

Official Journal

of the European Communities

ISSN 0378-6978

L 98

Volume 37

16 April 1994

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Council Regulation (EC) No 844/94 of 12 April 1994 amending Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport** 1
- ★ **Council Regulation (EC) No 845/94 of 12 April 1994 opening and providing for the administration of autonomous Community tariff quotas for certain fishery products (1994)** 2
- Commission Regulation (EC) No 846/94 of 15 April 1994 fixing the import levies on rice and broken rice 6
- Commission Regulation (EC) No 847/94 of 15 April 1994 fixing the premiums to be added to the import levies on rice and broken rice 8
- Commission Regulation (EC) No 848/94 of 15 April 1994 fixing the export refunds on rice and broken rice 10
- Commission Regulation (EC) No 849/94 of 15 April 1994 fixing the corrective amount applicable to the refund on rice and broken rice 13
- Commission Regulation (EC) No 850/94 of 15 April 1994 closing an invitation to tender for the supply of milk products as food aid 16
- Commission Regulation (EC) No 851/94 of 15 April 1994 on the supply of common wheat to the People's Republic of Bangladesh as food aid 17
- ★ **Commission Regulation (EC) No 852/94 of 15 April 1994 amending Regulation (EEC) No 890/78 laying down detailed rules for the certification of hops** 22
- Commission Regulation (EC) No 853/94 of 15 April 1994 fixing the export refunds on beef 23
- Commission Regulation (EC) No 854/94 of 15 April 1994 extending the suspension of the advance fixing of export refunds on beef and veal 28

Contents (continued)

Commission Regulation (EC) No 855/94 of 15 April 1994 fixing the export levies in the cereals sector	29
Commission Regulation (EC) No 856/94 of 15 April 1994 fixing the aid for cotton	31
Commission Regulation (EC) No 857/94 of 15 April 1994 fixing the import levies on white sugar and raw sugar	32

II *Acts whose publication is not obligatory*

Commission

94/204/EC, Euratom :

★ Commission Decision of 16 March 1994 on the creation of the European Science and Technology Assembly	34
---	-----------

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 844/94
of 12 April 1994
amending Regulation (EEC) No 1101/89 on structural improvements in inland
waterway transport

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 75 thereof,

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

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty,

Whereas Regulation (EEC) No 1101/89 ⁽³⁾ introduced a number of measures designed to remove the structural overcapacity in the inland waterway sector; whereas one of these measures, which is designed temporarily to curb investment in extra capacity, was initially envisaged for a five-year period;

Whereas the said measures have contributed to the reduction of structural overcapacity in the inland waterway sector; whereas, however, the recent economic downturn has caused a drop in demand for inland waterway services resulting in renewed overcapacity in every sector of the inland waterway transport market; whereas it is therefore appropriate to maintain the current structural improvement measures for a certain period; whereas, moreover, the concept of a 'vessel belonging to the active fleet' should be clarified for the purposes of this Regulation;

Whereas, given that forecasts indicate that the overcapacity is likely to persist for a considerable time, it is appropriate

to re-examine the situation before the end of 1996 in the light of the then existing market situation,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1101/89 is hereby amended as follows:

1. In Article 5 (1), third subparagraph, the introductory part shall be replaced by the following:

'The active fleet shall include vessels in good working order in respect of which at least three times the annual contribution pursuant to Article 4 (1) has been paid and';

2. In the first sentence of Article 8 (1) (a), the period of 'five years' shall be replaced by 'ten years';

3. The following paragraph shall be added to Article 10:

'5. The Commission shall submit a report to the European Parliament and the Council by 31 December 1996 evaluating the overall effect of the measures provided for by this Regulation, together with proposals if appropriate.'

Article 2

This Regulation shall enter into force on 28 April 1994.

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

Done at Luxembourg, 12 April 1994.

For the Council

The President

F. CONSTANTINOU

⁽¹⁾ OJ No C 341, 18. 12. 1993, p. 17.

⁽²⁾ Opinion delivered on 26 January 1994 (not yet published in the Official Journal).

⁽³⁾ OJ No L 116, 28. 4. 1989, p. 25.

COUNCIL REGULATION (EC) No 845/94**of 12 April 1994****opening and providing for the administration of autonomous Community tariff quotas for certain fishery products (1994)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 28, thereof,

Having regard to the proposal from the Commission,

Whereas Community supplies of certain species of fish or fish fillets currently depend on imports from third countries; whereas it is in the Community's interest to suspend in part or in whole the customs duties for the products in question, within Community tariff quotas of an appropriate volume; whereas, in order not to jeopardize the development prospects of this production in the Community and to ensure an adequate supply to satisfy user industries, it is advisable to open those quotas for the period from the date of entry into force of this Regulation to 31 December 1994, applying customs duties varied accordingly to sensitivity of the different products on the Community market;

Whereas it is necessary, in particular, to ensure for all Community importers equal and uninterrupted access to the said quotas and to ensure the uninterrupted application of the rates laid down for the quotas to all imports of the products concerned into all Member States until the quotas have been used up;

Whereas the decision for the opening of autonomous tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is no reasonable obstacle to authorizing the Member States to draw from the quota-volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within, and jointly represented by, the Benelux Economic Union, any operation relating to the administration of the tariff quotas may be carried out by any of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. From the entry into force of this Regulation to 31 December 1994, the customs duties applicable on

importation to products listed in the Annex shall be suspended at the levels and within the limits of the Community tariff quota indicated for each product.

2. Imports of the products in question shall not be covered by the quotas referred to in paragraph 1 unless the free-at-frontier price, which is determined by the Member States in accordance with Article 22 of Regulation (EEC) No 3759/92 of 17 December 1972 on the common organization of the market in fishery and aquaculture products⁽¹⁾, is at least equal to the reference price fixed, or to be fixed, by the Community for the products under consideration of the categories of the products concerned.

Article 2

The tariff quotas referred to in Article 1 shall be managed by the Commission, which may take all appropriate administrative measures in order to ensure effective administration thereof.

Article 3

If an importer presents in a Member State an entry for release for free circulation, including a request for preferential benefit for a product covered by this Regulation and if this entry for release is accepted by the customs authorities, the Member States concerned shall inform the Commission and draw an amount corresponding to its requirements from the corresponding quota amount.

The drawing requests, with indication of the date of acceptance of the said entries, must be transmitted to the Commission without delay.

The drawings are granted by the Commission by reference to the date of acceptance of the entries for release for free circulation by the customs authorities of the Member States concerned to the extent that the available balance so permits.

If a Member State does not use the quantities drawn it shall return them as soon as possible to the corresponding quota amount.

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1.

If the quantities requested are greater than the available balance of the quota amount, allocation shall be made on a *pro rata* basis with respect to the requests. Member States shall be informed by the Commission of the drawings made.

Article 4

Each Member State shall ensure that importers of the products concerned have equal and uninterrupted access

to the quotas for such time as the residual balance of the quota volumes so permits.

Article 5

The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

Article 6.

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

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

Done at Luxembourg, 12 April 1994.

For the Council

The President

F. CONSTANTINOU

ANNEX

Series No	CN code ⁽¹⁾	Description	Amount of quota (in tonnes)	Quota duty (%)
09.2753	ex 0302 50 ex 0302 69 35 ex 0303 60 ex 0303 79 41	Cod (<i>Gadus morhua</i> , <i>Gadus oga</i> , <i>Gadus macrocephalus</i>), and fish of the genus <i>Boreogadus saida</i> , excluding, livers, roes, presented fresh, chilled or frozen, for processing (a) (b)	40 000	6
09.2765	0305 62 00 0305 69 10	Cod (<i>Gadus morhua</i> , <i>Gadus oga</i> , <i>Gadus macrocephalus</i>), and fish of the species <i>Boreogadus saida</i> , salted or in brine, but not dried or smoked	7 500	6
09.2773	ex 0306 13 10 ex 0306 23 10	Shrimps and prawns of the species <i>Pandalus borealis</i> , in shell, fresh, chilled or frozen, for processing (a) (b)	6 000	6
09.2758	ex 0302 70 00	Cod livers (<i>Gadus morhua</i> , <i>Gadus oga</i> , <i>Gadus macrocephalus</i>), and fish liver of the genus <i>Boreogadus saida</i> , for processing (a) (b)	300	0
09.2779	ex 0304 90 05	Surimi, frozen, for processing (a) (b)	3 000	6
09.2780	ex 0304 20 97 ex 0304 90 97	Hoki fillets (<i>Macrouronus novaezelandiae</i>) fresh, chilled or frozen, for processing (a) (b)	1 000	6

(¹) See Taric codes in the Annex to this Annex.

(a) Control of the use for this special purpose shall be carried out pursuant to the relevant Community provisions.

(b) The quotas shall apply to products intended to undergo any operation unless they are intended to undergo exclusively one or more of the following operations :

- cleaning, gutting, tailing, heading,
- cutting (excluding filleting or cutting of frozen blocks),
- sampling, sorting,
- labelling,
- packing,
- chilling,
- freezing,
- deep freezing,
- thawing, separation.

The quota is not allowed for products intended, in addition to undergo treatment (for operations) qualifying for the quota where such treatment (for operations) is (are) carried out at retail or catering level. The reduction of customs duties shall apply only to fish intended for human consumption.

*Annex to the Annex***Taric codes**

Series No	CN code	Taric code
09.2753	ex 0302 50 10	* 11
		* 19
	ex 0302 50 90	* 11
	ex 0302 50 90	* 91
	ex 0302 69 35	* 10
	ex 0303 60 11	* 10
	ex 0303 60 19	* 10
	ex 0303 60 90	* 10
	ex 0303 79 41	* 10
09.2758	ex 0302 70 00	* 20
09.2773	ex 0306 13 10	* 10
	ex 0306 23 10	* 11
	ex 0306 23 10	* 91
09.2779	ex 0304 90 05	* 10
09.2780	ex 0304 20 97	* 50
	ex 0304 90 97	* 60

COMMISSION REGULATION (EC) No 846/94
of 15 April 1994
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20

and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2666/93 ⁽⁵⁾, as last amended by Regulation (EC) No 788/94 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 April 1994.

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

Done at Brussels, 15 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.
⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 4.
⁽⁶⁾ OJ No L 92, 9. 4. 1994, p. 6.

ANNEX

to the Commission Regulation of 15 April 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ⁽¹⁾		
	Arrangement in Regulation (EEC) No 3877/86 ⁽²⁾	ACP Bangladesh (⁽¹⁾)(⁽³⁾)(⁽⁴⁾)	Third countries (except ACP) (⁽⁵⁾)
1006 10 21	—	145,29	297,79
1006 10 23	—	136,43	280,06
1006 10 25	—	136,43	280,06
1006 10 27	210,05	136,43	280,06
1006 10 92	—	145,29	297,79
1006 10 94	—	136,43	280,06
1006 10 96	—	136,43	280,06
1006 10 98	210,05	136,43	280,06
1006 20 11	—	182,52	372,24
1006 20 13	—	171,43	350,07
1006 20 15	—	171,43	350,07
1006 20 17	262,55	171,43	350,07
1006 20 92	—	182,52	372,24
1006 20 94	—	171,43	350,07
1006 20 96	—	171,43	350,07
1006 20 98	262,55	171,43	350,07
1006 30 21	—	226,02	475,90
1006 30 23	—	269,67	563,11
1006 30 25	—	269,67	563,11
1006 30 27	422,33	269,67	563,11
1006 30 42	—	226,02	475,90
1006 30 44	—	269,67	563,11
1006 30 46	—	269,67	563,11
1006 30 48	422,33	269,67	563,11
1006 30 61	—	241,07	506,84
1006 30 63	—	289,48	603,66
1006 30 65	—	289,48	603,66
1006 30 67	452,75	289,48	603,66
1006 30 92	—	241,07	506,84
1006 30 94	—	289,48	603,66
1006 30 96	—	289,48	603,66
1006 30 98	452,75	289,48	603,66
1006 40 00	—	49,36	104,73

(¹⁾ Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

(²⁾ In accordance with Regulation (EEC) No 715/90, the levies are not applied to products originating in the African, Caribbean and Pacific States and imported directly into the overseas department of Réunion.

(³⁾ The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(⁴⁾ The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulations (EEC) No 3491/90 and (EEC) No 862/91.

(⁵⁾ The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

(⁶⁾ No import levy applies to products originating in the OCT pursuant to Article 101 (1) of Decision 91/482/EEC, subject to the provisions of Decision 93/127/EEC.

COMMISSION REGULATION (EC) No 847/94**of 15 April 1994****fixing the premiums to be added to the import levies on rice and broken rice**

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2667/93 ⁽³⁾, as last amended by Regulation (EC) No 789/94 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which

are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 April 1994.

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

Done at Brussels, 15 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 245, 1. 10. 1993, p. 7.

⁽⁴⁾ OJ No L 92, 9. 4. 1994, p. 8.

ANNEX

to the Commission Regulation of 15 April 1994 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 4	1st period 5	2nd period 6	3rd period 7
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EC) No 848/94
of 15 April 1994
fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the export refund on rice and broken rice is being calculated;

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1544/93⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas Article 17 of Regulation (EEC) No 1418/76 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas the refund must be fixed at least once a month; whereas it may be altered in the intervening period;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁴⁾, as amended by Regulation (EC) No 3528/93⁽⁵⁾, 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⁽⁶⁾, as amended by Regulation (EC) No 574/94⁽⁷⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas Commission Regulation (EEC) No 1361/76⁽⁸⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾ 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 Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when

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

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ADOPTED THIS REGULATION :

listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 1

The export refunds on the products listed in Article 1 of Regulation (EEC) No 1418/76 with the exception of those

Article 2

This Regulation shall enter into force on 18 April 1994.

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

Done at Brussels, 15 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 15 April 1994 fixing the export refunds on rice and broken rice

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	199,00	1006 30 65 100	01	249,00
1006 20 13 000	01	199,00		02	255,00
1006 20 15 000	01	199,00		03	260,00
1006 20 17 000	—	—		04	249,00
1006 20 92 000	01	199,00	1006 30 65 900	01	249,00
1006 20 94 000	01	199,00		04	249,00
1006 20 96 000	01	199,00	1006 30 67 100	—	—
1006 20 98 000	—	—	1006 30 67 900	—	—
1006 30 21 000	01	199,00	1006 30 92 100	01	249,00
1006 30 23 000	01	199,00		02	255,00
1006 30 25 000	01	199,00		03	260,00
1006 30 27 000	—	—		04	249,00
1006 30 42 000	01	199,00	1006 30 92 900	01	249,00
1006 30 44 000	01	199,00		04	249,00
1006 30 46 000	01	199,00		05	260,00
1006 30 48 000	—	—	1006 30 94 100	01	249,00
1006 30 61 100	01	249,00		02	255,00
	02	255,00		03	260,00
	03	260,00		04	249,00
	04	249,00	1006 30 94 900	01	249,00
1006 30 61 900	01	249,00		04	249,00
	04	249,00		05	260,00
1006 30 63 100	01	249,00	1006 30 96 100	01	249,00
	02	255,00		02	255,00
	03	260,00		03	260,00
	04	249,00		04	249,00
1006 30 63 900	01	249,00	1006 30 96 900	01	249,00
	04	249,00		04	249,00
				05	260,00
			1006 30 98 100	—	—
			1006 30 98 900	—	—
			1006 40 00 000	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII (c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),

05 Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of 10 000 tonnes of white rice destined for Zones I to VIII, excluding Guyana, Surinam, Madagascar, Austria, Liechtenstein and Switzerland.

(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.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 849/94

of 15 April 1994

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 1544/93⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC⁽³⁾, as amended by Regulation (EEC) No 1397/68⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas

the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾, as amended by Regulation (EC) No 3528/93⁽⁷⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies ; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁸⁾, as amended by Regulation (EC) No 547/94⁽⁹⁾ ;

Whereas it follows from applying the provisions set out above that the corrective amount must 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 Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 18 April 1994.

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

Done at Brussels, 15 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 15 April 1994 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (1)	Current 4	1st period 5	2nd period 6	3rd period 7
1006 20 11 000	01	0	0	0	0
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	01	0	0	0	0
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	01	0	0	0	0
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	01	0	0	0	0
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 61 900	01	0	0	0	0
	04	0	0	0	0
1006 30 63 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 63 900	01	0	0	0	0
	04	0	0	0	0
1006 30 65 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 65 900	01	0	0	0	0
	04	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 92 900	01	0	0	0	0
	04	0	0	0	0
	05	0	0	0	0
1006 30 94 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 94 900	01	0	0	0	0
	04	0	0	0	0
	05	0	0	0	0
1006 30 96 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0

(ECU/tonne)

Product code	Destination (1)	Current 4	1st period 5	2nd period 6	3rd period 7
1006 30 96 900	01	0	0	0	0
	04	0	0	0	0
	05	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII (c), Canada and zone VIII, except Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1),

05 Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89 in respect of 10 000 tonnes of white rice destined for Zones I to VIII, excluding Guyana, Surinam, Madagascar, Austria, Liechtenstein and Switzerland.

NB: The zones are those defined in the Annex to Commission Regulation (EEC) No 2145/92 (OJ No L 214, 30. 7. 1992, p. 20).

COMMISSION REGULATION (EC) No 850/94**of 15 April 1994****closing an invitation to tender for the supply of milk products as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

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, by Regulation (EC) No 676/94 ⁽³⁾, the Commission issued an invitation to tender for the supply of 1 259 tonnes of milk powder as food aid; whereas the conditions of the supply, as regards lot D, should be reviewed and the invitation to tender for that lot should consequently be closed,

Article 1

For lot D of the Annex to Regulation (EC) No 676/94 the invitation to tender is closed.

Article 2

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

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

Done at Brussels, 15 April 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 83, 26. 3. 1994, p. 32.

COMMISSION REGULATION (EC) No 851/94

of 15 April 1994

on the supply of common wheat to the People's Republic of Bangladesh 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, by its Decision of 22 October 1992 on the supply of food aid to Bangladesh, the Commission allocated to this country 70 000 tonnes of cereals to be supplied free at port of landing — undischarged;

Whereas it is necessary to provide for the carrying-out of this measure 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

A tendering procedure is hereby initiated for the award of a contract for the supply of common wheat to Bangladesh in accordance with the provisions of Regulation (EEC) No 2200/87 and with the conditions laid down in Annex I hereto.

The offer submitted shall be deemed to have been drawn up taking account of the charges and constraints resulting from specific clauses set out in the exchange of letters between the Commission and the recipient, published in part in Annex II. In particular, the laydays should be assessed on the basis of an average daily discharge rate of 2 400 tonnes in such a way that dispatch to be paid to the recipient by the EC will be for the account of the successful tenderer.

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, 15 April 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⁾: 1686/92 (lot A), 1687/92 (lot B)
2. **Programme**: 1992
3. **Recipient** ⁽²⁾: Bangladesh
4. **Representative of the recipient**: The Secretary, Ministry of Food, Bangladesh Secretariat, Dhaka, Bangladesh
5. **Place or country of destination** ⁽³⁾: Bangladesh
6. **Product to be mobilized**: common wheat
7. **Characteristics and quality of the goods** ⁽³⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIA (1) (a))
8. **Total quantity**: 70 000 tonnes
9. **Number of lots**: two (lot A: 35 000 tonnes; lot B: 35 000 tonnes)
10. **Packaging and marking**: in bulk
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — undischarged
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Chittagong
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 port of shipment stage**: 16 — 29. 5. 1994
18. **Deadline for the supply**: 30. 6. 1994
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 3. 5. 1994 (Brussels time)
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 17. 5. 1994 (Brussels time)
 - (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: 14. 7. 1994**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 31. 5. 1994 (Brussels time)
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 13 — 26. 6. 1994
 - (c) deadline for the supply: 28. 7. 1994
22. **Amount of the tendering security**: ECU 5 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, a l'attention de Monsieur Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex AGREC 22037 B / AGREC 25670 B; telefax (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** ⁽⁴⁾: refund applicable on 30. 4. 1994, fixed by Regulation (EC) No 680/94 (OJ No L 83, 26. 3. 1994, p. 43)

Notes:

- (¹) The operation 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) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106) shall not apply to this amount.
 - (⁵) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
-

ANNEX II**ALLOCATION OF FOOD AID TO BANGLADESH****1. Discharging conditions**

The recipient shall unload the 70 000 tonnes of wheat as per the following conditions.

2. Type of vessels to be fixed

It is envisaged that two vessels (self-trimming bulk carriers) will be fixed, each carrying 35 000 tonnes of wheat. The vessels must have at least four hatches. Vessels to be geared and each crane/derrick to serve one or two hatches. The vessels must be capable of entering the Chittagong outer anchorage and, after necessary lighterage, be able to shift and berth, at recipient's option, at Chittagong jetties.

Charterers/shipowners must ensure that all certificated officers carry with them on board the original valid certificate of competency and that all vessels are manned strictly according to the *STCW* Convention 1978, failing which any delay to the vessel will be on owner's account.

3. Discharging facilities

Vessels will furnish at the discharge port, free of expenses to the recipient, winches and/or cranes and the power to drive them, gins and falls in good working condition and will also supply sufficient lights for night work, as on board, on deck and in the holds, if required. Vessels will provide winchmen at load and discharge ports at their own expense.

4. Vessels' ETA information

Master to wireless/cable nominees of the recipient, namely Movements Chittagong — telex 642237 CMS C BJ — (simultaneously informing Bengalship Chittagong — telex 66277 BSC BJ — and Movestore Dhaka — telex 642230 CMS BJ) for orders regarding discharge 10 days prior to their arrival at the discharge port, i.e. Chittagong, and state ETA and draft. Orders for discharging will be transmitted to the vessel within five days of the receipt of master's request.

Master to give following notice to the recipient's nominees, i.e. Movements Chittagong, Bengalship Chittagong and Movestore Dhaka :

(a) upon sailing from load port vessels must state :

- (i) quantity loaded ;
- (ii) arrival draft ;
- (iii) TPI (tonnes per inch).

(b) 10 days ETA Chittagong port,

five days ETA Chittagong port,

72 hours, 48 hours and 24 hours ETA Chittagong port.

5. Places of discharging

It is envisaged that, at recipient's option, up to a maximum of 40 % of the Bill of Lading quantity may be discharged by lighter vessel at Chittagong outer anchorage. All lighterage at Chittagong outer anchorage will be carried out by the recipients at their own cost and time (including freight or lighter vessels from Chittagong outer anchorage to Mongla).

6. Discharging rate and discharging port time counting

The cargo is to be discharged by the recipient free of risk and expense to the vessel at the rate of 2 400 tonnes at Chittagong per weather working day of 24 consecutive hours. Time from 12 noon on Thursday or 5 p.m. on a day preceding a holiday until 9 a.m. on Saturday or next working day not to count as laytime even if used. The rate of discharge is based on the abovementioned minimum number or more workable hatches. If, however, the number of workable hatches is less than the specified minimum number of hatches, discharging rate will be reduced proportionately.

Notice of readiness is to be tendered and accepted after vessel arrives at the Chittagong outer anchorage and laytime to commence 24 hours after NOR tendered during office hours, whether the vessel is in berth or not. At discharge port, cost of shifting from anchorage to anchorage, anchorage to berth and berth to berth on owner's/charterer's account and time used for such shifting not to count as laytime.

Although stevedores appointed by recipients, all discharging operations to be carried out under masters' direction/approval. All necessary trimming will be at owner's time and expense.

At Chittagong anchorage, if a lighter vessel is required to cast off from the mother ship, due to heavy swell and/or bad weather, all time lost will not count as laytime. The time will stop counting from the time the lighter vessel casts off and will start counting again from the time the lighter ship is re-tied alongside the mother ship.

7. Lighterage at discharge port

All necessary lighterage at Chittagong outer anchorage will be carried out by the recipients at their own cost and time. For vessels unable to enter the Chittagong outer anchorage, due to excessive draft, lighterage may be carried out at Kutubdia anchorage by the charterer's/owners at their expense and such lighterage to be treated as transshipment and lighters engaged to be discharged on identical terms as the mother vessel, and time used for lighterage at Kutubdia not to count as laytime. Collision damage, if any, during lighterage to be settled directly between the owners of the mother and the lighter vessels (notwithstanding whether engaged by both owners/charterer's for Kutubdia lighterage, or by the recipients for outer anchorage lighterage). In case of unsafe anchorage at Chittagong anchorage, any lighterage at Kutubdia is not for charterer's/owner's account.

Master of the vessel(s) at all times to extend full cooperation to the recipients and/or their nominees/agents/stevedores/lighterage contractors in order to expedite discharge. Lighter vessels to supply suitable fenders to avoid damage.

8. Demurrage/Despatch

Should the vessel(s) not be discharged at the rate herein stipulated demurrage shall be paid by the recipient at the rate stipulated in the charter party subject to a maximum of US\$ 8 000 per day or part thereof.

For working time saved at the port of discharge, despatch money shall be paid to the recipient at the rate of 50 % of the rate of demurrage stipulated in the charter party, subject to a maximum of US\$ 4 000 per day saved.

Demurrage of despatch at the discharge port, if any, at the amounts specified above, shall be paid, as the case may be, by the recipient to the Commission or by the Commission to the recipient. Afterwards settlement of despatch/demurrage, if any, between supplier and the Commission will take place.

Laytime to be non-reversible.

9. Miscellaneous

Overtime expenses, if any, on account of port and customs personnel, will be for the account of the party (owner/their agents or receiver/their agents) ordering the same, but if ordered by the Port Authorities, to be on the receiver's account on 50 : 50 basis. Overtime expenses for vessel's crew and officers always to be on the owner's account.

At the port of discharge opening/closing of hatches on all occasions to be for owner's account and time not to count as laytime. First opening and last closing of hatches at port of discharge to be done by vessel's crew at all times.

Whatever the respective destination of the goods found damaged, they must be disposed of/destroyed as per port rules prior to sailing out of the vessels.

Dock worker management board's levy is not for charterer's account.

In case of lack of coordination or of facilities between the supplier and the recipient through no fault of either part, the Commission will take special and adequate measures for financing the operations.

In the case where some extra costs requested by the supplier are to be pre-financed by the recipient, they may be directly paid by the Commission on the recipient's behalf to the said supplier.

COMMISSION REGULATION (EC) No 852/94

of 15 April 1994

amending Regulation (EEC) No 890/78 laying down detailed rules for the certification of hops

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

Having regard to Council Regulation (EEC) No 1696/71 of 26 July 1971 on the common organization of the market in hops⁽¹⁾, as last amended by Regulation (EEC) No 3124/92⁽²⁾, and in particular Article 2 (5) thereof,

Whereas Article 8 (1) and (2) of Council Regulation (EEC) No 1784/77 of 19 July 1977 concerning the certification of hops⁽³⁾, as last amended by Regulation (EEC) No 1987/93⁽⁴⁾, defines the conditions under which hops may be blended in respect of products in circulation; whereas, however, blending carried out in the brewery for brewers' own use is not covered by that rule because such products are not in circulation; whereas, also, they have been granted a derogation by virtue of Article 1 (1) (e) of Regulation (EEC) No 1784/77, excluding from the compulsory certification procedure in order not to unduly hinder the freedom of action of brewers in their own businesses; whereas, to prevent products obtained from blends of hops from entering the market, mention should be made of that prohibition on the packaging of those products and on the documents accompanying them;

Whereas, therefore, Commission Regulation (EEC) No 890/78⁽⁵⁾, as last amended by Regulation (EEC) No 2928/93⁽⁶⁾, should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

In point (c) of Article 10 of Regulation (EEC) No 890/78, the following text is hereby added:

'In the case of blends of hops, the following additional indication must be included on the document and on the package:

"Mixture of hops for own use; may not be marketed".'

Article 2

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

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

Done at Brussels, 15 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 175, 4. 8. 1971, p. 1.

⁽²⁾ OJ No L 313, 30. 10. 1992, p. 1.

⁽³⁾ OJ No L 200, 8. 8. 1977, p. 1.

⁽⁴⁾ OJ No L 182, 24. 7. 1993, p. 1.

⁽⁵⁾ OJ No L 117, 29. 4. 1978, p. 43.

⁽⁶⁾ OJ No L 265, 26. 10. 1993, p. 4.

COMMISSION REGULATION (EC) No 853/94

of 15 April 1994

fixing the export refunds on beef

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 18 thereof,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 885/68⁽³⁾, as last amended by Regulation (EEC) No 427/77⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas Regulation (EEC) No 32/82⁽⁵⁾, as last amended by Regulation (EEC) No 3169/87⁽⁶⁾, Regulation (EEC) No 1964/82⁽⁷⁾, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84⁽⁸⁾, as last amended by Regulation (EEC) No 3661/92⁽⁹⁾, lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain third countries in particular, export refunds should be

granted, on the one hand, on bovine animals intended for slaughter of a live weight greater than 220 kilograms and less than 300 kilograms, and, on the other on adult bovine animals of a live weight of at least 300 kilograms; whereas experience gained in recent years has shown that live pure-bred breeding animals weighing at least 250 kilograms in the case of females and 300 kilograms in that of males should be treated in the same way as other bovine animals, subject to certain special administrative formalities;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 328, 29. 12. 1993, p. 7.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

⁽⁵⁾ OJ No L 4, 8. 1. 1982, p. 11.

⁽⁶⁾ OJ No L 301, 24. 10. 1987, p. 21.

⁽⁷⁾ OJ No L 212, 21. 7. 1982, p. 48.

⁽⁸⁾ OJ No L 221, 18. 8. 1984, p. 28.

⁽⁹⁾ OJ No L 370, 19. 12. 1992, p. 16.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾, as amended by Regulation (EC) No 3528/93⁽²⁾, 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⁽³⁾, as amended by Regulation (EC) No 547/94⁽⁴⁾;

Whereas Commission Regulation (EEC) No 3846/87⁽⁵⁾, as last amended by Regulation (EC) No 3567/93⁽⁶⁾, establishes the agricultural product nomenclature for the purposes of export refunds;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals;

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat falling within CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁷⁾, as amended by Regulation (EEC) No 2026/83⁽⁸⁾;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia und Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

Whereas, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

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

The list of products on which export refunds as referred to in Article 18 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 16 April 1994.

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

Done at Brussels, 15 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.
⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.
⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.
⁽⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.
⁽⁵⁾ OJ No L 366, 24. 12. 1987, p. 1.
⁽⁶⁾ OJ No L 327, 28. 12. 1993, p. 1.
⁽⁷⁾ OJ No L 62, 7. 3. 1980, p. 5.
⁽⁸⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination (?)	Refund (?) ⁽¹⁾	Product code	Destination (?)	Refund (?) ⁽¹⁾
		— Live weight —			— Net weight —
0102 10 10 120	01	82,50	0201 20 20 120	02	108,50
0102 10 10 130	02	60,50		03	75,00
	03	42,50		04	37,50
	04	21,50	0201 20 30 110 ⁽¹⁾	02	107,50
0102 10 30 120	01	82,50		03	73,00
0102 10 30 130	02	60,50		04	36,50
	03	42,50	0201 20 30 120	02	79,00
	04	21,50		03	55,00
0102 10 90 120	01	82,50		04	27,50
0102 90 41 100	02	82,50	0201 20 50 110 ⁽¹⁾	02	187,00
0102 90 51 000	02	60,50		03	124,50
	03	42,50		04	62,00
	04	21,50	0201 20 50 120	02	138,00
0102 90 59 000	02	60,50		03	95,00
	03	42,50		04	47,50
	04	21,50	0201 20 50 130 ⁽¹⁾	02	107,50
0102 90 61 000	02	60,50		03	73,00
	03	42,50		04	36,50
	04	21,50	0201 20 50 140	02	79,00
0102 90 69 000	02	60,50		03	55,00
	03	42,50		04	27,50
	04	21,50	0201 20 90 700	02	79,00
0102 90 71 000	02	82,50		03	55,00
	03	55,50		04	27,50
	04	27,50	0201 30 00 050 ⁽¹⁾	05	96,00
0102 90 79 000	02	82,50	0201 30 00 100 ⁽²⁾	02	267,50
	03	55,50		03	178,50
	04	27,50		04	89,50
		— Net weight —		06	228,50
0201 10 00 110 ⁽¹⁾	02	107,50	0201 30 00 150 ⁽¹⁾	10	141,50
	03	73,00		11	119,50
	04	36,50		03	107,50
0201 10 00 120	02	79,00		04	53,50
	03	55,00	0201 30 00 190 ⁽¹⁾	06	124,00
	04	27,50		07	77,00
0201 10 00 130 ⁽¹⁾	02	147,50		02	109,50
	03	99,00		03	72,00
	04	49,50		04	36,00
0201 10 00 140	02	108,50		06	88,00
	03	75,00		07	77,00
	04	37,50			
0201 20 20 110 ⁽¹⁾	02	147,50			
	03	99,00			
	04	49,50			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination (?)	Refund (?) ⁽¹⁰⁾	Product code	Destination (?)	Refund (?) ⁽¹⁰⁾
		— Net weight —			— Net weight —
0202 10 00 100	02	79,00	1602 50 10 120	02	121,50 (?)
	03	55,00		03	97,50 (?)
	04	27,50		04	97,50 (?)
0202 10 00 900	02	108,50	1602 50 10 140	02	107,50 (?)
	03	75,00		03	86,50 (?)
	04	37,50		04	86,50 (?)
0202 20 10 000	02	108,50	1602 50 10 160	02	86,50 (?)
	03	75,00		03	69,50 (?)
	04	37,50		04	69,50 (?)
0202 20 30 000	02	79,00	1602 50 10 170	02	57,50 (?)
	03	55,00		03	46,00 (?)
	04	27,50		04	46,00 (?)
0202 20 50 100	02	138,00	1602 50 10 190	02	57,50
	03	95,00		03	46,00
	04	47,50		04	46,00
0202 20 50 900	02	79,00	1602 50 10 240	02	20,00
	03	55,00		03	20,00
	04	27,50		04	20,00
0202 20 90 100	02	79,00	1602 50 10 260	02	16,00
	03	55,00		03	16,00
	04	27,50		04	16,00
0202 30 90 100 (?)	05	96,50	1602 50 10 280	02	10,00
0202 30 90 400 (?)	10	141,50		03	10,00
	11	119,50		04	10,00
	03	107,50	1602 50 31 125	01	110,00 (?)
	04	53,50	1602 50 31 135	01	69,50 (?)
	06	124,00	1602 50 31 195	01	34,00
	07	77,00	1602 50 31 325	01	98,00 (?)
0202 30 90 500 (?)	02	109,50	1602 50 31 335	01	62,00 (?)
	03	72,00	1602 50 31 395	01	34,00
	04	36,00	1602 50 39 125	01	110,00 (?)
	06	88,00	1602 50 39 135	01	69,50 (?)
	07	77,00	1602 50 39 195	01	34,00
0202 30 90 900	07	77,00	1602 50 39 325	01	98,00 (?)
0206 10 95 000	02	109,50	1602 50 39 335	01	62,00 (?)
	03	72,00	1602 50 39 395	01	34,00
	04	36,00	1602 50 39 425	01	73,00 (?)
	06	88,00	1602 50 39 435	01	46,00 (?)
0206 29 91 000	02	109,50	1602 50 39 495	01	34,00
	03	72,00	1602 50 39 505	01	34,00
	04	36,00	1602 50 39 525	01	73,00 (?)
	06	88,00	1602 50 39 535	01	46,00 (?)
0210 20 90 100	08	88,00	1602 50 39 595	01	34,00
	09	52,00			
0210 20 90 300	02	109,50			
0210 20 90 500 (?)	02	109,50			

(ECU/100 kg)			(ECU/100 kg)		
Product code	Destination (7)	Refund (8) (10)	Product code	Destination (7)	Refund (8) (10)
		— Net weight —			— Net weight —
1602 50 39 615	01	34,00	1602 50 80 495	01	34,00
1602 50 39 625	01	15,00	1602 50 80 505	01	34,00
1602 50 39 705	01	20,00	1602 50 80 515	01	15,00
1602 50 39 805	01	16,00	1602 50 80 535	01	46,00 (9)
1602 50 39 905	01	10,00	1602 50 80 595	01	34,00
1602 50 80 135	01	69,50 (9)	1602 50 80 615	01	34,00
1602 50 80 195	01	34,00	1602 50 80 625	01	15,00
1602 50 80 335	01	62,00 (9)	1602 50 80 705	01	20,00
1602 50 80 395	01	34,00	1602 50 80 805	01	16,00
1602 50 80 435	01	46,00 (9)	1602 50 80 905	01	10,00

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) OJ No L 336, 29. 12. 1979, p. 44.

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86.

(7) The destinations are as follows:

01 Third countries.

02 North African, Near and Middle East third countries, West, Central East and Southern African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

03 European third countries, Ceuta, Melilla, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Viet Nam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, except Austria, Sweden and Switzerland.

04 Austria, Sweden and Switzerland.

05 The United States of America, carried out in accordance with Commission Regulation (EEC) No 2973/79.

06 French Polynesia and New Caledonia.

07 Canada.

08 North, West, Central, East and Southern African third countries, except Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

09 Switzerland.

10 North African third countries, Near and Middle East, Central, East and Southern African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

11 West African third countries.

(8) Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(9) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of Council Regulation (EEC) No 565/80.

(10) 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.

NB: The countries are as defined in Commission Regulation (EC) No 3478/93 (OJ No L 317 of 18. 12. 1993, p. 32).

The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

COMMISSION REGULATION (EC) No 854/94**of 15 April 1994****extending the suspension of the advance fixing of export refunds on beef and veal**

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

Having regard to Council Regulation (EEC) No 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⁾,

Having regard to Council Regulation (EEC) No 885/68 of 28 June 1968 laying down general rules for granting export refunds on beef and veal and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 427/77 ⁽⁴⁾, and in particular the second subparagraph of Article 5 (4) thereof,

Whereas, in order to discourage applications for the advance fixing of refunds for certain live bovine animals being submitted for speculative purposes, the advance fixing of refunds should be suspended temporarily pending the introduction at the end of May 1994 of a

system to monitor the issue of export licences for such animals;

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

The advance fixing of export refunds on the products covered by CN code 0102 90 referred to in the Annex to Commission Regulation (EC) No 853/94 ⁽⁵⁾ is hereby suspended from 16 April 1994.

Article 2

This Regulation shall enter into force on 16 April 1994.

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

Done at Brussels, 15 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 328, 29. 12. 1993, p. 7.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

⁽⁵⁾ See page 23 of this Official Journal.

COMMISSION REGULATION (EC) No 855/94

of 15 April 1994

fixing the export levies in the cereals sector

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 Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 16 (2) thereof,

Whereas, pursuant to Article 16 of Regulation (EEC) No 1766/92, appropriate measures may be taken when the quotations or prices on the world market for one or more products reach the level of Community prices and when that situation is likely to continue and to deteriorate, thereby disturbing or threatening to disturb the Community market;

Whereas the high level of prices in international trade is such as to hinder imports into the Community of durum wheat or lead to it being exported from the Community;

Whereas the situation referred to above currently obtains; whereas, in order to safeguard supplies in the Community, an export levy should be introduced for durum wheat;

Whereas Article 3 of Council Regulation (EEC) No 1766/92 fixes the threshold price for cereals for the 1993/94 to 1995/96 marketing years;

Whereas Article 15 of Commission Regulation (EEC) No 1533/93⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾, provides for the application of an export levy; whereas, pursuant to Article 2 of the same Regulation, export levies are to be fixed in particular in the light of the prices charged on the representative Community markets and their trends and the quotations recorded on the markets of third countries; whereas that Regulation also provides that account should be taken of the economic aspects of

the exports contemplated and the advantage of avoiding disturbance on the Community market;

Whereas the export levy may be varied where the world market situation or the specific requirements of certain markets make this necessary;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as amended by Regulation (EEC) No 3528/93⁽⁶⁾, are to be used to convert the amount expressed in third-country currencies and are the basis for determining the agricultural conversion rates of the currencies of the Member States; whereas the detailed rules for determining and applying these conversion rates are laid down in Commission Regulation (EEC) No 1068/93⁽⁷⁾, as last amended by Regulation (EC) No 547/94⁽⁸⁾;

Whereas the application of the aforementioned rules to the current market situation in the cereals sector, and in particular to the quotations or prices of these products in the Community and on the world market, leads to the export levy being fixed at the amount set out in the Annex to this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export levy referred to in Article 15 of amended Regulation (EEC) No 1533/93 for the products falling within CN code 1001 10 00 shall be as set out in the Annex.

Article 2

This Regulation shall enter into force on 16 April 1994.

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

Done at Brussels, 15 April 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 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 15 April 1994 fixing the export levies in the cereals sector

CN code	Destination	Amount of levy in ecu/tonne
1001 10 00	Algeria	0 ⁽¹⁾
	Other third countries	35,00
	Other third countries	0 ⁽²⁾

⁽¹⁾ For exports carried out within the framework of Regulations (EC) No 151/94 (OJ No L 23, 28. 1. 1994, p. 5) and (EC) No 646/94 (OJ No L 80, 24. 3. 1994, p. 14).

⁽²⁾ For exports carried out within the framework of Regulation (EC) No 823/94 (OJ No L 95, 14. 4. 1994, p. 2).

COMMISSION REGULATION (EC) No 856/94
of 15 April 1994
fixing the aid for cotton

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽²⁾, as last amended by Regulation (EEC) No 1554/93⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2419/93⁽⁴⁾, as last amended by Regulation (EC) No 832/94⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2419/93 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 47,693 per 100 kilograms.

Article 2

This Regulation shall enter into force on 16 April 1994.

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

Done at Brussels, 15 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 222, 1. 9. 1993, p. 35.

⁽⁵⁾ OJ No L 95, 14. 4. 1994, p. 17.

COMMISSION REGULATION (EC) No 857/94
of 15 April 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 (EC) 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 841/94 ⁽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 14 April 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 16 April 1994.

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

Done at Brussels, 15 April 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 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 97, 15. 4. 1994, p. 36.

ANNEX

to the Commission Regulation of 15 April 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	34,65 ⁽¹⁾
1701 11 90	34,65 ⁽¹⁾
1701 12 10	34,65 ⁽¹⁾
1701 12 90	34,65 ⁽¹⁾
1701 91 00	39,08
1701 99 10	39,08
1701 99 90	39,08 ⁽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 March 1994

on the creation of the European Science and Technology Assembly

(94/204/EC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Whereas the preparation and implementation of Community policy on research and technological development, and in particular the establishment and running of a general framework programme of Community activities in this area, as implemented via specific programmes, mean the Commission's taking stock of analyses of the state of the art and developments in science and technology in the Community and of their potential consequences for the economy and society;

Whereas it is necessary in this context, given in particular the extent of the sums involved, and for the activities in question to have the impact expected of them on Europe's economy and society, to guarantee the relevance of the scientific and technological options taken, the quality of the research carried out, the level of the research teams involved and consideration of the latest developments in knowledge and technologies;

Whereas these tasks require close, direct and permanent contact between the Commission, on the one hand, and the scientific community and the industrial world, on the other;

Whereas it is necessary to this end to supplement and improve the Commission's consultative system in science and technology by way of a general consultative body

which is independent and representative of the European scientific community and industrial world,

HAS DECIDED AS FOLLOWS:

Article 1

A consultative committee entitled the European Science and Technology Assembly, hereinafter referred to as 'the Assembly', is hereby established to advise the Commission.

Article 2

1. The essential task of the Assembly shall be to help the Commission to prepare, implement and monitor Community policy in research and technological development, comprising:

- Community measures complementary to measures undertaken in the Member States, as set out in Article 130g of the EC Treaty, namely:
 - implementation of research, technological development and demonstration programmes,
 - promotion of cooperation with third countries and international organizations,
 - dissemination and optimization of results,
 - stimulation of the training and mobility of researchers,
- coordination of Community and Member States' activities, as set out in Article 130h of the EC Treaty,
- research and training programmes, as set out in Article 7 of the EAEC Treaty.

The Assembly shall also assist the Commission in its efforts to promote a scientific and technical culture in Europe and to stimulate debate on science and technology at European level.

2. In order to accomplish the tasks set out in paragraph 1, the Assembly shall :

- at the request of the Commission :
 - deliver opinions on the criteria and methods used to assess research proposals and the work programmes of the specific programmes, within the period laid down in the rules of procedure, and in such a way as to ensure rapid implementation of the programmes,
 - provide an assessment at the half-way point of the specific programmes as well as an *ex ante* opinion on the activities of the Community in assessing scientific and technological options,
- on its own initiative or at the request of the Commission :
 - deliver opinions on different aspects of Community research policy or developments in science and technology in Europe and in the world : new areas to be explored, promising prospects in scientific or economic terms, new types of procedure for Community research ; developments to be taken into account in the carrying out of research activities (new modes of scientific communication, social and ethical aspects, etc).

Article 3

1. The Assembly shall consist of a maximum of 100 members.

2. The Assembly shall be made up of high-level persons in European organizations representing exact and natural sciences ; economics, social sciences and humanities to the extent that they are affected by Community research ; technology and industry.

3. The members of the Assembly shall be appointed by the Commission in a personal capacity. To this end the Commission shall make the necessary contacts with the representatives of European organizations from the worlds of science, technology and industry. In these appointments the Commission shall assure the desired balance in geographical terms, in the different types of research (pure, applied and development) and in the various fields of scientific and technological activity.

Article 4

The term of office of each member of the Assembly shall be for three years. The members of the Assembly shall

remain in office until provision is made for their replacement or for renewal of their term of office.

The functions of an ordinary member of the Assembly shall not be remunerated. Travel and subsistence expenses for meetings of the Assembly or any working party set up within the Assembly shall be covered by the Commission in accordance with the current administrative rules and regulations.

Article 5

The Assembly shall be provided with a Bureau of 20 members, comprising, on the one hand, one representative of the Commission and nine members appointed by the Commission from the representatives of the organizations referred to in Article 3 (3), and on the other hand, 10 members elected by the Assembly from its own members. Election of the latter shall be by a two-thirds majority of the members present.

The Assembly shall be chaired by the chairman of the Bureau, who shall be elected from among the latter's members. Election shall be by a two-thirds majority of the members present.

Two vice-chairmen shall be elected under the same conditions and by the same majority. They shall replace the chairman where the latter is prevented from attending.

The Bureau of the Assembly shall represent the latter at the Commission. The Bureau shall organize the work of the Assembly, set the agenda for plenary meetings and transmit opinions, conclusions of studies and assessments to the Commission. To enable the Assembly to accomplish its tasks the Bureau shall set up temporary working parties consisting of members of the Assembly and, where necessary, outside persons.

For the purposes of preparing the Assembly's opinions the Bureau may also recommend that the Commission should assign studies to outside organizations.

The secretariat of the Assembly shall be provided by the Commission in close collaboration with the chairman.

Article 6

1. When convened by the chairman, the Assembly shall meet as a rule at the Commission. It shall hold two ordinary plenary meetings a year. An extraordinary meeting of the Assembly may be convened at the request of a third of its members, the Bureau or the Commission.

2. The Bureau shall meet as a rule at the Commission, a minimum of four times a year.

3. Commission representatives shall participate in the meetings of the Assembly and its working parties.

Article 7

The Assembly shall adopt its rules of procedure on a proposal from the Commission.

Article 8

Without prejudice to the provisions of Article 214 of the EC Treaty and Article 194 of the EAEC Treaty, the members of the Assembly shall not divulge any information they obtain through their work in the Assembly or its working parties where the Commission informs them that a particular opinion or matter is confidential.

Article 9

Commission Decision 82/835/EEC⁽¹⁾ is repealed. However, the Committee for the European development

of science and technology (Codest), established by the said Decision, shall continue to carry out the activities provided for in the 'Human capital and mobility' programme of the RDT framework programme (1990 to 1994) until expiry of this programme on 31 December 1994.

Article 10

This Decision shall apply as from 1 April 1994.

Done at Brussels, 16 March 1994.

For the Commission

Antonio RUBERTI

Member of the Commission

⁽¹⁾ OJ No L 350, 10. 12. 1982, p. 45.