline for the supply**: Lots A, B: 5. 6. 1994; Lots C, D: 12. 6. 1994
19. **Procedure for determining the costs of supply**: tendering procedure
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 5. 4. 1994

21. A: In the case of a second invitation to tender:

- (a) deadline for the submission of tenders: 12 noon (Brussels time) on 19. 4. 1994
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 16 — 29. 5. 1994
- (c) deadline for the supply: Lots A, B: 19. 6. 1994; lots C, D: 26. 6. 1994

B: In the case of a third invitation to tender:

- (a) deadline for the submission of tenders: 12 noon (Brussels time) on 3. 5. 1994
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 30. 5 — 12. 6. 1994
- (c) deadline for the supply: Lots A, B: 3. 7. 1994; Lots C, D: 10. 7. 1994

22. Amount of tendering security: ECU 15 per tonne**23. Amount of delivery security: 10 % of the amount of the tender in ecus****24. Address for submission of tenders and tendering securities⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Brussels (telex 22037 AGREC B or 25670 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)****25. Refund payable on application by the successful tenderer⁽²⁾: —**

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine -131 levels.

The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents:

— health certificate.

- (⁴) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (⁵) Commission delegation to be contacted by the successful tenderer: see OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) Lot A: not in containers.
Lots C, D: consignment to be stowed in 20-foot-containers.
- (⁷) The health certificate and the certificate of origin must be signed and stamped by a Syrian consulate, including a statement that consular fees and charges have been paid (action 1005/93, Lot B).
- (⁸) The date of expiry shall correspond to the date of manufacture plus two years (action 1007/93, Lot D).
- (⁹) By way of derogation from OJ No C 114: 190 to 200 litre/kilo metal casks.
Lots A, B: the casks must be made of sheet of a minimum thickness of 1,0 mm for the cover, 0,9 mm for the body and 1,0 mm for the base (10/9/10).
Lots C, D: the casks must be made of sheet of a minimum thickness of 1,0 mm for the cover, 0,8 mm for the body and 1,0 mm for the base (10/8/10).
- (¹⁰) Notwithstanding OJ No C 114, point IIIA (3) (c) is replaced by the following: 'the words "European Community".'

**COMMISSION REGULATION (EC) No 599/94
of 17 March 1994**

**on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef
held by certain intervention agencies and repealing Regulation (EC) No 480/94**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 3611/93 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 1759/93 ⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas the application of intervention measures in respect of beef has created large stocks in several Member States; whereas, in order to prevent an excessive prolongation of storage, part of these stocks should be sold in accordance with Regulation (EEC) No 2539/84;

Whereas with a view to securing a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Regulation (EEC) No 2173/79 ⁽⁵⁾, as last amended by Regulation (EEC) No 1759/93;

Whereas Commission Regulation (EC) No 480/94 ⁽⁶⁾ should be repealed;

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 sale shall take place of approximately:

- 2 000 tonnes of boneless beef held by the intervention agency of the United Kingdom,

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 328, 29. 12. 1993, p. 7.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 59.

⁽⁵⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁶⁾ OJ No L 61, 4. 3. 1994, p. 7.

- 1 500 tonnes of boneless beef held by the Italian intervention agency,
- 1 000 tonnes of boneless beef held by the Danish intervention agency,
- 2 000 tonnes of boneless beef held by the Irish intervention agency,
- 1 500 tonnes of boneless beef held by the French intervention agency.

Detailed information concerning quantities is given in Annex I.

2. The products referred to in paragraph 1 shall be sold in accordance with Regulation (EEC) No 2539/84 thereof, and this Regulation.

Article 2

1. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

2. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 25 March 1994.

3. Particulars of the quantities and the places where the products are stored shall be available to interested parties at the addresses given in Annex II.

4. Notwithstanding Article 8 (1) of Regulation (EEC) No 2173/79 a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 2.

Article 3

The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms.

Article 4

Regulation (EC) No 480/94 is hereby repealed.

Article 5

This Regulation shall enter into force on 25 March 1994.

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

Done at Brussels, 17 March 1994.

For the Commission

René STEICHEN

Member of the Commission

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

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Productos Produkter Erzeugnisse Προϊόντα Products Produits Prodotti Produkten Produtos	Cantidades (toneladas) Mængde (tons) Mengen (Tonnen) Ποσότητες (τόνοι) Quantities (tonnes) Quantités (tonnes) Quantità (tonnellate) Hoeveelheid (ton) Quantidade (toneladas)	Precio mínimo expresado en ecus por tonelada ⁽¹⁾ Mindstepriser i ECU/ton ⁽¹⁾ Mindestpreise, ausgedrückt in ECU/Tonne ⁽¹⁾ Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu ανά τόνο ⁽¹⁾ Minimum prices expressed in ecus per tonne ⁽¹⁾ Prix minimaux exprimés en écus par tonne ⁽¹⁾ Prezzi minimi espressi in ecu per tonnellata ⁽¹⁾ Minimumprijzen uitgedrukt in ecu per ton ⁽¹⁾ Preço mínimo expresso em ecus por tonelada ⁽¹⁾
DANMARK	— Mørbrad med bismørbrad — Filet med entrecôte og tyndsteg — Inderlår — Yderlår — Tyksteg	100 300 200 200 200	7 000 3 900 3 100 3 000 3 000
FRANCE	— Filet — Faux-filet — Tende de tranche — Tranche grasse — Rumpsteak — Gîte à la noix — Entrecôte	200 500 200 100 200 200 100	6 000 3 800 2 900 2 900 2 500 2 700 2 700
ITALIA	— Filetto — Roastbeef — Scamone — Fesa esterna — Fesa interna — Noce	200 300 200 300 300 200	6 000 3 800 2 600 2 900 3 000 2 700
UNITED KINGDOM	— Fillet — Striploin — Topside — Silverside — Thick flank — Rump — Forerib	200 500 500 200 200 200 200	7 700 4 300 3 300 3 100 3 100 3 100 2 600
IRELAND	— Striploin — Outside — Rump — Cube-roll	500 500 500 500	5 000 3 000 3 100 3 900

(¹) Estos precios se entenderán con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

(¹) Disse priser gælder i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

(¹) Diese Preise gelten gemäß Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

(¹) Οι τιμές αυτές εφαρμόζονται σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

(¹) These prices shall apply in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

(¹) Ces prix s'entendent conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

(¹) Il prezzo si intende in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

(¹) Deze prijzen gelden overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

(¹) Estes preços aplicam-se conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção**

- IRELAND:** Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 6616263, (01) 6785214 and (01) 6620198
- DANMARK:** EF-Direktoratet
Nyropsgade 26
DK-1602 København K
Tlf. (33) 92 70 00, telex 15137 EFDIR DK, telefax (33) 92 69 48
- ITALIA:** Azienda di Stato per gli interventi nel mercato agricolo (AIMA)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91
Telex 61 30 03
- UNITED KINGDOM:** Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302, telefax (0734) 56 67 50
- FRANCE:** OFIVAL
Tour Montparnasse
33, avenue du Maine
F-75755 Paris Cedex 15
Tél.: 45 38 84 00, télex: 205476 F
-

COMMISSION REGULATION (EC) No 600/94

of 17 March 1994

fixing the compensatory payment for non-professional producers of sunflower seed in Spain and Portugal for the 1994/95 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 232/94 ⁽²⁾, and in particular Article 5 (2) thereof,

Whereas Article 5 (2) of Regulation (EEC) No 1765/92 provides for a special compensatory payment for non-professional producers of sunflower seed in Spain and Portugal; whereas Article 7 of Commission Regulation (EEC) No 2294/92 ⁽³⁾, as last amended by Regulation (EC) No 328/94 ⁽⁴⁾, provides that, for such producers the compensatory payment made under the simplified scheme at the rate applicable to cereals may be supplemented by an additional compensatory payment; whereas it is therefore appropriate to fix the amount of that payment;

Whereas Article 5 (3) of Regulation (EEC) No 1765/92 provides that the Commission shall publish in the *Official Journal of the European Communities* the amounts specified in Article 5 for oilseeds;

Whereas the compensation to be paid to non-professional producers of sunflower seed in Spain and Portugal shall be fixed in such a way as to avoid any distortion which might arise from the transitional arrangements resulting from the Act of Accession of Spain and Portugal for, sunflower seed producers in those Member States,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation:

— the term 'compensatory payment to non-professional sunflower seed producers' means the amount in ecus per hectare which replaces the compensatory payment in force for cereals in the region in question in order to constitute the compensation payment referred to in the second paragraph of Article 5 (2) of Regulation

(EEC) No 1765/92 for non-professional producers of sunflower seed in Spain and Portugal,

— the term 'non-professional sunflower seed producer' means a producer of sunflower seed who has lodged an application for the marketing year in question under the simplified scheme referred to in Article 8 of Regulation (EEC) No 1765/92, covering all of the arable crops for which he is seeking a compensatory payment.

Article 2

1. The compensatory payment to non-professional sunflower seed producers shall be made solely to such producers.
2. A succinct explanation of the calculation of the level of compensation for non-professional producers of sunflower seed in Spain and Portugal, as required by Article 5 (3) of Regulation (EEC) No 1765/92, is set out in the Annex to this Regulation.
3. For the 1994/95 marketing year, the projected compensatory payment to non-professional sunflower seed producers shall be fixed at ECU 261 per hectare in Spain and ECU 247 per hectare in Portugal.
4. The amount specified in paragraph 3, at national level, shall be broken down regionally in accordance with the regionalization plan implemented by the Member State concerned in respect of the 1994/95 marketing year.

Article 3

Without prejudice to the terms for granting compensatory payments in respect of arable crops covered by Regulation (EEC) No 1765/92:

- (a) an advance payment of 50 % of the amounts specified in Article 2 (3) may be made to non-professional sunflower seed producers, as provided for in Article 11 (2), (3) and (4) of Regulation (EEC) No 1765/92;
- (b) if in Spain or Portugal the final regional reference amounts are different from the projected regional reference amounts provided for pursuant to Article 5 of Regulation (EEC) No 1765/92, the compensatory payments broken down regionally pursuant to Article 2 (4) of this Regulation, shall be adjusted accordingly.

Article 4

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

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 7.

⁽³⁾ OJ No L 221, 6. 8. 1992, p. 22.

⁽⁴⁾ OJ No L 42, 15. 2. 1994, p. 2.

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

Done at Brussels, 17 March 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

A succinct explanation of the calculation of the compensatory payment for non-professional producers of sunflower seed in Spain and Portugal

The compensatory payments for non-professional producers of sunflower seed in Spain and Portugal have been established at the level necessary to ensure that such producers are neither advantaged nor disadvantaged when compared to producers of sunflower seed receiving the compensatory payment provided for under the general scheme.

COMMISSION REGULATION (EC) No 601/94
of 17 March 1994

**for the application of Council Regulation (EC) No 165/94 as regards to laying
down detailed rules co-financing by the Community of remote sensing checks
on agricultural areas**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 165/94 of 24 January 1994 concerning the co-financing by the Community of remote sensing checks and amending Regulation (EEC) No 3508/92 establishing an integrated administration and control system for certain Community aid schemes⁽¹⁾, and in particular Article 4 thereof,

Whereas the rational organization of remote sensing checks requires that decisions be taken in good time on participation in the Community programme, the selection of control areas, the specifications to be followed by those providing services and the terms of the contracts to be concluded with them; whereas the Commission must be allowed the opportunity to give its opinion before a final decision is taken;

Whereas, as soon as a programme is accepted, an advance based on the total expenditure may be paid; whereas a maximum advance of 75 % of the total forecast expenditure appears reasonable; whereas provision should be made for the recovery of unused advances and unproven expenditure;

Whereas, given that a reallocation of unused appropriations is provided for, such reallocation should be effected as quickly as possible on the basis of a forecast, to enable the recipient Member States to revise their programmes accordingly; whereas provision may be made for a second reallocation on final closure of the accounts;

Whereas arrangements must be laid down for the reimbursement of expenditure or the supply of satellite pictures free of charge according to whether the Member State has purchased the pictures itself or requested them from the Commission;

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

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down detailed rules for co-financing by the Community of remote sensing checks on agricultural areas pursuant to Council Regulation (EC) No 165/94.

Article 2

In order to receive the Community assistance provided for in Council Regulation (EC) No 165/94, each Member State must inform the Commission in writing by 30 November of each year at the latest, as to:

- whether it intends to apply for Community assistance for the following year,
- whether it wishes the Commission to acquire the satellite pictures necessary for its programme of checks,
- the number of files to be checked and the planned control zones.

Article 3

1. Member States requesting the Commission to obtain the satellite pictures shall determine, in cooperation with the latter and before 15 January following the communication mentioned in Article 2, the zones to be covered and the timetable for obtaining those pictures.

2. Each Member State requesting Community co-financing shall:

- (a) supply the Commission, by 15 January at the latest, with documentation on the work planned, the specifications to be followed by those providing services and the type of contract planned. The Commission shall make any comments and request any amendments within one month of notification;
- (b) submit to the Commission, by 31 March at the latest, the text of the proposed contract, including:
 - the identity of the supplier(s) of services,
 - the final technical specifications,
 - the price components and an estimate of the total cost,
 - where the Member State takes responsibility for them itself, the programme for the acquisition of satellite pictures or aerial photographs.

The Commission shall make any comments or request any amendments within one month of notification. Any substantial amendments to the proposed conditions or contract made after the Commission has been notified must also be sent for approval without delay;

⁽¹⁾ OJ No L 24, 29. 1. 1994, p. 6.

- (c) where appropriate, attach to their notification an application for an advance on the Community co-financing.

Article 4

1. The Commission shall decide as soon as possible the extent to which the applications for co-financing are to be accepted. To that end, it shall take account of the information submitted, the appropriation available and the distribution scale given in the Annex to Regulation (EC) No 165/94.

2. Where an advance is requested, it shall be paid as soon as the decision to grant co-financing is taken. The advance, which is to be based on the final total, may amount to a maximum of 75 % of the forecast Community contribution.

3. Where it appears, given the forecast of expenditure arising from Article 2 of Regulation (EC) No 165/94 and the decisions on applications for co-financing referred to in paragraph 1 of this Article, that the total appropriations available will not be used, the Commission may reallocate the remaining appropriations between those Member States financing more than 50 % of the work approved by the Commission from their own resources, according to rules to be adopted later.

Article 5

1. Member States shall attach to the application for the reimbursement referred to in Article 1 (4) of Regulation (EC) No 165/94 proof that the planned work has been carried out, received and approved by the competent authorities of the Member State. The Commission shall be consulted before final approval is given to the work and it may present its observations.

2. Within four months of receipt of the documents, the Commission shall decide on the total expenditure to be charged to the Community budget after deduction of the advance paid pursuant to Article 4 (2).

3. Where the advance is greater than the final amount of co-financing, the excess amount shall either be deducted from the advance to be paid for the following year or reimbursed by the Member State.

4. Where it appears, given the expenditure arising from Article 2 of Regulation (EC) No 165/94 and the application of paragraphs 2 and 3 of this Article, that the total appropriations available will not be used, the Commission shall reallocate the remaining appropriations among those Member States submitting a valid statement of account. Priority shall be given to those Member States financing more than 50 % of the cost of work approved by the Commission from their own resources, according to rules to be adopted later.

Article 6

1. Member States having acquired satellite pictures or aerial photographs themselves in agreement with the Commission may include the purchase price thereof in their applications for reimbursement.

2. The Commission shall supply free of charge to the authorized agents of the Member States the pictures which it has acquired. Those agents must observe the provisions on copyright set out in the contracts with the suppliers and return the pictures on completion of the work.

3. Where the pictures are not returned in accordance with the agreed terms, the price thereof shall be deducted from the reimbursements referred to in Article 5 (2).

Article 7

Member States shall keep the supporting documents relating to the expenditure in respect of which co-financing has been requested for at least three years after the close of the budgetary year in question.

Article 8

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, 17 March 1994.

For the Commission

René STEICHEN

Member of the Commission

**COMMISSION REGULATION (EC) No 602/94
of 17 March 1994**

determining the extent to which applications lodged in March 1994 licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with Romania and Bulgaria can be accepted

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

Having regard to Commission Regulation (EC) No 374/94 of 18 February 1994 laying down detailed rules for the application in the eggs and poultrymeat sector of the regime provided for by the Interim Agreements concluded by the Community, of the one part, and Bulgaria and Romania, of the other part⁽¹⁾, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the first quarter of 1994 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution;

Whereas, in the case of the first-mentioned category of products, the surplus to be added to the quantity available for the following period should be determined;

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 January to 31 March 1994 submitted under Regulation (EC) No 374/94 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 April to 30 June 1994 applications may be lodged pursuant to Regulation (EC) No 374/94 for import licences for a total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 18 March 1994.

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

Done at Brussels, 17 March 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 48, 19. 2. 1994, p. 21.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 January to 31 March 1994
37	39,47
38	100,00
39	100,00
40	100,00
43	57,14

ANNEX II

<i>(tonnes)</i>	
Group No	Total quantity available for the period 1 April to 30 June 1994
37	30,00
38	225,25
39	625,00
40	115,00
43	200,00

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 10 March 1994

accepting Resolution No 47 on the introduction of an additional TIR carnet with higher guarantee adopted on 2 July 1993 by the Working Party of the Economic Commission for Europe (UN/ECE) on customs questions affecting transport

(94/166/EC)

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 Resolution No 47 provides for measures to ensure the proper application of the TIR Convention, 1975 and to provide a higher guarantee for the transport of certain types of goods involving a higher risk of fraudulent evasion of customs and other duties;

Whereas having regard to its content this Resolution is of prime importance to the Community and should be accepted by it with immediate effect,

HAS DECIDED AS FOLLOWS:

Article 1

Resolution No 47 on the introduction of an additional TIR carnet with higher guarantee adopted on 2 July 1993 by the Working Party of the Economic Commission for

Europe (UN/ECE) on customs questions affecting transport is hereby accepted on behalf of the Community with immediate effect,

The text of the Resolution is attached to this Decision.

Article 2

The President of the Council is hereby authorized to designate the person empowered to notify the Executive Secretary of the Economic Commission for Europe of the Community's acceptance, with immediate effect, of the Resolution referred to in Article 1.

Done at Brussels, 10 March 1994.

For the Council

The President

Y. PAPANTONIOU

INTRODUCTION OF AN ADDITIONAL TIR CARNET WITH HIGHER GUARANTEE

Resolution No 47

adopted on 2 July 1993 by the UN/ECE Working Party on Customs Questions affecting Transport

THE WORKING PARTY ON CUSTOMS QUESTIONS AFFECTING TRANSPORT,

STRESSING the importance of the smooth functioning of the Customs Convention on the International Transport of Goods under Cover of TIR carnets (TIR Convention, 1975) to facilitate the international carriage of goods by road vehicles,

CONCERNED, about the recent increases in cases of fraud which may endanger the facilitation measures provided for in the TIR Convention, 1975,

AWARE of the difficulties faced by the international guaranteeing chain in providing adequate guarantees for high-risk goods from a customs point of view,

CONSIDERING that the introduction as soon as possible of a high-guarantee TIR Carnet covering tobacco and alcohol could provide a step towards a solution to these problems,

BEARING IN MIND the provisions of Annex 1 and Annex 6, explanatory note 0.8.3, of the TIR Convention, 1975,

DECIDES unanimously on the following interim measures taking effect before the relevant amendment to the TIR Convention, 1975 will come into force, possibly during the course of 1994:

In the case of transport of alcohol and tobacco, details of which are given below, customs authorities are recommended to increase the maximum amount which may be claimed from the guaranteeing associations to a sum equal to US \$ 200 000:

1. undenatured ethyl alcohol of an alcoholic strength by volume of 80 % vol or higher (HS code: 220710);
2. undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 % vol, spirits, liqueurs and other spirituous beverages; compound alcoholic preparations of a kind used for the manufacture of beverages (HS code: 2208);
3. cigars, cheroots and cigarillos, containing tobacco (HS code: 240210);
4. cigarettes containing tobacco (HS code: 240220);
5. smoking tobacco, whether or not containing tobacco substitutes in any proportion (HS code: 240310).

For the transport of alcohol and tobacco given above, customs authorities shall request TIR carnets on which are printed in bold characters the words 'TOBACCO/ALCOHOL' and 'TABAC/ALCOOL' on the cover and all vouchers. In addition, these carnets must contain an additional sheet providing details on the categories of tobacco and alcohol guaranteed as indicated above.

Existing 'TABAC' TIR carnets signed by Mr A. Westerink are no longer valid,

REQUESTS the International Road Transport Union (IRU), national guaranteeing associations and customs authorities to take all necessary steps in order to provide for the introduction of the 'TOBACCO/ALCOHOL' TIR carnet, as of 1 September 1993,

REQUESTS the Contracting Parties to the TIR Convention, 1975 to notify the Executive Secretary of the United Nations Economic Commission for Europe (UN/ECE) by 1 September 1993, whether they accept the 'TOBACCO/ALCOHOL' TIR carnet,

REQUESTS the Executive Secretary of the United Nations Economic Commission for Europe (UN/ECE) to inform all Contracting Parties to the TIR Convention, 1975 about the acceptance of the 'TOBACCO/ALCOHOL' TIR carnet.

COUNCIL DECISION

of 10 March 1994

concerning the amendments to the reservations entered by the Community in respect of some provisions of certain Annexes to the international Convention on the simplification and harmonization of customs procedures

(94/167/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

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

Having regard to the proposal from the Commission,

Whereas, by Decision 75/199/EEC⁽¹⁾, the Community became a Contracting Party to the international Convention on the simplification and harmonization of customs procedures;

Whereas, by the said Decision and Decisions 77/415/EEC⁽²⁾, 78/528/EEC⁽³⁾, 80/391/EEC⁽⁴⁾, 85/204/EEC⁽⁵⁾, 86/103/EEC⁽⁶⁾, 87/593/EEC⁽⁷⁾, 87/594/EEC⁽⁸⁾, 88/355/EEC⁽⁹⁾ and 88/356/EEC⁽¹⁰⁾, the Community has accepted 18 Annexes to the said Convention;

Whereas, pursuant to Article 5 (1) of the said Convention, the Community has entered reservations on some 'Standards and Recommended Practices' defined in these Annexes in order to cover the special requirements of the customs union;

Whereas, pursuant to Article 5 (2) of the said Convention, the Community is required to review, once every three years at least, the Standards and Recommended Practices in respect of which it has entered reservations; whereas Article 5 (1) of the Convention allows Contracting Parties to enter reservations even after an Annex has been accepted,

Article 1

The reservations entered by the Community in respect of Annexes A.1, A.2, B.1, B.2, B.3, C.1, D.1, D.2, E.1, E.3, E.4, E.5, E.6, E.8, F.1, F.2, F.3 and F.6 of the international Convention on the simplification and harmonization of customs procedures shall be amended as a result of the review the outcome of which is set out in the Annex to this Decision.

Article 2

The President of the Council shall designate the person authorized to notify the Secretary-General of the Customs Cooperation Council of the outcome of the review referred to in Article 1.

Done at Brussels, 10 March 1994.

*For the Council**The President*

Y. PAPANTONIOU

⁽¹⁾ OJ No L 100, 21. 4. 1975, p. 1.

⁽²⁾ OJ No L 166, 4. 7. 1977, p. 1.

⁽³⁾ OJ No L 160, 17. 6. 1978, p. 13.

⁽⁴⁾ OJ No L 100, 17. 4. 1980, p. 27.

⁽⁵⁾ OJ No L 87, 27. 3. 1985, p. 8.

⁽⁶⁾ OJ No L 88, 3. 4. 1986, p. 42.

⁽⁷⁾ OJ No L 362, 22. 12. 1987, p. 1.

⁽⁸⁾ OJ No L 362, 22. 12. 1987, p. 8.

⁽⁹⁾ OJ No L 161, 28. 6. 1988, p. 3.

⁽¹⁰⁾ OJ No L 161, 28. 6. 1988, p. 12.

ANNEX

Outcome of the review, conducted by the Community in accordance with the requirements of Article 5 (2) of the international Convention on the simplification and harmonization of customs procedures, of the reservations entered by the Community in respect of the Annexes to the said Convention

1. *Annex A.1*

concerning customs formalities prior to the lodgement of the goods declaration

- 1.1. The reservation in respect of Standard 11 shall be lifted.
- 1.2. The reservation in respect of Standard 21 shall be maintained.

2. *Annex A.2*

concerning the temporary storage of goods

- 2.1. The general reservation shall be maintained.
- 2.2. A reservation worded as follows shall be entered in respect of Recommended Practice 10 :
'Community legislation provides that the customs authority may require the person holding the goods to lodge a security with a view to ensuring payment of any customs debt which may arise.'
- 2.3. The wording of the reservation entered in respect of Recommended Practice 13 shall be replaced by :
'Community legislation authorizes goods in temporary storage to be subject only of such forms of handling as are designed to ensure their preservation in an unaltered state, without modifying their appearance or the technical characteristics.'

3. *Annex B.1*

concerning clearance for home use

- 3.1. The wording of the second paragraph of the general reservation shall be replaced by :
'Community legislation distinguishes between releasing goods for free circulation and releasing them for home use. To obtain the release of goods for free circulation simply requires customs duty to be paid whereas for goods to be released for home use, various other provisions, e.g. on taxation, also have to be applied.

It should also be pointed out that release for free circulation and release for home use in the Community generally occur at the same time and in the territory of the same Member State.'
- 3.2. The reservations in respect of Recommended Practices 19 and 52 shall be maintained.
- 3.3. The first sentence of the wording of the reservation in respect of Standard 28 shall be replaced by the following :
'The Community also applies the provisions of this Standard if declarations are incomplete.'

4. *Annex B.2*

concerning relief from import duties and taxes in respect of goods declared for home use

- 4.1. The general reservation and the reservations in respect of Recommended Practices 20, 27, 32 and 33 and of Standard 34 shall be maintained.
- 4.2. The wording of the reservation in respect of Standard 3 shall be replaced by :
'Community legislation only grants the exemption to consignments of negligible value if they are dispatched directly from a third country to consignee in the Community.'

- 4.3. In the last sentence of the wording of the reservation in respect of Recommended Practice 10, 'is accompanied' shall be replaced by 'may be accompanied.'
- 4.4. The wording of the reservation in respect of Recommended Practice 16 shall be replaced by:
'The exemption is granted to the substances concerned if they are to be used exclusively for non-commercial, medical or scientific purposes.'
- 4.5. A second paragraph worded as follows shall be added to the wording of the reservation in respect of Recommended Practice 18:
'Member States have the option of excluding dual-use vehicles which are used for commercial or professional purposes from the relief granted on value added tax.'
- 4.6. The wording of the reservation in respect of Recommended Practice 9 shall be replaced by:
'Relief from import duties and taxes on goods covered by Standard 17 may be made subject to the condition that any customs duties or taxes to which the goods are normally liable in their country of departure or origin have actually been levied. The period for which the beneficiary must continue to own or possess the goods after importing them is set at 12 months.'
- 4.7. The wording of the reservation in respect of Standard 21 shall be replaced by:
'Member States have the option of making relief from value added tax on trousseaux and movable property belonging to the person transferring his or her residence subject to the condition that any customs duties and/or taxes to which the goods are normally liable in their country of departure or origin have actually been levied.
The exemption ... (remainder unchanged).'
- 4.8. The wording of the first indent of the reservation in respect of Recommended Practice 23 shall be replaced by the following:
'— not earlier than two months before the date fixed for the wedding. In this case, the relief shall be subject to the lodging of an appropriate security for the customs duties whereas this security is optional as far as tax exemption is concerned, and ...'
- 4.9. The wording of the second paragraph and the table in the reservation in respect of Standard 28 shall be replaced by:
'In addition to the quantitative restrictions on tobacco, alcohol and alcoholic beverages, Community legislation lay down, in respect of the products listed below, the maximum tax or duty and tax allowances and the maximum quantities shown opposite each product:
Exemption from :
taxes
(a) coffee : 500 grams
or
coffee-extracts and essences : 200 grams
(b) tea : 100 grams
or
tea extracts and essences : 40 grams
duties and taxes :
(c) perfumes : 50 grams
or
toilet waters : 0,25 litre.'
- 4.10. The beginning of the first sentence of the reservation in respect of Recommended Practice 29 shall be replaced by the following:
'The goods referred to in the Recommended Practice are admitted free of import duties and taxes ...'

- 4.11. The wording of the reservation in respect of Recommended Practice 35 shall be replaced by:

'Community legislation provides for the relief referred to in this Recommended Practice subject to the materials in question not normally being reusable. Relief from duty on these materials is granted subject to the further condition that their value is included in the tax base for the goods carried.'

5. *Annex B.3*

concerning reimportation in the same State

- 5.1. The general reservation and the reservations in respect of Recommended Practices 8 and 24 shall be maintained.

- 5.2. The reservation in respect of Recommended Practice 11 shall be lifted.

6. *Annex C.1*

concerning outright exportation

- 6.1. The reservations (general reservation and the reservations in respect of Recommended Practice 10 and Standard 21) shall be maintained.

7. *Annex D.1*

concerning rules of origin

- 7.1. The reservations in respect of Standard 7 and Recommended Practice 10 shall be maintained.

- 7.2. In the second paragraph of the wording of the reservation in respect of Standard 8, 'CCC Nomenclature' shall be replaced by 'Nomenclature of the Harmonized System.'

8. *Annex D.2*

concerning documentary evidence of origin

- 8.1. The reservations in respect of Recommended Practice 3, 10 and 12 shall be maintained.

9. *Annex E.1*

concerning customs transit

- 9.1. The wording of the general reservation shall be replaced by:

'Although the Member States of the Community constitute a single territory, each Member State has the option to set up simplified transit procedures applicable in certain circumstances to goods which are not intended to move through the territory of another Member State.'

Member States also have the option to establish amongst themselves, via bilateral or multilateral arrangements, simplified procedures which comply with criteria established as necessary and are applicable to certain traffic or to specific enterprises.'

10. *Annex E.3*

concerning customs warehouses

- 10.1. The general reservation shall be maintained.

- 10.2. The following reservation shall be entered in respect of Recommended Practice 9:

'Community legislation requires "appropriate customs surveillance" to be ensured within the warehousing procedure. Independently of the surveillance methods used, Member States have the option of requiring a security.'

- 10.3. The following reservation shall be entered in respect of Recommended Practice 11:

'Normally the Community applies the provisions of this Recommended Practice but it reserves the right not to do so in exceptional circumstances.'

- 10.4. The following reservation shall be entered in respect of Recommended Practice 13:

'This Recommended Practice does not apply to value added tax.

The Member States of the Community are free to decide whether or not to allow the repayment of customs duties.'

- 10.5. The following reservation shall be entered in respect of Recommended Practice 15:

'Whether or not the goods in question are to be exported subsequently, Community legislation does not provide for the storage in customs warehouses of goods that are liable to, or have borne, internal duties or taxes.'

- 10.6. The wording of the reservation in respect of Standard 18 shall be replaced by the following:

'In the Community, import goods may undergo the usual forms of handling to ensure their preservation or marketable quality or prepare them for distribution or resale.

In certain circumstances, goods governed by the common agricultural policy may be handled only in those ways specifically provided for in their case.'

- 10.7. The wording of the reservation in respect of Standard 19 shall be replaced by:

'Community legislation on customs warehouses does not fix the maximum duration of storage. Nevertheless, in exceptional cases the period may be less than one year.'

11. *Annex E.4*

concerning drawback

- 11.1. The reservations (general reservation and the reservations in respect of Standard 5) shall be maintained.

12. *Annex E.5*

concerning temporary admission subject to re-exportation in the same State

- 12.1. The general reservation and the reservations in respect of Standard 14 and Recommended Practices 33 and 37 shall be maintained.

- 12.2. A reservation worded as follows shall be entered in respect of Standard 4:

'Community legislation does not grant temporary admission for goods which, for the purposes of discharging the temporary admission or inward processing procedures, have been entered under the customs warehouse or free zone procedures prior to being re-exported (free zones have been created in Denmark, Germany, Greece, Spain, Ireland, Italy, Portugal and the United Kingdom).'

- 12.3. A reservation worded as follows shall be entered in respect of Recommended Practice 5:

'Normally the Community applies the provisions of this Recommended Practice, but it reserves the right not to do so in exceptional circumstances.'

- 12.4. The wording of the reservation in respect of Standard 23 shall be replaced by:

'In the Member States where free zones exist (Denmark, Germany, Greece, Spain, Ireland, Italy, Portugal and United Kingdom) this Standard is applicable only if the goods are introduced into the zones with a view to subsequent exportation from the customs territory of the Communities.'

- 12.5. Four reservations, one each on packings, commercial vehicles, containers and pallets, shall be entered in respect of Recommended Practice 36. They shall be worded as follows:

Reservation on packings

'Community legislation authorizes temporary admission on the basis of an oral declaration accompanied by an inventory, for packings bearing indelible, non-detachable marks and imported full by a person established outside the customs territory of the Community. Written declarations are required for all other types of packings entered under the temporary admission arrangements.'

Where re-exportation is not in doubt because of commercial usage, Community legislation also allows temporary admission without a security for packings imported empty and bearing indelible, non-detachable marks. Provision is also made for granting exemptions from the requirement to provide a security in respect of packings imported full and subject to a verbal declaration accompanied by an inventory, unless an express request to the contrary is made to the competent authorities.'

Reservation on commercial road vehicles

'Community legislation provides that, where there is a serious risk of failure to comply with the obligation to re-export a commercial road vehicle, the temporary admission procedure applies subject to the production of a document of a type laid down in an international Convention or the lodging of a declaration; the customs authority has the option of requiring a security when the declaration is lodged.'

Reservation on containers

'For all containers, whether or not approved for carrying goods under customs seal, Community legislation authorizes temporary admission without formalities from the time of entry into Community customs territory, provided that the containers bear durably applied markings in an appropriate, clearly visible position identifying the owner or operator and giving the marks and identification numbers used by the owner or operator, the tare weight of the container (except in the case of swap bodies used in combined road-rail transport) and the country of registration of the container (except in the case of air transport).

Containers not fulfilling these conditions may be granted temporary admission to Community customs territory once a written application has been submitted, an authorization issued and, where there are well-founded or serious doubts regarding the obligation to re-export, a list has been produced and/or a security constituted.'

Reservation on pallets

'As long as pallets are identifiable, Community legislation authorizes their temporary admission without formalities from the time of entry into Community customs territory. Where they are not identifiable, a written application has to be submitted and an authorization issued.

In both cases a written declaration and, where necessary, a security may be required if the customs consider that there is a serious risk of failure to comply with the obligation to re-export.'

- 12.6. The beginning of the second sentence of the reservation in respect of Recommended Practice 38 shall be replaced by the following:

'Temporary admission with partial relief from import duties is not applied to consumable products and goods whose...'

13. *Annex E.6*

concerning temporary admission for inward processing

- 13.1. The general reservation and the reservation in respect of Standard 19 shall be maintained.

- 13.2. The wording of the reservation in respect of Recommended Practice 5 shall be replaced by:

'Normally the Community applies the provisions of this Recommended Practice, but it reserves the right not to do so in exceptional circumstances.'

- 13.3. A reservation worded as follows shall be entered in respect of Recommended Practice 16:

'Where the customs authority requires a security, the type and amount of security shall be fixed by the customs authority of each Member State.'

- 13.4. The wording of the reservation in respect of Standard 34 shall be replaced by:

'In Member States where free zones exist (Denmark, Germany, Greece, Spain, Ireland, Italy, Portugal and the United Kingdom) this Standard shall be applicable when the compensatory products enter the zones with a view to their subsequent exportation from the customs territory of the Community.'

- 13.5. The wording of the reservation in respect of Recommended Practice 39 shall be replaced by :

'Community legislation does not provide for any limitation similar to that mentioned in this Recommended Practice. If a customs debt relating to the compensating products or to the goods in their unaltered state occurs, it gives rise to the payment of compensatory interest on the amount of the import duties due.'

14. *Annex E.8*

concerning temporary exportation for outward processing

- 14.1. The general reservation and the reservation in respect of Standard 20 shall be maintained.

- 14.2. The wording of the reservation in respect of Recommended Practice 3 shall be replaced by :

'Normally the Community applies the provisions of this Recommended Practice, but it reserves the right not to do so in exceptional circumstances.'

15. *Annex F.1*

concerning free zones

- 15.1. The wording of the general reservation shall be replaced by :

'Community legislation allows Member States the option of constituting certain areas of Community customs territory as free zones. So far free zones of this type have been set up by Denmark, Germany, Greece, Spain, Ireland, Italy, Portugal and the United Kingdom.'

In addition Community legislation provides for a particular type of free zone called a 'free warehouse', to which exactly the same rules apply as those governing the free zones. So far, free warehouses have been set up in Spain, France, Italy, the Netherlands and Portugal.

Moreover, Community legislation covers only part of the procedures dealt with in this Annex. In respect of areas not covered by Community legislation, the Member States shall enter their own reservations if necessary.'

- 15.2. The wording of the reservation in respect of Standard 21 shall be replaced by :

'Community legislation does not lay down a maximum storage period. Nevertheless, in exceptional cases, the period may be less than one year.'

16. *Annex F.2*

concerning processing of goods for home use

- 16.1. The reservations (general reservation and the reservations in respect of Recommended Practice 7) shall be maintained.

17. *Annex F.3*

concerning customs facilities applicable to travellers

- 17.1. The general reservation and the reservations in respect of Standards 21, 38 and 44 and Recommended Practice 45 shall be maintained.

- 17.2. A reservation worded as follows shall be entered in respect of Recommended Practice 18 :

'Community legislation does not provide for a system of flat-rate assessment as far as value added tax and excise duties are concerned.'

- 17.3. A reservation worded as follows shall be entered in respect of Recommended Practice 31 :

'Community legislation provides that when there is a serious risk of failure to comply with the obligation to re-export the means of transport for private use, the temporary admission procedure applies subject to the production of a document of a type laid down in an international Convention or the lodging of a declaration ; the customs authority has the option of requiring a security when the declaration is lodged.'

18. *Annex F.6*

concerning the repayment of import duties and taxes

- 18.1. The reservations (general reservation and the reservations in respect of Standard 7) shall be maintained.