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⁽¹⁾ Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 858/94

of 12 April 1994

**introducing a system for the statistical monitoring of trade in bluefin tuna
(*Thunnus thynnus*) within the Community**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 43 thereof,

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

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

Whereas there should be an appropriate policy for the management and conservation of tuna in the Atlantic Ocean and adjacent seas; whereas the International Convention for the conservation of atlantic tunas, hereinafter referred to as the 'Iccat Convention', which came into force on 21 March 1969, is the appropriate international forum for development of that policy;

Whereas, by Council Decision 86/238/EEC of 9 June 1986 ⁽³⁾, the Community approved its accession to the Iccat Convention, as amended by the Protocol annexed to the Final Act of the Conference of Plenipotentiaries of the States Parties to the Convention signed at Paris on 10 July 1984; whereas the Community participates in the work of the Iccat only as an observer, pending completion of ratification procedures;

Whereas, in the context of measures to regulate stocks of bluefin tuna, at its eighth extraordinary meeting, held in Madrid from 8 to 13 November 1992, the Iccat adopted a resolution designed to make compulsory the presentation of a statistical document when bluefin tuna are imported into the territory of a Contracting Party; whereas that resolution states that the document is to be drawn up by the country whose flag the vessel making the catch is flying;

Whereas those Community Member States which are currently parties to the Iccat Convention are required to respect and apply Iccat resolutions; whereas, for the sound operation of the internal market and in order to ensure the uniform application throughout the Commu-

nity of this resolution, appropriate rules must be adopted at Community level;

Whereas those Community rules should provide for the recording of certain details on catches and for the issuing of a statistical document containing certain information; whereas that document should be completed by the appropriate operators and be presented and checked when bluefin tuna is entered for free circulation in the customs territory of the Community;

Whereas Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽⁴⁾, and, in particular, Article 31 thereof, provides for sanctions to be imposed when Community measures adopted under the common fisheries policy are infringed;

Whereas the statistical information obtained under this system must be sent to the Commission so that it can forward the information to the Iccat Commission,

HAS ADOPTED THIS REGULATION:

Article 1

The following shall be subject to the rules on statistical recording laid down in this Regulation:

- catches of bluefin tuna (*Thunnus thynnus*) by a Community vessel or Community producer,
- the entry for free circulation (including direct landings) in the Community of bluefin tuna (*Thunnus thynnus*) falling within CN codes 0302 39 and 0303 49 coming from third countries.

Article 2

1. Any quantity of bluefin tuna caught by a Community vessel or taken by a Community producer must be recorded for statistical purposes.

⁽¹⁾ OJ No C 174, 25. 6. 1993, p. 11.

⁽²⁾ OJ No C 268, 4. 10. 1993, p. 191.

⁽³⁾ OJ No L 162, 18. 6. 1986, p. 33.

⁽⁴⁾ OJ No L 261, 20. 10. 1993, p. 1.

2. The Member States concerned shall lay down the practical procedures for the recording referred to in paragraph 1 which must include the following details:

- the name of the vessel or, where the catch has not been made by a vessel, the name of the producer,
- the place of the catch: East Atlantic, West Atlantic (according to the geographical division established in point 1 of Annex II), Mediterranean, other,
- the type of fishing gear used, according to the gear code established in point 3 of Annex II,
- the quantity (live weight in tonnes, including discards),
- the signature of the master or the shipowner or, where the catch has not been made by a vessel, of the producer.

Article 3

1. Any quantities of bluefin tuna coming from third countries, which are entered for free circulation (including direct landings) on the Community market must be accompanied by the statistical document shown in Annex I.

2. The statistical document shall be completed and signed, on behalf of the parties concerned, by the relevant operators, who shall be responsible for the statements made.

It must be authenticated by a duly authorized official of the flag country of the vessel which has caught the bluefin tuna or, where the catch has not been made by a vessel, of the country in the territorial waters of which the catch was made. However, for the third countries listed in

point 2 of Annex II, authentication may be carried out by an authorized institution, for example a Chamber of Commerce.

3. Such statistical documents shall be supplied to the competent authorities of the Member State where the product is entered for free circulation.

Article 4

Article 31 (1), (2) and (3) of Regulation (EEC) No 2847/93 shall apply where the measures laid down in Articles 2 and 3 have not been complied with.

Article 5

1. By the end of August for the first half-year and by the end of February for the second half-year, Member States shall send the Commission the following information:

- the quantities of bluefin tuna for the half-year caught by a Community fishing vessel or taken by a Community producer, broken down by place of catch and type of fishing gear used,
- the quantities of each commercial presentation of bluefin tuna entered each half-year for free circulation (including direct landings) in its territory, broken down by third country of origin, place of catch, and type of fishing gear used.

2. The Commission shall forward the information referred to in paragraph 1 to the Iccat.

Article 6

This Regulation shall enter into force on 1 July 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

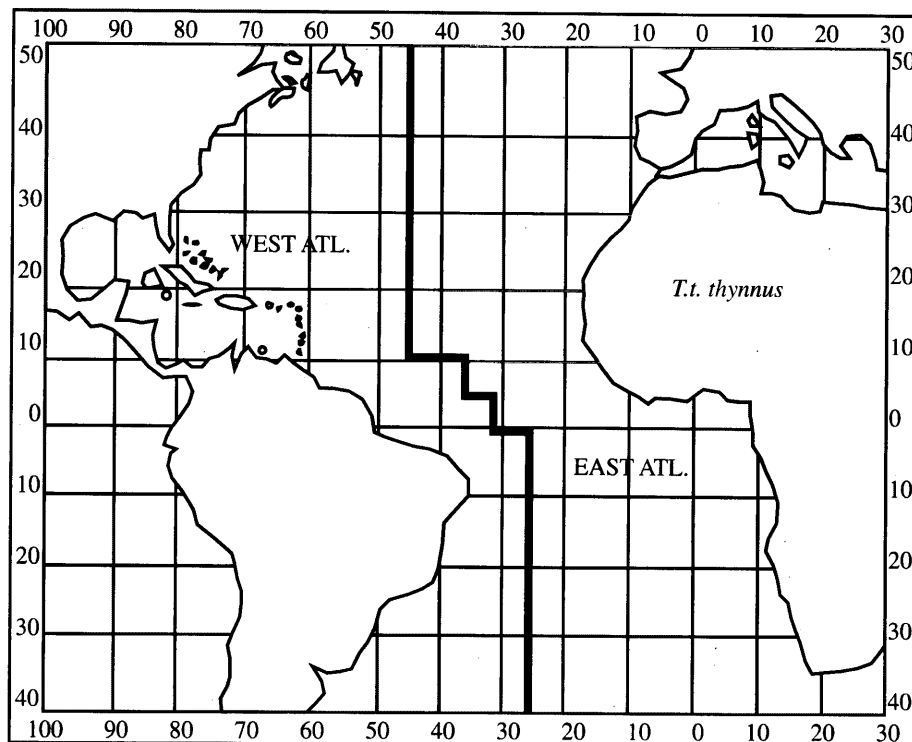
The President

F. CONSTANTINOU

ANNEX I

Document number		BLUEFIN TUNA STATISTICAL DOCUMENT			
EXPORT SECTION					
1. COUNTRY ISSUING THE DOCUMENT (FLAG COUNTRY)					
2. NAME OF VESSEL AND REGISTRATION NUMBER					
3. TRAP (where applicable)					
4. POINT OF EXPORT (PLACE, COUNTRY)					
5. DESCRIPTION OF FISH (one commercial presentation per line)					
Gear code	Commercial presentation (a)		Area of catch (b)	Weight (kg)	Tag number
	F/FR	RD/DW/FL/OT			
(a) F = fresh, FR = frozen, RD = round, DW = dressed, FL = filleted, OT = other (b) East Atlantic, West Atlantic, Mediterranean, other					
6. EXPORTER CERTIFICATION					
I certify that the above information is complete, true and correct, to the best of my knowledge and belief.					
Name	Address	Signature	Date	Licence number	
7. NAME OF IMPORTER					
8. AUTHENTICATION by a duly authorized official/recognized institution of the flag country					
I certify that the above information is complete, true and correct, to the best of my knowledge and belief.					
Name and position of the (authorized) signatory	Signature	Date	Government seal		

ANNEX II

1. Geographical division of the Atlantic recognized by Iccat for bluefin tuna (*Thunnus thynnus*) catches

2. Third countries recognized by Iccat for which the statistical document can be authenticated by an institution authorized for this purpose, for example a chamber of commerce :

Angola, Benin, Brazil, Canada, Cape Verde, Korea, Côte d'Ivoire, USA, Gabon, Ghana, Equatorial Guinea, Japan, Morocco, Guinea-Bissau, Russia, Sao Tomé and Príncipe, South Africa, Uruguay, Venezuela

3. Gear code

BB	Bait
GILL	Gillnet
HAND	Hand-line
HARP	Harpoon
LL	Longline
MWT	Mid-water trawl
PS	Purse seine
RR	Rod and reed
SPHL	Sport handline
SPOR	Sport fisheries unclassified
TRAP	Trap
TROL	Troll
OT	Other type

**COUNCIL REGULATION (EC) No 859/94
of 12 April 1994**

**allocating, for 1994, certain additional catch quotas between Member States for
vessels fishing in Norwegian waters north of 62 degrees North and in Swedish
waters**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3760/92 of 20 December 1992 establishing a Community system for fisheries and aquaculture ⁽¹⁾, and in particular Article 8 (4) thereof,

Having regard to the proposal from the Commission,

Whereas the Agreement on the European Economic Area, which entered into force on 1 January 1994, has given the Community and Norway and Sweden the opportunity to develop their cooperation in the fisheries sector, and to conclude supplementary Agreements on fisheries in the form of an exchange of letters ⁽²⁾ which they have done;

Whereas under these Agreements, Norway and Sweden undertook to grant to the Community additional catch quotas for redfish in Norwegian waters and for cod and herring in Swedish waters;

Whereas the fishing activities covered by this Regulation are subject to the control and inspection measures provided for in Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy ⁽³⁾,

HAS ADOPTED THIS REGULATION:

Article 1

Vessels flying the flag of a Member State shall be authorized in 1994 to take catches within the geographical

limits and subject to the quotas set out in Annex I, in waters falling within the fisheries jurisdiction of Norway north of 62 degrees North, without prejudice to catches already authorized for the same period by Council Regulation (EC) No 3692/93 of 21 December 1993 allocating, for 1994, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen ⁽⁴⁾.

Article 2

Vessels flying the flag of a Member State shall be authorized in 1994 to take catches within the geographical limits and subject to the quotas set out in Annex II hereto in waters falling within the fisheries jurisdiction of Sweden, without prejudice to catches already authorized for the same period by Council Regulation (EC) No 3683/93 of 20 December 1993 allocating, for 1994, catch quotas between Member States for vessels fishing in Swedish waters ⁽⁵⁾.

Article 3

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

It shall apply from 1 January 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 L 389, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 346, 31. 12. 1993, pp. 25 and 30.

⁽³⁾ OJ No L 261, 20. 10. 1993, p. 1.

⁽⁴⁾ OJ No L 341, 31. 12. 1993, p. 104.

⁽⁵⁾ OJ No L 341, 31. 12. 1993, p. 67.

ANNEX I

Allocation for 1994 of additional Community catch quotas in Norwegian waters, as referred to in Article 1 (Norwegian waters north of 62° N)

<i>(tonnes: fresh round weight)</i>			
Species	ICES Division	Community Catch Quotas	Quotas allocated to Member States
Redfish	I, II	1 500	Germany 500
			Spain 190
			Portugal 810

ANNEX II

Allocation for 1994 of additional Community catch quotas in Swedish waters, as referred to in Article 2

<i>(tonnes: fresh round weight)</i>			
Species	ICES Division	Community Catch Quotas	Quotas allocated to Member States
Cod	III d	900	Denmark 660
			Germany 240
Herring	III d	1 500	Denmark 860
			Germany 640

COMMISSION REGULATION (EC) No 860/94**of 18 April 1994****on plans and applications in the form of operational programmes for aid from the Guidance section of the EAGGF for investments for improving the processing and marketing conditions for agricultural and forestry products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 on improving the processing and marketing conditions for agricultural products⁽¹⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular Article 23 thereof,

Whereas Article 1 of Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditioned for forestry products⁽³⁾ extends the common measure introduced by Regulation (EEC) No 866/90 to cover the development or rationalization of the marketing and processing of forestry products;

Whereas applications in the form of operational programmes for aid in respect of the common measure should contain all the information necessary to enable them to be examined, in accordance with the requirements of Regulations (EEC) No 866/90 and (EEC) No 867/90 and Article 14 of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments⁽⁴⁾, as amended by Regulation (EEC) No 2082/93⁽⁵⁾;

Whereas if the Fund's contribution to the implementation of this measure is to be in the form of global grants submission of the aid application may be the subject of special rules;

Whereas in accordance with Article 10 (a) of Regulation (EEC) No 866/90 Member States may submit a single programming document containing all the information required in the plans and in the aid applications; whereas the information required in the plans should be specified;

Whereas it is therefore necessary to replace Commission Regulation (EEC) No 1935/90 of 3 July 1990 on applications in the form of operational programmes for aid from the Guidance Section of the EAGGF for investments for improving the processing and marketing conditions for agricultural and forestry products⁽⁶⁾, which contains only provisions on aid applications;

Whereas, during the application of Regulation (EEC) No 866/90, in the past certain beneficiaries have shown little reliability or have committed grave irregularities leading to a suppression of aid; as a result it is advisable to foresee the exclusion of such beneficiaries;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Plans for the structural improvement of the various sectors shall be submitted in duplicate and shall contain the information and documents listed in Annex I.
2. Applications in the form of operational programmes for aid for investments for improving the processing and marketing conditions for agricultural and forestry products shall be submitted in duplicate and shall contain the information and documents listed in Annex II to the extent that such information and documents are not already included in the plans referred to in paragraph 1.
3. Where the Member States submit a programming document containing all the information required in the plans and in the aid applications, in accordance with Article 10 (a) of Regulation (EEC) No 866/90, that document shall be submitted in duplicate and shall contain the information and documents listed in Annexes I and II.
4. Applications which do not meet the conditions laid down in this Article shall not be considered.

⁽⁶⁾ OJ No L 174, 7. 7. 1990, p. 16.

⁽¹⁾ OJ No L 91, 29. 3. 1990, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 91, 29. 3. 1990, p. 7.

⁽⁴⁾ OJ No L 374, 31. 12. 1988, p. 1.

⁽⁵⁾ OJ No L 193, 31. 7. 1993, p. 20.

Article 2

For the regions covered by Objective 1 the information and documents referred to in Article 1 (1) shall be sent to Commission by 1 May 1994.

Article 3

Aid shall not be granted for investments proposed by beneficiaries who have already, during the five years prior to their application, received aid from the EAGGF if the investments were not carried out without any valid reason

having been put forward or if irregularities were found which led to the aid being cancelled.

Article 4

Regulation (EEC) No 1935/90 is hereby repealed.

Article 5

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

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

Done at Brussels, 18 April 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***Information on the plans for the structural improvement of the various product sectors⁽¹⁾**

1. General description
 - 1.1. Code number of plan : (2)
 - 1.2. Member State :
 - 1.3. Regions (NUTS I or II) : (3)
 - 1.4. Regions covered by Objective 1 ☐, Objective 5 (b) ☐, other ☐ : (4)
 - 1.5. Period covered :
 - 1.6. Determination of the sectors concerned : (5)
 - 1.7. Physical and financial indicators for monitoring purposes : (6)
2. Tables
 - 1.1. Financial resources invested in each sector over the period 1991 to 1993 :
 - 1.2. Financial resources invested each year over the period 1991 to 1993 :
 - 1.3. Existing capacity :
 - 2.1. Planned capacity :
 - 2.2. Financing plan (by year) :
 - 2.3. Financing plan (by sector) :
3. Other information required under Article 3 (1) of Regulation (EEC) No 866/90

*ANNEX II***Information on aid applications and the EAGGF contribution⁽⁷⁾**

1. General information on the measure :
 - 1.1. Description of the measure and explanation of the reasons (e.g. cutting-up at the place of slaughter)
 - 1.2. Regions and periods covered : (8)
 - 1.3. Regions covered by Objective 1 ☐, Objective 5 (b) ☐, other ☐ (9)
 - 1.4. Sectors concerned :
 - 1.5. National legislative, regulatory or administrative provisions : (8)
2. Tables
 - 3.1. Financing plan (by year) : (9)
 - 3.2. Financing plan (by sector) : (10)
3. Other information required under Article 10 of Regulation (EEC) No 866/90 :
4. Administrative information
 - 4.1. Body responsible for implementation : (11)
 - 4.2. Contact : (11)
 - 4.3. Body responsible for payment : (11)
 - 4.4. Bank responsible for payment : (12)

⁽¹⁾ Where the information is not already included in the regional development plans (Objective 1).

⁽²⁾ Code made up as follows.

⁽³⁾ Indicate which administrative regions are covered and attach a map outlining the regions concerned.

⁽⁴⁾ Tick the relevant box.

⁽⁵⁾ Article 3 (1) (a) of Regulation (EEC) No 866/90.

⁽⁶⁾ Article 25 (2) of Regulation (EEC) No 4253/88 ; the indicator relates to the starting situation and the objectives to be achieved (2 or 3 relevant indicators).

⁽⁷⁾ Where not included in Annex I.

⁽⁸⁾ Article 10 (b) of Regulation (EEC) No 866/90.

⁽⁹⁾ Where there is only one planning document pursuant to Article 10 (a) of Regulation (EEC) No 866/90, Table 3.1 = Table 2.2.

⁽¹⁰⁾ Where there is only one planning document pursuant to Article 10 (a) of Regulation (EEC) No 866/90, Table 3.2 = Table 2.3.

⁽¹¹⁾ Name, address, telephone and fax numbers.

⁽¹²⁾ Name, address, telephone and fax numbers, branch code, account number and budget code.

Table 1.1 : Financial resources granted in each sector over the period 1991 to 1993

Member State : Regions : Objective 1/5 (b)/other (1)

Sector (1)	Number of projects	Total eligible cost	Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (%)		At regional level (%)		Expenditure by beneficiaries		Community loans
			NC/ECU (1)	%	NC/ECU (1)	%	NC/ECU (1)	%	NC/ECU (1)	%	NC/ECU (1)	%	NC/ECU (1)	%	
1	2	3 = 4 + 14	4 = 6 + 8	5 = 4/3	6	7 = 6/3	8 = 10 + 12	9 = 8/3	10	11 = 10/8	12	13 = 12/8	14	15 = 14/3	16
Forestry products															
Meat															
Milk and milk products															
Eggs and poultry															
Other animal products															
Cereals															
Sugar															
Oleaginous plants															
Protein plants															
Wine and spirits															
Fruit and vegetables															
Flower and plants															
Seeds															
Potatoes															
Other vegetable products															
Products falling within more than one category															
Other products															
Total															

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) and other), complete a table for each objective and a summary table.

(2) Complete only for those sectors for which EAGGF aid has been paid.

(3) Express the cost in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.

(4) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.

(5) National and regional expenditure should be calculated as a percentage of Member State expenditure.

(6) Breakdown by national and regional level is not required in duly justified cases.

Table 1.2 : Financial resources granted each year over the period 1991 to 1993

Objective 1/5 (b)/other (*)

Regions :

Member State :

Year	Number of projects	Total cost	Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (*)		At regional level (*)		Expenditure by beneficiaries		Community loans
			NC/ECU (*)	%	NC/ECU (*)	%	NC/ECU (*)	% (*)	NC/ECU (*)	% (*)	NC/ECU (*)	% (*)	NC/ECU (*)	% (*)	
1	2	3=4+14	4=6+8	5=4/3	6	7=6/3	8=10+12	9=8/3	10	11=10/8	12	13=12/8	14	15=14/3	16
1991															
1992															
1993															
Total															

(*) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) and other), complete a table for each objective and a summary table.

(*) Express the cost in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.

(*) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.

(*) National and regional expenditure should be calculated as a percentage of Member State expenditure.

(*) Breakdown by national and regional level is not required in duly justified cases.

Table 1.3: Existing capacity (¹)

Sector (1)	Code	Basic product (2)	Storage capacity			Processing capacity			Storage capacity for finished products					
			Total capacity (3)	Created (4) (1)	Rebuilding w/no effect on capacity (5) (1)	Rebuilding w/an effect on capacity (6) (1)	Total capacity (7)	Created (8) (1)	Rebuilding w/no effect on capacity (9) (1)	Rebuilding w/an effect on capacity (10) (1)	Total capacity (11)	Created (12) (1)	Rebuilding w/no effect on capacity (13) (1)	Rebuilding w/an effect on capacity (14) (1)
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Oilseeds	3032													
Other oleaginous plants	3039													
Protein points	3040													
Wines and spirits	3050													
Fruit and vegetables	3060													
Fresh fruit and vegetables	3061													
Processed fruit and vegetables	3062													
Other fruit and vegetables	3069													
Flowers and plants	3070													
Seeds	3080													
Potatoes	3090													
Unprocessed potatoes	3091													
Processed potatoes	3092													
Tobacco	3100													
Miscellaneous vegetables	3990													
Miscellaneous products	4000													
General markets and distribution	4010													
Animal feedingstuffs	4020													
Miscellaneous products	4990													
Marketing and processing : miscellaneous	9990													

(1) Including capacity not yet completed but covered by planning for the 1991 to 1993 phase.

(2) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(3) Only complete the sectors and subsectors for which EAGGF aid has been or is being requested.

(4) Specify unit of measurement.

(5) Only capacity created or rebuilt during the years 1991 to 1993 for which EAGGF aid was paid.

(1) Including capacity not yet completed but covered by planning for the 1991 to 1993 phase.

(2) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(3) Only complete the sectors and subsectors for which EAGGF aid has been or is being requested.

(4) Specify unit of measurement.

(5) Only capacity created or rebuilt during the years 1991 to 1993 for which EAGGF aid was paid.

Table 2.1.: Planned capacity

Member State :

Objective 1/5 (b)/other ("

[illegible]

Sector (1)	Code	Estimated number of projects planned (1)	Basic products (1)	Capacity before Investment				Capacity after investment			
				Storage (1)	Processing (1)	Marketing (1)	Storage for finished products (1)	Storage (1)	Processing (1)	Marketing (1)	Storage for finished products (1)
1	2	3	4	5	6	7	8	9	10	11	12
Protein plants	3040										
Wines and spirits	3050										
Fruit and vegetables	3060										
Fresh fruit and vegetables	3061										
Processed fruit and vegetables	3062										
Other fruit and vegetables	3069										
Flowers and plants	3070										
Seeds	3080										
Potatoes	3090										
Unprocessed potatoes	3091										
Processed potatoes	3092										
Miscellaneous vegetables	3100										
	3990										
Miscellaneous products	4000										
General markets and distribution	4010										
Animal feedingstuffs	4020										
Miscellaneous products	4990										
Marketing and processing : miscellaneous	9990										

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(2) Complete only for those sectors or subsectors for which EAGGF aid is requested.

(3) Estimate for each sector (see Table 2.3, columns 1 and 2).

(4) Specify unit of measurement.

(*) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(*) Complete only for those sectors or subsectors for which EAGGF aid is requested.

(*) Estimate for each sector (see Table 2.3, columns 1 and 2).

(*) Specify unit of measurement.

STRUCTURAL IMPROVEMENT PLAN FOR THE YEARS 1994 TO 1999

Table 2.2.: Indicative financing plan (by year)

Year	Total exigible cost	Regions :									
		Objective 1/5 (b)/other (*)									
		Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (%)		At regional level (%)	
	NC/ECU (*)	NC/ECU (*)	%	NC/ECU (*)	% (%)	NC/ECU (*)	% (%)	NC/ECU (*)	% (%)	NC/ECU (*)	% (%)
1	2=3+13	3=5+7	4=3/2	5	6=5/2	7=9+11	8=7/2	9	10=9/7	11	12=11/7
1994											
1995											
1996											
1997											
1998											
1999											
Total											

(*) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(*) Express the costs in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.

(*) Indicate the maximum and minimum rates.

(*) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.

(*) Expenditure at national and regional level should be calculated as percentages of expenditure by the Member State.

(*) Breakdown by national and regional level is not required in duly justified cases.

STRUCTURAL IMPROVEMENT PLAN FOR THE YEARS 1994 TO 1999

Table 2.3.: Indicative financing plan (by sector)

Member State :	Sector (1)	Code	Total eligible cost	Regions : Objective 1/5 (b)/other (1)										Expenditure by beneficiaries		Community Loans
				Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (1)		At regional level (1)				
				NC/ECU (1)	NC/ECU (1)	%	NC/ECU (1)	% (1)	NC/ECU (1)	% (1)	NC/ECU (1)	% (1)	NC/ECU (1)	% (1)	NC/ECU (1)	
	1	2	3=4+14	4=5+8	5=4/3	6	7=6/3	8=10+12	9=8/3	10	11=10/8	12	13=12/8	14	15=14/3	16
	Forestry products	1000														
	Meat	2010														
	Milk and milk products	2020														
	Eggs and poultry	2030														
	Other animal products	2990														
	Cereals	3010														
	Sugar	3020														
	Oleaginous plants	3030														
	Protein plants	3040														
	Wine and spirits	3050														
	Fruit and vegetables	3060														
	Flowers and plants	3070														
	Seeds	3080														
	Potatoes	3090														
	Other vegetables and plants	3990														
	Products falling into more than one category	4000														
	Other products	9990														
	Total															

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(1) Complete only for those sectors or subsectors for which EAGGF aid is requested.

(1) Express the costs in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.

(1) Indicate the maximum and minimum rates.

(1) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.

(1) Expenditure at national and regional level should be calculated as percentages of expenditure by the Member State.

(1) Breakdown by national and regional level is not required in duly justified cases.

AID APPLICATION

OPERATIONAL PROGRAMME No.:

Tabele 3.1.: Indicative financing plan (by year)

Member State:

Regions:

Objective 1/5 (b)/other (1)

Year	Total eligible cost	Total public expenditure		EAGGF expenditure		Expenditure by Member State		At national level (%)		At regional level (%)		Expenditure by beneficiaries		Community loans
		NC/ECU (2)	%	NC/ECU (2)	% (2)	NC/ECU (2)	% (2) (4)	NC/ECU (2)	% (2)	NC/ECU (2)	% (2)	NC/ECU (2)	% (2) (4)	
1	2 = 3 + 13	3 = 5 + 7	4 = 3/2	5	6 = 5/2	7 = 9 + 11	8 = 7/2	9	10 = 9/7	11	12 = 11/7	13	14 = 13/2	15
1994														
1995														
1996														
1997														
1998														
1999														
Total														

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(2) Express the costs in current prices, in national currency or in ecus. In the latter case, specific the exchange rate used.

(3) Indicate the maximum and minimum rates.

(4) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.

(5) Expenditure at national and regional level should be calculated as percentages of expenditure by the Member State.

(6) Breakdown by national and regional level is not required in duly justified cases.

AID APPLICATION

OPERATIONAL PROGRAMME No :

Table 3.2 : Indicative financing plan (by sector)

Member State :

Regions :

Objective 1/5 (b)/other (1)

Sector (¹)	Code	Total eligible cost	Total public expenditure			EAGGF expenditure		Expenditure by Member State		At national level (¹)		At regional level (¹)		Expenditure by beneficiaries			Community loans
			NC/ECU (¹)	%	%	NC/ECU (¹)	%	NC/ECU (¹)	%	NC/ECU (¹)	%	NC/ECU (¹)	%	NC/ECU (¹)	%		
1	2	NC/ECU (¹) 3 = 4 + 14	NC/ECU (¹) 4 = 5 + 8	% 5 = 4/3	NC/ECU (¹) 6	% (¹) 7 = 6/3	NC/ECU (¹) 8 = 10 + 12	% (¹) 9 = 8/3	NC/ECU (¹) 10	% (¹) 11 = 10/8	NC/ECU (¹) 12	% (¹) 13 = 12/8	NC/ECU (¹) 14	% (¹) 15 = 14/3	NC/ECU (¹) 16		
Forestry products	1000																
Meat	2010																
Milk and milk products	2020																
Eggs and poultry	2030																
Other animal products	2990																
Cereals	3010																
Sugar	3020																
Oleaginous plants	3030																
Protein plants	3040																
Wine and spirits	3050																
Fruit and vegetables	3060																
Flowers and plants	3070																
Seeds	3080																
Potatoes	3090																
Other vegetables and plants	3990																
Products falling into more than one category	4000																
Other products	9990																
Total																	

(1) Delete as appropriate. Where a plan covers more than one type of region (Objective 5 (b) or other), complete a table for each objective and a summary table.

(2) Complete only for those sectors or subsectors for which EAGGF aid is requested.

(3) Express the costs in current prices, in national currency or in ecus. In the latter case, specify the exchange rate used.

(4) Indicate the maximum and minimum rates.

(5) Expenditure by the Member State and beneficiaries should be calculated as a percentage of the total eligible cost.

(6) Expenditure at national and regional level should be calculated as percentages of expenditure by the Member State.

(7) Breakdown by national and regional level is not required in duly justified cases.

COMMISSION REGULATION (EC) No 861/94
of 15 April 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 4 310 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, 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

LOT A

1. **Operation No** ⁽¹⁾: 1523/92
2. **Programme**: 1992
3. **Recipient** ⁽²⁾: Egypt
4. **Representative of the recipient**: Ambassade de la République Arabe d'Égypte, section commerciale, 522 avenue Louise, B-1050 Bruxelles; (tel. (32 2) 647 32 27; telex 64809 COMRAU B, fax (32 2) 646 45 09)
5. **Place or country of destination** ⁽³⁾: Egypt
6. **Product to be mobilized**: refined sunflower oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽²⁾ ⁽¹²⁾: see list published in OJ No C 114, 29. 4. 1991, p. 1 (under III.A.1 (b))
8. **Total quantity**: 2 000 tonnes net
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁹⁾ ⁽¹⁰⁾: see list published in 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 English
11. **Method of mobilization**: the Community market
12. **Stage of supply** ⁽⁸⁾: free at port of shipment — fob stowed
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 (fob stowed) at the port of shipment stage**: 13 — 26. 6. 1994
18. **Deadline for the supply**: —
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 3. 5. 1994
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 17. 5. 1994
 - (b) period for making the goods available (fob stowed) at the port of shipment: 27. 6 — 10. 7. 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 31. 5. 1994
 - (b) period for making the goods available (fob stowed) at the port of shipment: 11 — 24. 7. 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, 200 rue de la Loi, 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**: —

LOTS B, C and D

1. **Operation Nos** ⁽¹⁾: see Annex II
2. **Programme**: 1993 and 1994
3. **Recipient** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel. (31 70) 33 05 757; telefax 36 41 701; telex 30960 NL EURON)
4. **Representative of the recipient** ⁽¹¹⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: refined rape seed oil
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽¹²⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA.1 (a))
8. **Total quantity**: 1 965 tonnes net
9. **Number of lots**: three (see Annex II)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA.2 (1), IIIA.2 (3) and IIIA.3)
 - Five litre metal canister without cardboard crosspieces,
 - markings in English (Lots C, B1 to B7 and B11); Spanish (Lot D) Portuguese (B9) and French (B8, B10 and B12)
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**: 13. 6 — 3. 7. 1994
18. **Deadline for the supply**: —
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 3. 5. 1994
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 17. 5. 1994
 - (b) period for making the goods available at the port of shipment: 27. 6 — 17. 7. 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 31. 5. 1994
 - (b) period for making the goods available at the port of shipment: 11 — 31. 7. 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, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC or B/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** ⁽⁴⁾: —

LOT E

1. **Operation Nos⁽¹⁾**: see Annex II
2. **Programme**: 1994
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⁽³⁾**: 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⁽⁴⁾⁽⁵⁾⁽¹²⁾**: see OJ No C 114, 29. 4. 1991, p. 1 (under IIIA.1 (b))
8. **Total quantity**: 345 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 IIIA (2) (1), IIIA (2) (3) and IIIA (3))
Five litre metal canisters without cardboard cross-pieces
Markings in French (E1 to E4 and E7) and English (E5, E6 and E8)
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**: 13. 6 — 3. 7. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply⁽⁷⁾**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 3. 5. 1994
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 17. 5. 1994
 - (b) period for making the goods available at the port of shipment: 27. 6 — 17. 7. 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 31. 5. 1994
 - (b) period for making the goods available at the port of shipment: 11 — 31. 7. 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⁽⁸⁾**: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, 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.
- (⁶) Notwithstanding OJ No C 114, point IIIA.3 (c) is replaced by the following : 'the words "European Community"'.
- (⁷) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (⁸) Notwithstanding Articles 7 (3) (f) and 13 (2) of Regulation (EEC) 2200/87, the price tendered must include all loading, handling and stowage costs.
- (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.
- (¹²) The following documents must be legalized by the diplomatic representation in the country of origin of the goods :
 - radioactivity certificate (lots A, C, D2, E5 and E6),
 - certificate of origin (lots A, D2, E5 and E6).

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)	Ação n°	País de destino
B	480	B 1 : 15 B 2 : 15 B 3 : 15 B 4 : 30 B 5 : 15 B 6 : 30 B 7 : 240 B 8 : 45 B 9 : 15 B10 : 15 B11 : 30 B12 : 15	1569/93 1570/93 1571/93 1572/93 1573/93 1574/93 117/94 118/94 119/94 120/94 121/94 122/94	India India India India India India Somalia Rwanda Moçambique Madagascar Gambia Togo
C	645	C 1 : 15 C 2 : 150 C 3 : 480	1575/93 123/94 124/94	Sudan Sudan Sudan
D	840	D 1 : 135 D 2 : 450 D 3 : 15 D 4 : 15 D 5 : 165 D 6 : 60	125/94 126/94 127/94 128/94 129/94 130/94	El Salvador Nicaragua Perú Perú Perú Perú
E	345	E 1 : 30 E 2 : 30 E 4 : 90 E 5 : 60 E 6 : 60 E 7 : 30 E 8 : 15	107/94 108/94 110/94 111/94 112/94 113/94 114/94	Algérie Algérie Algérie Egypt Egypt Liban Jordan

COMMISSION REGULATION (EC) No 862/94
of 18 April 1994
closing an invitation to tender for the supply of cereals 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 694/94 ⁽³⁾, the Commission issued an invitation to tender for the supply of 89 126 tonnes of cereals as food aid; whereas the conditions of the supply, as regards lot F, should be reviewed and the invitation to tender for that lot should consequently be closed,

Article 1

For lot F of Annexes I and II to Regulation (EC) No 694/94 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, 18 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 84, 29. 3. 1994, p. 23.

COMMISSION REGULATION (EC) No 863/94**of 18 April 1994****amending Regulation (EEC) No 1195/93 increasing to 3 200 000 tonnes the quantity of bread-making wheat held by the German intervention agency for which a standing invitation to tender for export has been opened**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 5 thereof,Having regard to Commission Regulation (EEC) No 2131/93 ⁽³⁾, as amended by Regulation (EC) No 120/94 ⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by the intervention agencies,

Whereas Commission Regulation (EEC) No 1195/93 ⁽⁵⁾, as last amended by Regulation (EC) No 625/94 ⁽⁶⁾, opened a standing invitation to tender for the export of 3 050 000 tonnes of bread-making wheat held by the German intervention agency; whereas, in the communication of 14 April 1994, Germany informed the Commission of the intention of its intervention agency to increase by 150 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the German intervention agency for which a standing invitation to tender for export has been opened should be increased to 3 200 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EEC) No 1195/93 must therefore be amended;

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

Article 2 of Regulation (EEC) No 1195/93 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 3 200 000 tonnes of bread-making wheat to be exported to all third countries.

2. The regions in which the 3 200 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.

Article 2

Annex I to Regulation (EEC) No 1195/93 is replaced by the Annex hereto.

Article 3

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

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

Done at Brussels, 18 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 122, 18. 5. 1993, p. 14.

⁽⁶⁾ OJ No L 78, 22. 3. 1994, p. 10.

ANNEX

ANNEX I

(tonnes)	
Place of storage	Quantity
Schleswig-Holstein/Hamburg/ Niedersachsen/Bremen/ Nordrhein-Westfalen	1 281 561
Hessen/Rheinland-Pfalz/ Baden-Württemberg/Saarland/Bayern	599 846
Berlin/Brandenburg/ Mecklenburg-Vorpommern	541 372
Sachsen/Sachsen-Anhalt/Thüringen	763 728
Netherlands	13 971'

COMMISSION REGULATION (EC) No 864/94

of 18 April 1994

determining the extent to which applications lodged in April 1994 for import licences for certain milk products and products covered by the arrangements provided for in the European Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Interim Agreement concluded with the Czech Republic and Slovak Federal Republic can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 584/92 of 6 March 1992 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Interim Agreements between the Community and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic⁽¹⁾, as last amended by Regulation (EC) No 3550/93⁽²⁾, and in particular Article 4 (5) thereof,

Whereas applications for import licences lodged for the products referred to in Regulation (EEC) No 584/92 concern quantities greater than those available for certain products and quantities less than those available for others; whereas, therefore, in accordance with the new

rules applicable from 1 July 1993, reduction percentages should be fixed for certain of the quantities applied for the period 1 April to 30 June 1994,

HAS ADOPTED THIS REGULATION:

Article 1

Applications for import licences for products falling within the CN codes listed in the Annex hereto, lodged under Regulation (EEC) No 584/92 for the period 1 April to 30 June 1994, shall be accepted, per country of origin, up to the percentages indicated.

Article 2

This Regulation shall enter into force on 20 April 1994.

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

Done at Brussels, 18 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 62, 7. 3. 1992, p. 34.

⁽²⁾ OJ No L 324, 24. 12. 1993, p. 15.

ANNEX

Total quantities available for the period 1 April to 30 June 1994

Country	Poland			Czech Republic			Slovak Republic			Hungary
	0402 10 19 0402 21 19 0402 21 99	0405 00 11 0405 00 19 butter	0406 cheese	0402 10 19 0402 21 19 0402 21 91	0405 00 11 0405 00 19 butter	ex 0406 40-Niva ex 0406 90- Moravsky block ⁽¹⁾	0402 10 19 0402 21 19 0402 21 91	0405 00 11 0405 00 19 butter	ex 0406 40-Niva ex 0406 90- Moravsky block ⁽¹⁾	
in %	4,2	5,6	6,6	4,1	7,3	11,0	5,7	8,1	17,9	100

⁽¹⁾ Primator, Otava, Javor, Uzeny block, Kaskhaval, Akawi, Istanbul, Jadel Hermelin, Ostepek, Koliba, Inovec.⁽²⁾ Cream-white, Hajdu, Marvany, Ovari, Pannonia, Trappista.

COMMISSION REGULATION (EC) No 865/94

of 18 April 1994

fixing additional amounts for in the eggs sector products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1574/93⁽²⁾, and in particular Article 8 (4) thereof,

Whereas if, for a given product, the free-at-frontier offer price (hereinafter called the 'offer price') falls below the sluice-gate price, the levy applicable to that product must be increased by an additional amount equal to the difference between the sluice-gate price and the offer price determined in accordance with Article 1 of Commission Regulation No 163/67/EEC of 26 June 1967 on fixing the additional amount for imports of poultry-farming products from third countries⁽³⁾, as last amended by Regulation (EEC) No 3821/92⁽⁴⁾;

Whereas the offer price must be determined for all imports from all third countries; whereas, however, if exports from one or more third countries are effected at abnormally low prices, lower than prices ruling for other third countries, a second offer price must be determined for exports from these other countries;

Whereas, pursuant to Commission Regulation No 54/65/EEC⁽⁵⁾, No 183/66/EEC⁽⁶⁾, No 765/67/EEC⁽⁷⁾, (EEC) No 59/70⁽⁸⁾, as amended by Regulation (EEC) No 4155/87⁽⁹⁾ and (EEC) No 2164/72⁽¹⁰⁾, as amended by Regulation (EEC) No 3987/87⁽¹¹⁾, the levies on imports of poultry eggs in shell originating in and coming from

Poland, South Africa, Australia, Romania or Bulgaria are not increased by an additional amount, in so far as concerns products imported in accordance with Article 4 (a) of Regulation No 163/67/EEC;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 990/69⁽¹²⁾, as amended by Regulation (EC) No 3501/93⁽¹³⁾, the levies on imports of eggs not in shell and egg yolks originating in and coming from Austria are not increased by an additional amount;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for the products listed in Article 1 (1) (b) of Regulation (EEC) No 2771/75 indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2771/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 19 April 1994.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 152, 24. 6. 1993, p. 1.

⁽³⁾ OJ No 129, 28. 6. 1967, p. 2577/67.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 24.

⁽⁵⁾ OJ No 59, 8. 4. 1965, p. 848/65.

⁽⁶⁾ OJ No 211, 19. 11. 1966, p. 3602/66.

⁽⁷⁾ OJ No 260, 27. 10. 1967, p. 24.

⁽⁸⁾ OJ No L 11, 16. 1. 1970, p. 1.

⁽⁹⁾ OJ No L 392, 31. 12. 1987, p. 29.

⁽¹⁰⁾ OJ No L 232, 12. 10. 1972, p. 3.

⁽¹¹⁾ OJ No L 376, 31. 12. 1987, p. 20.

⁽¹²⁾ OJ No L 130, 31. 5. 1969, p. 4.

⁽¹³⁾ OJ No L 319, 21. 12. 1993, p. 25.

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

Done at Brussels, 18 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 18 April 1994 fixing additional amounts for products in the eggs sector

CN code	Origin of imports (1)	Additional amount
		ECU/100 kg
0407 00 30	01	10,00
0408 11 80	02	150,00
0408 91 80	03	150,00

(1) Origin :

01 Czech Republic,

02 Canada and the United States of America,

03 Lithuania, Russia, Belarus and Estonia.

COMMISSION REGULATION (EC) No 866/94**of 18 April 1994****determining the extent to which applications for import licences introduced under the annual cheese quota opened by the Community to Sweden may be accepted**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 1316/93 of 28 May 1993 laying down detailed rules of application for the management of an annual quota of 1 000 tonnes of cheese and curds opened by the Community to Sweden⁽¹⁾, as amended by Regulation (EEC) No 2762/93⁽²⁾, and in particular Article 4 (4) thereof,

Whereas applications for import licences introduced for the cheeses referred to in Regulation (EEC) No 1316/93 cover quantities in excess of those available; whereas a single percentage reduction should therefore be fixed for the quantities applied for in respect of the second period of 1 April to 30 June 1994,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for cheeses falling within CN code 0406 introduced in respect of the period 1 April to 30 June 1994 pursuant to Regulation (EEC) No 1316/93 shall be accepted up to a percentage of 7,8 %.

2. During the first 10 days of the period 1 July to 30 September 1994 applications for import licences may be introduced in respect of the quantity referred to in Article 1 of Regulation (EEC) No 1316/93.

Article 2

This Regulation shall enter into force on 19 April 1994.

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

Done at Brussels, 18 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 132, 29. 5. 1993, p. 73.

⁽²⁾ OJ No L 251, 8. 10. 1993, p. 7.

**COMMISSION REGULATION (EC) No 867/94
of 18 April 1994**

fixing the import levies on cereals and on wheat or rye flour, groats and meal

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 819/94 ⁽⁵⁾ and subsequent amending Regulations;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 819/94 to today's offer

prices and quotations known to the Commission that the levies at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 15 April 1994, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 April 1994.

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

Done at Brussels, 18 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 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 94, 13. 4. 1994, p. 16.

ANNEX

to the Commission Regulation of 18 April 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ^(*)
0709 90 60	95,32 ⁽²⁾ ⁽³⁾
0712 90 19	95,32 ⁽²⁾ ⁽³⁾
1001 10 00	2,04 ⁽¹⁾ ⁽³⁾
1001 90 91	91,69
1001 90 99	91,69 ⁽²⁾
1002 00 00	119,50 ⁽⁶⁾
1003 00 10	123,17
1003 00 90	123,17 ⁽²⁾
1004 00 00	98,40
1005 10 90	95,32 ⁽²⁾ ⁽³⁾
1005 90 00	95,32 ⁽²⁾ ⁽³⁾
1007 00 90	103,35 ⁽⁴⁾
1008 10 00	31,54 ⁽²⁾
1008 20 00	46,09 ⁽⁴⁾ ⁽²⁾
1008 30 00	0 ⁽⁵⁾
1008 90 10	(7)
1008 90 90	0
1101 00 00	165,91 ⁽²⁾
1102 10 00	205,81
1103 11 10	36,49
1103 11 90	189,70
1107 10 11	174,09
1107 10 19	132,83
1107 10 91	230,12 ⁽¹⁰⁾
1107 10 99	174,70 ⁽²⁾
1107 20 00	201,79 ⁽¹⁰⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

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

⁽³⁾ Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

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

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

⁽⁸⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽⁹⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

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

COMMISSION REGULATION (EC) No 868/94**of 18 April 1994****fixing the premiums to be added to the import levies on cereals, flour and malt**

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

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

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

1994, as regards floating currencies, should be used to calculate the levies;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The premiums to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 19 April 1994.

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

Done at Brussels, 18 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 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 18 April 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	(ECU/tonne)			
	Current 4	1st period 5	2nd period 6	3rd period 7
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	(ECU/tonne)				
	Current 4	1st period 5	2nd period 6	3rd period 7	4th period 8
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 April 1994

laying down special conditions for the import of frozen or processed scallops
and other Pectinidae originating in Japan

(Text with EEA relevance)

(94/205/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

for health inspections and for monitoring the conditions
of hygiene and cleanliness pertaining to production ;

Having regard to the Treaty establishing the European
Community,

Whereas Japanese legislation requires each package of
frozen or packaged scallops to be identified by an official
stamp indicating the date and place of harvest, the
approval number of the establishment, the production
date and the name of the body responsible for dispatch ;

Having regard to Council Directive 91/493/EEC of 22
July 1991 laying down the health conditions for the
production and placing on the market of fishery
products⁽¹⁾ and in particular Article 11 thereof,

Whereas the competent Japanese authorities have
provided official assurances regarding compliance with
the requirements specified in Chapter V of the Annex to
Directive 91/492/EEC and with requirements equivalent
to those prescribed in that Directive for the classification
of production and public health control and production
monitoring ;

Whereas Article 3 (4) of Directive 91/493/EEC lays down
that bivalve molluscs for processing must comply with the
provisions of Council Directive 91/492/EEC of 15 July
1991 laying down the health conditions for the produc-
tion and placing on the market of live bivalve
molluscs⁽²⁾ ; whereas, moreover, bivalve molluscs for
processing must meet certain conditions laid down in
Directive 91/493/EEC ;

Whereas, with a view to complying with Article 3 (4) of
Directive 91/493/EEC as regards frozen or processed scal-
lops, the production areas from which live scallops may
be harvested must be established ;

Whereas a group of Commission experts has conducted
an inspection visit to Japan to verify the conditions under
which scallops are produced and placed on the market ;

Whereas the procedure for obtaining a health certificate
referred to in Article 11 (4) (a) of Directive 91/493/EEC
must include the definition of a model certificate, the
language(s) in which it must be drawn up and the qualifi-
cations of the signatory ;

Whereas Japanese legislation makes the veterinary health
department of the Ministry of Health and Welfare respon-
sible for health legislation concerning scallops, and the
Public Health Centres in the local Prefectures responsible

Whereas, in accordance with Article 11 (4) (b) of Directive
91/493/EEC, a mark should be affixed to packages of
frozen or processed scallops, giving the name of the third
country and the approval number of the establishment of
origin ;

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 268, 24. 9. 1991, p. 1.

Whereas, pursuant to Article 11 (4) (c) of Directive 91/493/EEC, a list of approved establishments must be drawn up; whereas this list must be drawn up on the basis of a communication to the Commission from the Japanese Ministry of Health and Welfare; whereas it is therefore for the said Ministry to ensure compliance with the provisions laid down to this end by Article 11 (4) of Directive 91/493/EEC;

Whereas the Ministry of Health and Welfare has given official assurances regarding compliance with the rules set out in Chapter V of the Annex to Directive 91/493/EEC and regarding fulfilment of the conditions equivalent to those laid down by the said Directive for the approval of establishments; whereas, in particular, the said Ministry has undertaken to sample and test for toxins in each consignment of scallops bound for the Community;

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

HAS ADOPTED THIS DECISION:

Article 1

The Veterinary Hygiene Department of the Ministry of Health and Welfare and the Public Health Centre of the Prefectures which answer to it shall be the competent authority in Japan for verifying and certifying that scallops meet the requirements of Directive 91/493/EEC, and in particular Article 3 (4) thereof.

Article 2

Frozen or processed scallops and other Pectinidae originating in Japan and intended for human consumption must meet the following conditions.

1. Each consignment must be accompanied by a numbered original health certificate, duly completed, signed, dated and comprising a single sheet in accordance with the model in Annex A hereto;
2. The scallops and other Pectinidae must have been harvested after the adoption of this Decision in the authorized production areas listed in Annex B hereto;

3. They must be prepared, frozen or processed and packed by an approved establishment included in the list in Annex C hereto;
4. Each package must bear the word Japan and the following information:
 - the date and place of harvesting,
 - the approval number of the establishment,
 - the production date,
 - the name of the body responsible for the consignment.

Article 3

1. Certificates as referred to in Article 2 (1) must be drawn up in at least one official language of the Member State in which the check is carried out.
2. Certificates must bear the name, capacity and signature of the representative of the Public Health Centre of the competent Prefecture and its official seal, in a colour different from that of other endorsements.

Article 4

Each consignment must be subjected to an analysis for toxins on arrival in the Community. Customs clearance may not take place until the results of the analysis have demonstrated that the criteria set out in the Annex, Chapter V point 6 and 7 of Directive 91/492/EEC, have been respected.

Article 5

This Decision shall be reviewed by 31 May 1994 at the latest.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX A

HEALTH CERTIFICATE

relating to frozen or processed scallops and other Pectinidae originating in Japan and intended for human consumption in the European Economic Community

Reference No:

Country of dispatch: Japan

Competent authority: Ministry of Health and Welfare,
Veterinary Health Department

I. Details identifying the products

- Species (scientific name):
- Presentation (1):
- Code No (where available):
- Type of packaging:
- Number of packages:
- Net weight:
- Analysis report number (where available):

II. Origin of products

- Authorized production area:
.....
.....
- Name and official approval number of the establishment(s) approved by the Ministry of Health and Welfare for exports to the European Community:
.....
.....

III. Destination of products

The scallops and other Pectinidae are dispatched

from:
(place of dispatch)

to:
(country and place of destination)

by the following means of transport:

Name and address of consignor:
.....
.....

Name of consignee and address at place of destination:
.....
.....

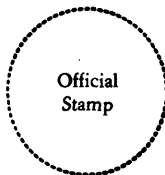
(1) Frozen or processed.

IV. Health attestation

The official inspector hereby certifies that the scallops specified above :

1. were harvested in an approved production area which, on the date of harvest, was not subject to any restrictions because of the presence of toxins, and was checked in accordance with Chapter VI of the Annex to Directive 91/492/EEC ;
2. comply with points 2, 3, 4, 5, 6 and 7 of Chapter V of the Annex to Directive 91/492/EEC ;
3. were transported in accordance with rules at least equivalent to those laid down in Chapter II of the Annex to Directive 91/492/EEC ;
4. were prepared, frozen or processed and packaged in accordance with health rules at least equivalent to those laid down in Chapters III, IV and VI of the Annex to Directive 91/493/EEC ;
5. have undergone controls in accordance with Chapter V of the Annex to Directive 91/493/EEC ;
6. were handled and transported in accordance with health rules at least equivalent to those laid down in Chapter VIII of Directive 91/493/EEC ;
7. were sampled and tested for the presence of toxins in the ovary, before dispatch.

Done at on
(place) (date)



.....
Signature of official inspector
(Name in capitals, capacity and qualifications of person
signing)

ANNEX B

Production areas authorized for the harvesting of scallops and other pectinidae meeting the conditions laid down in Chapter I (1) (a) of the Annex to Council Directive 91/492/EEC

1. Mutsu Bay, Aomori
 2. The mouth of Funka Bay, Hokkaido
 3. The western part of Funka Bay, Hokkaido
 4. The eastern part of Funka Bay, Hokkaido
 5. The northern part of the Sea of Okhotsk, Hokkaido
 6. The southern part of the Sea of Okhotsk, Hokkaido
 7. Lake Saroma, Hokkaido
-

ANNEX C

List of establishments approved for the export of frozen or processed scallops and other pectinidae to the European Community

Approval No	Name and address	Approved until
0188001	MARUSIN TERAMOTO SYOTEN 39, Akebonocho, Yuubetu-cho, Monbetsu-gun, Hokkaido, Japan	31. 12. 1994
0188002	HOKUYUU SHOKUHIN KOGYO CO., LTD 100-1 Kitaheison-Iku, Kamiyuubetsu-cho, Monbetsu-gun, Hokkaido, Japan	31. 12. 1994
0188003	HOKUSHO FISHERY CO., LTD 51, Naniwa, Saroma-cho, Tokoro-Gun. Hokkaido, Japan	31. 12. 1994
0191001	MARUKICHI CO., Inc. 5-2, Higashi 2-chome, Kita 3-jo, Abashiri-shi, Hokkaido, Japan	31. 12. 1994
0191002	TOKORO FISHERIES CO-OPERATIVE ASSOCIATION – Refrigeration plant 23-4, Higashihama, Tokoro-cho, Tokoro-gun, Hokkaido, Japan	31. 12. 1994
0191003	KITAMI-SYOKUHINKOUGYO CO., Inc. 8, Kaigancho 1-chome, Abasirishi, Hokkaido, Japan	31. 12. 1994
0192001	HOKKO-REIZO CO., LTD 25-29, Sin-Minatocho 2-chome, Monbetsu-shi, Hokkaido, Japan	31. 12. 1994
0192002	MONBETSU FISHERIES CO-OPERATIVE ASSOCIATION 5-2, Minatocho 6-chome, Monbetsu-shi, Hokkaido, Japan	31. 12. 1994
0251001	SEIHO SHOJI CO., LTD 268-1, Ashiya, Yatsuyaku, Aomori-shi, Aomori, Japan	31. 12. 1994
0251002	MATSUBARA SUISAN CO., LTD 208-9, Yamada, Shinjo, Aomori-shi, Aomori, Japan	31. 12. 1994
0251003	AOMORI FEDERATION OF FISHERIES COOPERATIVE ASSOCIATIONS SECOND HIRANAI REFRIGERATION PROCESS FACTORY 91-53, Asadokoro, Hiranai-machi, Higashitsugaru-gun, Aomori, Japan	31. 12. 1994
0251004	KITAFUKU LTD 1-5, Yunosawa, Negishi, Taira-date-mura, Higashitsugaru-gun, Aomori, Japan	31. 12. 1994
0257001	MARUICHI YOKOHMAM CO., LTD 34-92, Toriitaira, Noheji-machi, Kamikita-gun, Aomori, Japan	31. 12. 1994

COMMISSION DECISION

of 8 April 1994

amending for the second time Decision 92/91/EEC on certain protective measures with respect to scallops from Japan

(Text with EEA relevance)

(94/206/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽¹⁾; as amended by Directive 92/118/EEC⁽²⁾, and in particular Article 19 thereof,

Whereas Commission Decision 92/91/EEC of 6 February 1992 on certain protective measures with respect to scallops from Japan⁽³⁾, as amended by Decision 92/293/EEC⁽⁴⁾ prohibits the import of scallops and other bivalve molluscs of the family Pectinidae originating in Japan; whereas Commission Decision 92/293/EEC has extended this ban to all bivalve molluscs and marine gastropods originating in Japan;

Whereas the Japanese authorities have given sufficient health assurances for the production and export of frozen or processed scallops and other Pectinidae to the Community; whereas Decision 92/91/EEC should be amended accordingly so that these imports into the Community may resume;

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

HAS ADOPTED THIS DECISION:

Article 1

Article 1 of Decision 92/91/EEC is replaced by the following:

'Article 1

Member States shall prohibit the importation of consignments of bivalve molluscs and marine gastropods originating in Japan, with the exception of frozen or processed scallops and other Pectinidae.'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 32, 8. 2. 1992, p. 37.

⁽⁴⁾ OJ No L 155, 6. 6. 1992, p. 39.