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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1235/94**of 31 May 1994****altering the export refunds on white sugar and raw sugar exported in the natural state**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾, and in particular the second subparagraph of Article 19 (4) thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 1132/94⁽³⁾, as amended by Regulation (EC) No 1178/94⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1132/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as amended by Regulation (EC) No 3528/93⁽⁶⁾, 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⁽⁷⁾, as amended by Regulation (EC) No 547/94⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 1132/94 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 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 127, 19. 5. 1994, p. 2.

⁽⁴⁾ OJ No L 131, 26. 5. 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 31 May 1994 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	30,21 ⁽¹⁾
1701 11 90 910	29,97 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	30,21 ⁽¹⁾
1701 12 90 910	29,97 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3284
	— ECU/100 kg —
1701 99 10 100	32,84
1701 99 10 910	32,84
1701 99 10 950	32,84
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3284

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

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

⁽³⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

COMMISSION REGULATION (EC) No 1236/94

of 31 May 1994

fixing the import levies on syrups and certain other products in the sugar sector

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,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar⁽³⁾, as last amended by Regulation (EEC) No 1428/78⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average;

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by

at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68;

Whereas Commission Regulation (EEC) No 1724/93⁽⁵⁾ lays down the prices and amounts fixed in ecus applicable in the sugar sector for the 1993/94 marketing year as a result of the monetary realignments during the 1992/93 marketing year;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 11 (1) of Council Regulation (EEC) No 1766/92⁽⁶⁾, as amended by Commission Regulation (EEC) No 2193/93⁽⁷⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁸⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 127.

⁽⁶⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽⁷⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽⁸⁾ OJ No L 263, 19. 9. 1991, p. 1.

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 it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1994 fixing the basic amount of the import levy on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,3800	—
1702 20 90	0,3800	—
1702 30 10	—	47,67
1702 40 10	—	47,67
1702 60 10	—	47,67
1702 60 90	0,3800	—
1702 90 30	—	47,67
1702 90 60	0,3800	—
1702 90 71	0,3800	—
1702 90 90	0,3800	—
2106 90 30	—	47,67
2106 90 59	0,3800	—

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

⁽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.

COMMISSION REGULATION (EC) No 1237/94

of 31 May 1994

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾, and in particular Article 19 (4) thereof,

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1684/92⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88⁽⁹⁾;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 176, 30. 6. 1992, p. 31.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

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 the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 990/93 ⁽⁵⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situa-

tions as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 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 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 31 May 1994 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	32,84 ⁽²⁾ ⁽³⁾
1702 60 10 000	32,84 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 000	0,3284 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	32,84 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3284 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3284 ⁽¹⁾ ⁽³⁾
1702 90 90 900	0,3284 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	32,84 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3284 ⁽¹⁾ ⁽³⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

⁽³⁾ Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 607/94 (OJ No L 77, 19. 3. 1994, p. 5).

COMMISSION REGULATION (EC) No 1238/94

of 31 May 1994

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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 (5) thereof,

Whereas Article 16 a (1) of Regulation (EEC) No 1785/81 provides for a reduced rate levy to apply during the period 1 January to 30 June 1993 to Portuguese imports of certain quantities of raw sugar originating in specified third countries and for use by Portuguese refineries;

Whereas Article 16 a (2) of Regulation (EEC) No 1785/81 stipulates that this reduced levy is to equal the intervention price for raw sugar as indicated in Article 3 (2) of that Regulation applicable when the sugar is imported, less an amount equal to the average of the spot prices, adjusted where necessary to the cif stage, quoted on the London market during the first 20 days of the month preceding that for which the reduced levy amount is set;

Whereas pursuant to Article 16 a (5) the reduced levy is to be set each month for the following month;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽³⁾, as

amended by Regulation (EC) No 3528/93 ⁽⁴⁾, 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 ⁽⁵⁾, as amended by Regulation (EC) No 547/94 ⁽⁶⁾;

Whereas application of the abovementioned provisions gives a reduced rate import levy for the raw sugar concerned of the amount indicated in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 23,01 per 100 kg.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 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 108, 1. 5. 1993, p. 106.

⁽⁶⁾ OJ No L 69, 12. 3. 1994, p. 1.

COMMISSION REGULATION (EC) No 1239/94

of 31 May 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 Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 10 (5) and Article 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, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 30 May 1994, as regards floating currencies, should be used to calculate the levies;

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,

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 1 June 1994.

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

Done at Brussels, 31 May 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 31 May 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	99,82 ⁽²⁾ ⁽³⁾
0712 90 19	99,82 ⁽²⁾ ⁽³⁾
1001 10 00	42,96 ⁽¹⁾ ⁽⁵⁾
1001 90 91	93,79
1001 90 99	93,79 ⁽²⁾
1002 00 00	122,37 ⁽⁶⁾
1003 00 10	125,96
1003 00 90	125,96 ⁽²⁾
1004 00 00	100,83
1005 10 90	99,82 ⁽²⁾ ⁽³⁾
1005 90 00	99,82 ⁽²⁾ ⁽³⁾
1007 00 90	105,85 ⁽⁴⁾
1008 10 00	34,26 ⁽²⁾
1008 20 00	50,69 ⁽⁴⁾ ⁽²⁾
1008 30 00	0 ⁽⁷⁾
1008 90 10	(7)
1008 90 90	0
1101 00 00	168,86 ⁽²⁾
1102 10 00	210,43
1103 11 10	100,04
1103 11 90	192,81
1107 10 11	177,83
1107 10 19	135,62
1107 10 91	235,09 ⁽¹⁰⁾
1107 10 99	178,41 ⁽²⁾
1107 20 00	206,12 ⁽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 1240/94

of 31 May 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 Commission 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 30 May 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 1 June 1994.

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

Done at Brussels, 31 May 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 31 May 1994 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9
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	2,03	1,07	1,07
1001 90 99	0	2,03	1,07	1,07
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	2,84	1,51	1,49
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 6	1st period 7	2nd period 8	3rd period 9	4th period 10
1107 10 11	0	3,61	1,90	1,90	1,90
1107 10 19	0	2,70	1,42	1,42	1,42
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EC) No 1241/94
of 31 May 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 1216/94 ⁽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 1 June 1994.

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

Done at Brussels, 31 May 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 133, 28. 5. 1994, p. 42.

ANNEX

to the Commission Regulation of 31 May 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	—	149,79	306,79
1006 10 23	—	141,97	291,14
1006 10 25	—	141,97	291,14
1006 10 27	218,36	141,97	291,14
1006 10 92	—	149,79	306,79
1006 10 94	—	141,97	291,14
1006 10 96	—	141,97	291,14
1006 10 98	218,36	141,97	291,14
1006 20 11	—	188,14	383,49
1006 20 13	—	178,36	363,92
1006 20 15	—	178,36	363,92
1006 20 17	272,94	178,36	363,92
1006 20 92	—	188,14	383,49
1006 20 94	—	178,36	363,92
1006 20 96	—	178,36	363,92
1006 20 98	272,94	178,36	363,92
1006 30 21	—	233,05	489,96
1006 30 23	—	289,32	602,41
1006 30 25	—	289,32	602,41
1006 30 27	451,81	289,32	602,41
1006 30 42	—	233,05	489,96
1006 30 44	—	289,32	602,41
1006 30 46	—	289,32	602,41
1006 30 48	451,81	289,32	602,41
1006 30 61	—	248,55	521,81
1006 30 63	—	310,54	645,79
1006 30 65	—	310,54	645,79
1006 30 67	484,34	310,54	645,79
1006 30 92	—	248,55	521,81
1006 30 94	—	310,54	645,79
1006 30 96	—	310,54	645,79
1006 30 98	484,34	310,54	645,79
1006 40 00	—	53,39	112,79

⁽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 1242/94**of 31 May 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 1217/94 ⁽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 1 June 1994.

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

Done at Brussels, 31 May 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 133, 28. 5. 1994, p. 44.

ANNEX

to the Commission Regulation of 31 May 1994 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 6	1st period 7	2nd period 8	3rd period 9
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 1243/94

of 31 May 1994

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

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 Council Regulation (EEC) No 990/93⁽¹⁰⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

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

(²) OJ No L 285, 20. 11. 1993, p. 9.

(³) OJ No L 145, 30. 5. 1986, p. 8.

(⁴) OJ No L 78, 31. 3. 1972, p. 1.

(⁵) OJ No L 348, 30. 12. 1977, p. 53.

(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.

(¹⁰) OJ No L 102, 28. 4. 1993, p. 14.

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1994 fixing the export refunds on olive oil

(ECU/100 kg)

Product code	Amount of refund ⁽¹⁾ ⁽²⁾
1509 10 90 100	35,00
1509 10 90 900	55,00
1509 90 00 100	42,00
1509 90 00 900	67,00
1510 00 90 100	8,00
1510 00 90 900	27,00

⁽¹⁾ For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 as well as for exports to third countries.

⁽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 product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1244/94**of 31 May 1994****fixing the maximum export refunds on olive oil for the 12th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93**

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

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

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EC) No 3142/93⁽⁴⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾ 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 6 of Regulation (EC) No 3142/93 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The maximum export refunds for olive oil for the 12th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 May 1994.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 281, 16. 11. 1993, p. 3.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 31 May 1994 fixing the maximum export refunds on olive oil for the 12th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

(ECU/100 kg)	
Product code	Amount of refund (1)
1509 10 90 100	38,00
1509 10 90 900	58,00
1509 90 00 100	45,00
1509 90 00 900	71,00
1510 00 90 100	10,00
1510 00 90 900	—

(1) 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 product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EC) No 1245/94

of 31 May 1994

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Commission Regulation (EC) No 3496/93⁽²⁾, and in particular Article 5 (3) thereof,

Whereas, pursuant to Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas the guide price in the dried fodder sector was fixed by Council Regulation (EEC) No 1288/93⁽³⁾ and Commission Regulation (EC) No 538/94⁽⁴⁾;

Whereas in the absence of an average of the intervention prices for barley valid during the barley marketing year in which the month for which the average world market price is determined falls, the amount of the aid in the case of advance fixing can be calculated only provisionally in accordance with the Commission's most recent price proposals to the Council; whereas the said amount may therefore be applied only provisionally and must be confirmed or replaced as soon as the average is known of the intervention prices for barley valid during the barley marketing year in which the month for which the average world market price is determined falls;

Whereas Council Regulation (EEC) No 2065/92⁽⁵⁾, as amended by Regulation (EEC) No 1288/93, sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1994/95 marketing year at 70 %;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, pursuant to Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1110/89⁽⁷⁾, the average world market price for the

products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁸⁾, as last amended by Regulation (EEC) No 1069/93⁽⁹⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed pursuant to Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 17.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 1.

⁽⁴⁾ OJ No L 68, 11. 3. 1994, p. 20.

⁽⁵⁾ OJ No L 215, 30. 7. 1992, p. 48.

⁽⁶⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁷⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁸⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 114.

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 the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.
2. However, for the purpose of advance fixing, the amount of the aid for the 1994/95 marketing year shall be confirmed or replaced with effect from 1 June 1994 to take account of the average of the intervention prices for barley valid during the barley marketing year in which the month for which the average world forward market price is determined falls.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 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.

ANNEX

to the Commission Regulation of 31 May 1994 fixing the rate of the aid for dried fodder

Aid applicable from 1 June 1994 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates	Fodder otherwise dried
June 1994	58,473	33,793

Aid in case of advance fixing for the month of:

(ECU/tonne)

July 1994 ⁽¹⁾	62,325	37,645
August 1994 ⁽¹⁾	64,558	39,878
September 1994 ⁽¹⁾	64,558	39,878
October 1994 ⁽²⁾	0,000	0,000
November 1994 ⁽²⁾	0,000	0,000
December 1994 ⁽²⁾	0,000	0,000
January 1995 ⁽²⁾	0,000	0,000
February 1995 ⁽²⁾	0,000	0,000
March 1995 ⁽²⁾	0,000	0,000

⁽¹⁾ Rate fixed provisionally, pending and subject to the setting of the prices and related measures for barley for the 1994/95 marketing year.

⁽²⁾ Pursuant to Article 6 (b) of amended Regulation (EEC) No 1528/78.

COMMISSION REGULATION (EC) No 1246/94
of 31 May 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 on cotton annexed thereto, as amended by Protocol 14 annexed to the Act of Accession of Spain and Portugal, 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, pursuant to Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginned cotton harvested in the Community when the world market price for unginned cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the second sentence of Article 7 (1) of Commission Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton⁽⁴⁾, as last amended by Regulation (EEC) No 2046/93⁽⁵⁾, stipulates that aid applications may be lodged during May and July 1994 for both the 1993/94 and 1994/95 marketing years; whereas the aid valid for the two marketing years in question should therefore be fixed during those months;

Whereas in the absence of a guide price for cotton valid for the 1994/95 marketing year, the amount of aid to be granted where it is fixed in advance for that marketing year can be fixed only provisionally on the basis of the Commission's most recent price proposals to the Council for the 1994/95 marketing year; whereas this amount must therefore be applied provisionally only, and must be confirmed or replaced as soon as the price for 1994/95 marketing year is known;

Whereas, pursuant to the second subparagraph of Article 2 (2) of Council Regulation (EEC) No 1964/87 of 2 July 1987 adjusting the system of aid for cotton⁽⁶⁾, as last amended by Regulation (EEC) No 1553/93⁽⁷⁾, the aid for cotton for the 1994/95 marketing year is reduced by ECU 5,073/100 kilograms as fixed by Commission Regulation (EEC) No 2420/93⁽⁸⁾ and by the reduction fixed to take account of the expected overrun of the maximum guaranteed quantity fixed by the second subparagraph of Article 2 (1) of Regulation (EEC) No 1964/87; whereas, in these circumstances, the amount of the aid has been provisionally calculated on the basis of an overall provisional reduction of ECU 25,365/100 kilograms;

Whereas the world market price for unginned cotton is determined periodically on the basis of the world prices recorded for ginned cotton and cotton seed, taking into account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginned cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginned cotton is equal to the sum of the values for ginned cotton seed defined in Article 1 of Regulation (EEC) No 1201/89, minus the cost of beginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

⁽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 123, 4. 5. 1989, p. 23.

⁽⁵⁾ OJ No L 185, 28. 7. 1993, p. 19.

⁽⁶⁾ OJ No L 184, 3. 7. 1987, p. 14.

⁽⁷⁾ OJ No L 154, 25. 6. 1993, p. 21.

⁽⁸⁾ OJ No L 222, 1. 9. 1993, p. 37.

Whereas, pursuant to Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established, on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

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 are laid down in Commission Regulation (EEC) No 1068/93⁽³⁾, as amended by Regulation (EC) No 547/94⁽⁴⁾;

Whereas the aid must be fixed once a month, and in such a way that it can be applied for the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be:

- ECU 48,364 per 100 kilograms for the 1993/94 marketing year,
- ECU 45,308 per 100 kilograms for the 1994/95 marketing year.

2. However, the amount of the aid for 1994/95 shall be confirmed or replaced with effect from 1 June 1994 to take account of the guide price for cotton or that marketing year and the consequences of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 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.

COMMISSION REGULATION (EC) No 1247/94

of 31 May 1994

altering the corrective amount applicable to the refund on cereals

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 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 13 (4) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 965/94 ⁽³⁾, as amended by Regulation (EC) No 987/94 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered,

Article 1

The corrective amount referred to in Article 1 (1), points (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 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 108, 29. 4. 1994, p. 48.

⁽⁴⁾ OJ No L 111, 30. 4. 1994, p. 37.

ANNEX

to the Commission Regulation of 31 May 1994 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		6	7	8	9	10	11	12
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	01	0	0	0	0	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	—	—	—	—	—	—	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	— 30,00	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	— 30,00	— 30,00	— 30,00	—	—
1101 00 00 130	01	0	0	— 30,00	— 30,00	— 30,00	—	—
1101 00 00 150	01	0	0	— 30,00	— 30,00	— 30,00	—	—
1101 00 00 170	01	0	0	— 30,00	— 30,00	— 30,00	—	—
1101 00 00 180	01	0	0	— 30,00	— 30,00	— 30,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	— 30,00	— 30,00	— 30,00	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	0	— 50,00	— 50,00	— 50,00	— 50,00
1103 11 10 400	01	0	0	0	— 50,00	— 50,00	— 50,00	— 50,00
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	— 50,00	— 50,00	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EC) No 1248/94

of 31 May 1994

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

Martin BANGEMANN

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 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 31 May 1994 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg —
White sugar :	32,84
Raw sugar :	30,21
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$32,84^{(*)} \times \frac{S^{(1)}}{100}$ or
	the rate fixed above for 100 kg of white or raw sugar used for the dissolution

For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :

Molasses :

Isoglucose ⁽²⁾ : 32,84 ⁽³⁾

(¹) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(²) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(³) Amount of refund per 100 kilograms of dry matter.

(⁴) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

COMMISSION REGULATION (EC) No 1249/94**of 31 May 1994****fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty**

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 the third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1544/93⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 17 (1) of Regulation (EEC) No 1418/76 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of America on Community exports of pasta products to the

United States and has been approved by Council Decision 87/482/EEC⁽⁶⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

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

Whereas the Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only where the conditions laid down in Regulation (EEC) No 990/93 are observed.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁵⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁶⁾ OJ No L 275, 29. 9. 1987, p. 36.

⁽⁷⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 31 May 1994 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat : — used unprocessed : — — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101 and groats and meal of CN code 1103)	— — — — — — — —
1001 90 99	Common wheat and meslin : — used unprocessed : — — on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America — — in all other cases — used in the form of : — — pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 — — hulled grains of CN code 1104 and starch of CN code 1108 — — germ of CN code 1104 — — gluten of CN code 1109 — — other (except flours of CN code 1101, and groats and meal of CN code 1103)	2,704 4,506 2,704 4,055 1,577 — 4,506
1002 00 00	Rye : — used unprocessed — used in the form of : — — pellets of CN code 1103, or pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germ of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other (except flours of CN code 1102)	5,164 3,098 4,648 1,853 5,293 — 5,164
1003 00 90	Barley : — used unprocessed — used in the form of : — — flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 — — pellets of CN code 1103 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other	7,465 5,226 4,479 1,853 5,293 — 7,465

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1004 00 00	Oats : – used unprocessed – used in the form of : – – pellets of CN code 1103, and pearled grains of CN code 1104 – – rolled or flaked grains and hulled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other	4,726 2,836 4,253 1,853 5,293 — 4,726
1005 90 00	Maize (Corn) : – used unprocessed – used in the form of : – – flours of CN codes 1102 20 10 and 1102 20 90 – – groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 – – pellets of CN code 1103 – – hulled or perled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 12 00 – – gluten of CN code 2303 10 11 – – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 ⁽³⁾ – – other ⁽³⁾	5,293 3,705 4,234 3,176 4,764 1,853 5,293 2,117 5,293 5,293
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	20,073 17,871 17,871
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	25,900 25,900 25,900
1006 40 00	Broken rice : – used unprocessed – used in the form of : – – flour of CN code 1102 30, groats and meal or pellets of CN code 1103 – – flaked grains of CN 1104 19 91 – – starch of CN code 1108 19 10 – – other	5,900 5,900 3,540 5,900 —
1007 00 90	Sorghum	7,465
1101 00 00	Wheat or meslin flour : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	3,325 5,542
1102 10 00	Rye flour	7,075
1103 11 10	Groats and durum wheat meal : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	— —
1103 11 90	Common wheat groats and spelt : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	3,325 5,542

⁽¹⁾ The quantities of semi-processed products used must be multiplied, as the case may be, by the coefficients shown in Annex I to Commission Regulation (EEC) No 1620/93 (OJ No L 155, 26. 6. 1993, p. 29).

⁽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.

⁽³⁾ For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 1250/94

of 31 May 1994

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products⁽¹⁾, as last amended by Regulation (EC) No 230/94⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds⁽³⁾ specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates⁽⁴⁾, as last amended by Regulation (EEC) No 1435/90⁽⁵⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs⁽⁶⁾, as last amended by Regulation (EC) No 3049/93⁽⁷⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.
2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.
3. Refunds on exports to the Federal Republic of Yugoslavia (Serbia and Montenegro) may be granted only when the conditions laid down in Regulation (EEC) No 990/93 are observed.

Article 2

This Regulation shall enter into force on 1 June 1994.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.⁽⁴⁾ OJ No L 169, 18. 7. 1968, p. 6.⁽⁵⁾ OJ No L 138, 31. 5. 1990, p. 8.⁽⁶⁾ OJ No L 55, 1. 3. 1988, p. 31.⁽⁷⁾ OJ No L 273, 5. 11. 1993, p. 7.⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 31 May 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 31 May 1994 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description	Rate of refund (ECU/100 kg)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2): a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 60,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3): a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods	54,23 104,50
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6): a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	31,00 166,00 160,00

COMMISSION REGULATION (EC) No 1251/94
of 31 May 1994

laying down detailed rules for the free supply of beef, butter and flour pursuant to Council Regulation (EEC) No 598/91 on action for the supply of agricultural products to the people of the USSR

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 598/91 of 5 March 1991, on an action for the supply of agricultural products to the people of the ex-USSR ⁽¹⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rate to be applied for the purposes of the common agricultural policy ⁽²⁾, as amended by Regulation (EC) No 3528/93 ⁽³⁾ and in particular Article 6 (2) thereof,

Whereas Regulation (EEC) No 598/91 provides for the free supply of agricultural products to the people of the USSR; whereas the delivery costs of these products are to be paid by the Community; whereas, with a view to implementing that measure, detailed rules of application should be laid down for the beef, milk products and cereal sectors;

Whereas, due to production faults, one part of the goods furnished to certain populations of the goods furnished to certain populations of the former Soviet Union turned out to be unfit for human consumption; whereas it is therefore appropriate to provide for a new supply for the benefit of the people of Armenia, Azerbaidjan, Georgia, Turkmenistan and Uzbekistan and to adopt all of the measures and detailed rules necessary for its implementation;

Whereas, it is important to be able to utilize the full amount intended to replace the goods in each republic; whereas the transport costs represent an important part of this amount and the definitive quantities to be transported cannot therefore be determined until after the transport costs have been ascertained;

Whereas, in view of the size and location of the Community intervention stocks, it is appropriate to release approximately 3 800 tonnes of boneless beef stored in Ireland and approximately 3 000 tonnes of butter stored in Spain for the purpose of this measure; whereas the quantity of wheat necessary for the production of approximately 5 000 tonnes of flour has already been mobilized;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products as a single action, for which the invitation to tender shall determine a single award;

Whereas, in the light of experience and the manifest difficulties previously encountered with the execution of operations of the same type, it is appropriate to provide that the award of the supply should not be determined systematically and uniquely on the basis of the lowest monetary offer, but may also take into consideration other fundamental elements proposed for the execution of the supply presenting guarantees, in particular, for the proper conservation and hygienic condition of the products and for the terms of their transport to the destination laid down; whereas, for this purpose the offers must include all information necessary to evaluate the execution of the supply on the proposed terms;

Whereas, it is appropriate to fix the additional terms and conditional necessary to ensure the proper execution of the operations and to define the obligations of the tenderer;

Whereas, products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 3002/92 ⁽⁴⁾, as last amended by Regulation (EEC) No 1938/93 ⁽⁵⁾; whereas, furthermore, proof that the products concerned have been taken over by the authorities of Georgia, Armenia, Azerbaidjan, Turkmenistan and Uzbekistan is to be provided by way of a special certificate;

Whereas, in order to minimize the transport costs, the goods should be removed from cold stores which are close to each other, and a minimum quantity to be removed from each cold store should be laid down;

Whereas, in application of Article 2 (4) of Regulation (EEC) No 598/91 no export refund shall be granted in respect of the exported products which are the subject of the supply;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee provided for in Article 5 (2) of Council Regulation (EEC) No 598/91,

⁽¹⁾ OJ No L 67, 14. 3. 1991, p. 19.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁴⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁵⁾ OJ No L 176, 20. 7. 1993, p. 12.

HAS ADOPTED THIS REGULATION:

Article 1

1. A tender is hereby opened for the supply of approximately:

- 2 200 tonnes of boneless beef to Azerbaidjan,
- 1 000 tonnes of boneless beef to Turkmenistan,
- 600 tonnes of boneless beef to Uzbekistan,
- 3 000 tonnes of butter destined for Georgia,
- 5 000 tonnes of flour destined for Armenia.

The 5 000 tonnes of flour must be delivered to the port of Poti or Batumi before the 3 000 tonnes of butter.

The abovementioned deliveries constitute a single supply (refer to Annex I).

The precise quantity for each product and destination will be communicated to the successful tenderer by the Commission at the same time as the notification of the award of the supply. This quantity may vary by a maximum of plus or minus 15 % of the quantities set down in this Regulation.

2. The products are to be delivered to the destinations indicated in Annex III.

3. The intervention agencies holding the products shall organize the removal of a minimum of 100 tonnes of product from each cold store, selecting cold stores conveniently located with regard to the final destination. The list of cold stores and the respective quantities are indicated in Annex II.

4. Regulation (EEC) No 3002/92 is applicable to this supply.

Article 2

1. Tender shall be presented in writing to the Commission before 5 : 00 p.m. (Brussels time) on 6 June 1994 to the following address:

Commission of the European Communities
Division VI/G.2 (Office 10/05)
Rue de la Loi 120
B-1049 Brussels

Tenders must be submitted in two sealed envelopes, one inside the other. The inner envelope shall, in addition to indicating the abovementioned address, bear the words:

'Regulation (EEC) No 1251/94 — Tender from (name of firm) — this envelope must not be opened by the internal mail department.'

2. To be valid the tender must:

- (a) indicate the name and address of the tenderer;
- (b) relate to the complete supply defined in Article 1 (1)
- (c) furnish the original of a document proving the constitution of a security of 1 000 000 ECU in favour of the Commission of the European Communities;
- (d) be accompanied by a written declaration from the tenderer in which he undertakes to deliver, by at the latest, the dates laid down in Annex I for each destination, to the places referred to in Annex III, the total goods taken over, in the same condition as that in which they were taken over from the cold store of the intervention agency or for the flour, at the stage fob at the maritime port of Port-la-Nouvelle or Livourno;
- (e) specify the means of transport to be used indicating all technical details (capacity, type of refrigeration equipment, age, etc.);
- (f) indicate the names and addresses of all forwarding agents and subcontractors to be used in the operation, on national territory as well as in third countries;
- (g) specify the route to be followed, including the frontier crossing post and the possible points of transshipment from one means of transport to another; in this case the tenderer undertakes, in writing, to communicate the dates on which these transshipments will take place at least 10 days before the transshipment;
- (h) include a detailed calculation showing the composition of the price offered;
- (i) specify the financial institution which will give the guarantee referred to at Article 4 (2);
- (j) specify the total amount in ecus required, based on the quantities appearing in Article 1 (1), for the delivery from the loading bay of the Community stores to the places of delivery in question, to the stage laid down in Annex III, the amount for Baku via Mineralnyj-Wody and the amount required via Krasnovodsk;

- (k) specify for each destination and product the unitary amount in ECU/t gross which will be applied in the case of a variation in quantities, taking into account for Azerbaidjan of the two possibilities of forwarding;
- (l) indicate in which community currency the payment for the total transport costs should be effected;
- (m) indicate if similar operations were carried out to these destinations and if so the tonnage and products delivered.

The amount in ecus referred to at (j) and (k) shall include any veterinary charges directly related to the destocking operations as well as the handling costs for loading on to the means of transport used.

3. The amounts in ecus referred to in paragraph 2, in Article 4 (2) and in Article 5 shall be converted into national currencies using the agricultural rate applicable on the final date for submission of tenders.

4. Except in cases of *force majeure*, the successful tenderer shall bear all risks related to the transport and delivery of the lot in question and particularly in respect of loss and deterioration of the products.

Article 3

1. On the basis of the tenders received, the Commission may decide:

- not to proceed with the award, or
- to award it on the basis of the price offered and the other elements of the offer which present the best guarantee of delivery in good technical and hygienic conditions and within the prescribed deadlines.

2. As soon as possible after the adoption of the Decision taken in accordance with paragraph 1, the Commission shall inform all tenderers, by written telecommunication if necessary, of the outcome of their participation in the tendering procedure, and shall notify the successful tenderers of the supply which has been awarded to them.

3. The Commission shall inform the intervention agencies concerned of the results of the tender.

Article 4

1. The security referred to in Article 2 (2) (c) shall be released forthwith if the tender is not accepted. The primary requirements within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽¹⁾ shall be:

- (a) a requirement not to withdraw the tender;

- (b) lodging of the delivery security referred to in paragraph 2, for the quantity provided for in Article 1 (1) adjusted following the results of the tender, in accordance with the precise quantities to be supplied.

- (c) taking over of the quantities for which the security at (b) has been lodged.

2. Before the products are taken over the successful tenderer shall lodge, with the Commission, in respect of each quantity taken over, a security of an amount equal to ECU 6 000 per tonne for beef, ECU 2 800 per tonne for butter and EU 200 per tonne for flour.

3. The Commission shall immediately inform, by written telecommunication, the intervention agencies of the lodging of these guarantees.

The primary requirement within the meaning of Article 20 of Regulation (EEC) No 2220/85 shall be the supply of all the products in accordance with the prescribed terms.

4. These successful tenderer shall take over the goods in accordance with the rules of the intervention agency for release from storage.

5. The security referred at paragraph 2, and that provided for at Article 5, shall be released, on presentation of the proof of the partial or total delivery to a destination of the products referred to in Article 1 (1) in accordance with the conditions of this Regulation, to the delivery points referred to in Article 1 (2), in the same condition as that in which they were taken over from the intervention cold stores or the place designated for the flour. They shall be forfeited in proportion to the quantities for which proof of delivery has not been presented.

6. When delays in delivery occur, the security referred to at Article 5 shall be forfeited in respect of the quantities delivered late, at a rate of ECU 1 per tonne for each day of delay. From the 11th day of delay onwards, the amount forfeit shall be increased to ECU 1,5 per tonne for each additional day. These provisions shall apply where the delay in delivery is attributable to the successful tenderer.

7. The transport document, the certificate of conformity referred to at Article 6 (2) and the take-over certificate in Annex IV, duly completed, stamped and signed by a person representing the authorities of the republics concerned, shall constitute the proof referred to in paragraph 5.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

Article 5

An amount up to one third of the offer, adjusted in accordance with Article 2 (2) (k), shall be paid to the successful tenderer on the date of the complete take-over of a product upon presentation of proof of the constitution of a security for an equivalent amount in favour of the Commission. This security may be lodged in addition to that provided for at Article 4 (2).

Article 6

1. Successful tenderers shall undergo any controls conducted by or on behalf of the intervention agency of the Member State in which the place of storage is located. Such controls shall relate to the quantity, hygienic condition, quality and identity of the products.

On completion of the controls, this agency shall issue a certificate of conformity. It is responsible if the quality delivered does not conform to the norms prescribed for intervention or to the description laid down in the call for tenders for the supply of flour.

2. A verification of the conformity of the supply as regards quantity, hygienic condition, quality and identity shall be carried out in the country of destination by an control agency or company designated by the Commission. A certificate of conformity specifying the details and

results of the controls carried out shall be delivered to the successful tenderer on completion of this verification and shall be communicated directly to the Commission.

3. In the case of transport by land, the agency referred to in paragraph 1 shall affix seals to the means of transport at the time of loading. In the case of transshipment, a control agency or company shall carry out a verification on the integrity of the seals on the means of transport arriving at the points of transshipment, and shall seal the means of transport used after the transshipment.

4. The costs of the controls referred to in paragraph 1 shall be borne by the successful tenderer.

Article 7

The removal order referred to in Article 3 of Regulation (EEC) No 3002/92, the export declaration and any document issued for these purposes shall bear the following additional word:

'Action in favour of Georgia, Armenia, Azerbaidjan, Turkmenistan and Uzbekistan. Intervention products on which no refund is payable (Regulation (EEC) No 1251/94'.

Article 8

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, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Lot : 2 200 tonnes of boneless beef
Final date for delivery to Azerbaidjan : 31 August 1994
1 000 tonnes of boneless beef
Final date for delivery to Turkmenistan : 31 August 1994
600 tonnes of boneless beef
Final date for delivery to Uzbekistan : 31 August 1994
3 000 tonnes of butter
Final date for delivery to Georgia : 31 August 1994
5 000 tonnes of flour
Final date for delivery to Armenia : 31 July 1994

The final quantities to be transported may be increased or decreased by 15 %.

The tenders must include a price in the case the forwarding towards Azerbaidjan will be done via Mineralnyj-Wody, and a price in the case the forwarding towards Azerbaidjan will be done via Krasnovodsk.

Addresses of the intervention agencies :

IRELAND : Department of Agriculture Food and Forestry,
Agriculture House,
Kildare Street,
IRL-Dublin 2
Tel. : (353-1) 678 90 11
Fax : (353-1) 661 62 63
(353-1) 661 28 90

SPAIN : S.E.N.P.A.
Beneficiencia 8
E-28004 Madrid
Tel. : (34-1) 347 65 00
Fax : (34-1) 521 98 32
(34-1) 522 43 87

Take-over of the flour : fob maritime port of Port la Nouvelle or Livourno.

ANNEX II

Cold stores referred to at Article 1 (3) and quantities of boneless beef (striploins) to be taken over

IRELAND:

Stores referred to at Article 1 (3)	Total quantity in stock
Cork Colso	248 tonnes
Nordic	150 tonnes
Agra	121 tonnes
Limerick	103 tonnes
Tipperary AIBP Cahir	287 tonnes
Freezomatic	199 tonnes
Waterford QK Carroll's	217 tonnes
QK Grannagh	282 tonnes
Waterford	242 tonnes
Wexford Slaney	115 tonnes
Kildare Sallins	290 tonnes
Chilling	219 tonnes
Irish Ropes	188 tonnes
QK Naas	437 tonnes
Laois Lyonara	254 tonnes
Kilkenny Norish	160 tonnes
QK Naas	500 tonnes
Tallaght	450 tonnes

The beef removed from stock should be entered into stock after 1 September 1992.

SPAIN:

Stores referred to at Article 1 (3)	Total quantity in stock
Compañia Frigorífica, La Coruña	2 900 tonnes
Arilca, Pontevedra	1 200 tonnes

The butter removed from stock should be entered into stock after 1 January 1993.

ANNEX III

(a) Place of take-over in Azerbaidjan :

(1) Goods not unloaded :

Optovaya Baza 'Azerbmiasomoltorg'
Bakgorholodilnik
Baku 370029
6 Poperrecnaya, dom 2
Tel. : (7-8922) 66 22 46/66 48 36
Railway station : Stanciya Kishly
Azerbaijan Jelesnaya Doroga
Station 547001.

(2) Authority entitled to deliver the take-over certificate

Azintrade
Baku, center
Dom Pravitelstva, 1st floor
Tel. : (7-8922) 93 19 80/93 97 13.

(b) Place of take-over in Turkmenistan :

(1) Ashkhabad

Republiskanskaya Kantora 'Turkmenmiasomoltorg'
Ulitz Storsa No 1
Railway station code 757503
Receiver's code 6161.

(2) Authority entitled to deliver the take-over certificate

Republiskanskaya Kantora 'Turkmenmiasomoltorg'
744015 Ashkhabad
Ulitz Storsa No 1
Mr. Mashurian, Deputy Director-General
Tel. : (7-3632) 22 40 50/22 48 79.

(c) Place of take-over in Uzbekistan :

(1) Station of arrival in Tashkent — Goods not unloaded

Central Asia Railways
Khamza station
Railway station code : 726702
Receiver's code : 6160

However, the delivery certificate may only be issued following unloading and quantitative and qualitative control of the goods.

(2) Authority entitled to deliver the take-over certificate :

RAO 'Gusht-Sut'
700072 Tashkent
115 Ukitza Altinkulskaya, 2 proezd
Mr Masamedov, Director-General
Tel. : (7-3712) 91 40 11.

(d) Place of take-over in Georgia :

(1) Port of Poti — Goods not unloaded.

However, the delivery certificate may only be issued following unloading and quantitative and qualitative control of the goods.

(2) Authority entitled to deliver the take-over certificate :

Hladokombinat No 4
Tbilisi
Ponichala
Mr Mandjavidze, Director
Tel. : (7-8832) 72 10 25.

(e) **Place of take-over in Armenia :**

(1) Alaverdi — Goods not unloaded.

The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals.

(2) Authority entitled to deliver the take-over certificate :

Ministry of Food and Provision
375010 Yerevan
Dom Pravitelstva
Ploshchad Respubliki 1
Mr. Stepanian, Deputy Minister
Tel. : (7-8852) 52 03 21.

ANNEX IV

Take-over certificate

I, the undersigned.....
(name / Christian name / position)

acting on behalf of.....

certify the following goods have been taken over:

Product :	
Packaging :	
Total quantity in tonnes (net) : (gross) :	
No of sacks (flour) : cartons (butter) (meat) (¹)	
Place and date of take-over :	
Rail wagon numbers/name of boat/heavy goods vehicle registration numbers (¹) :	
Numbers of seals on arrival :	
Name and address of transport company :	

Name of control firm :

.....
.....

Name and signature of its on-the-spot representative :

.....
.....

Observations or remarks.....
.....

Signature and
stamp

(¹) Delete as appropriate

COMMISSION REGULATION (EC) No 1252/94

of 31 May 1994

amending Regulation (EEC) No 586/93 providing for an exception in respect of
the volatile acid content of certain wines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1566/93 ⁽²⁾, and in particular Article 66 (4) thereof,

The following subparagraph (d) is hereby added to Article 1 of Regulation (EEC) No 586/93:

'(d) for Australian wines:

Whereas Article 66 of Regulation (EEC) No 822/87 fixes the maximum volatile acid content of wine; whereas provision may be made for exceptions for certain wines under Article 66 (3) of the said Regulation;

25 milliequivalents per litre for wines which are designated and accompanied by, in accordance with Australian legislation, the terms "botrytis" or words to similar effect, "noble late harvested" or "special late harvested" and which bear a protected geographical indication listed in Annex II to the Agreement between the European Community and Australia on trade in wine.

The wine in question must be accompanied by a certificate issued by the Australian Wine and Brandy Corporation or some other competent body designated by Australia, certifying that the wine has been made according to Australian laws and regulations.'

Article 2

Whereas the Agreement between the European Community and Australia on trade in wine attached to Council Decision 94/184/EC ⁽³⁾ entered into force on 1 March 1994; whereas point I 1 (c) of the Protocol to that Agreement provides that certain Australian wines which have been produced in accordance with special methods and which bear a protected geographical indication by virtue of the said Agreement may have a volatile acid content of up to 25 milliequivalents per litre; whereas these provisions of the Agreement are directly applicable in all Member States; whereas they should, however, for the sake of clarity, be incorporated in Commission Regulation (EEC) No 586/93 ⁽⁴⁾, which consolidates in a single text all the exceptions provided for as regards volatile acidity; whereas, the aforesaid Agreement having entered into force on 1 March 1994, this Regulation should apply from that date;

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

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

It shall apply from 1 March 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 39.

⁽³⁾ OJ No L 86, 31. 3. 1994, p. 3.

⁽⁴⁾ OJ No L 61, 13. 3. 1993, p. 39.

COMMISSION REGULATION (EC) No 1253/94

of 31 May 1994

applying a transitional measure for maize and sorghum at the end of marketing year 1993/94

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 6 thereof,

Whereas the intervention period for maize and sorghum ends on 30 April in the south and 31 May in the north ; whereas this situation, in view of uncertainties as regards outlets, aggravated by the reduction of intervention prices following the implementation of the reform in the cereals sector, is likely to encourage operators to offer substantial quantities of maize and sorghum for intervention at the end of April in the south and at the end of May in the north, although certain market outlets may be found after that date ; whereas this situation may be remedied by allowing buying-in of those cereals in May and June 1994 ;

Whereas for buying-in of cereals conditions are laid down in Commission Regulation (EEC) No 689/92 of 19 March 1992 fixing the procedure and conditions for the taking-over of cereals by intervention agencies⁽³⁾, as last amended by Regulation (EEC) No 3134/93⁽⁴⁾;

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

1. In accordance with Article 6 of Regulation (EEC) No 1766/92, the intervention agencies shall buy in quantities of maize and sorghum offered to them between 1 May and 30 June 1994.

2. The price to be paid shall be the intervention price provided for in the Annex of Commission Regulation (EEC) No 1709/93⁽⁵⁾, plus seven monthly increases.

3. Subject to paragraph 2, buying-in shall be carried out in accordance with the provisions of Regulation (EEC) No 689/92. Notwithstanding the third subparagraph of Article 3 (3) of Regulation (EEC) No 689/92, the final delivery of maize or sorghum offered for intervention under this Regulation must be made by 31 August 1994 at the latest.

Article 2

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

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

Done at Brussels, 31 May 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 74, 20. 3. 1992, p. 18.

⁽⁴⁾ OJ No L 280, 13. 11. 1993, p. 15.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 80.

COMMISSION REGULATION (EC) No 1254/94

of 31 May 1994

fixing for the 1994/95 marketing year the reference prices for lemons

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular Article 27 (1) 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 9 (1) thereof,

Having regard to Commission Regulation (EEC) No 3824/92 of 28 December 1992 laying down the prices and amounts fixed in ecus to be amended as a result of the monetary realignments⁽⁵⁾, as last amended by Regulation (EEC) No 1663/93⁽⁶⁾, and in particular Article 2 thereof,

Whereas, pursuant to Article 23 (1) of Regulation (EEC) No 1035/72, reference prices valid for the whole Community are to be fixed at the beginning of the marketing year;

Whereas lemons are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas lemons harvested during a given crop year are marketed from June to May of the next year; whereas reference prices should therefore be fixed for the period 1 June to 31 May of the following year;

Whereas, to take seasonal variations into account, the year should be divided into several periods and a reference price fixed for each of these periods;

Whereas Article 23 (2) (b) of the abovementioned Regulation stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and

Community consumption centres in the preceding year, by:

- the increase in production costs for fruit and vegetables, less productivity growth, and
- the standard rate of transport costs in the current marketing year;

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State with regard to Article 23 (2) plus transport costs for the current year, after this amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

Whereas producer prices are to correspond to the average of the prices recorded on the representative market or markets situated in the production areas where prices are lowest, during the three years prior to the date on which the reference price is fixed, for a home-grown product with defined commercial characteristics, being a product or variety representing a substantial proportion of the production marketed over the year or over part thereof and satisfying specified requirements as regards market preparation; whereas, when the average of prices recorded on each representative market is being calculated, prices which could be considered excessively high or excessively low in relation to normal price fluctuations on that market are to be disregarded;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the reference prices for fresh lemons (CN code 0805 30 10), expressed in ecus per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

— June:	54,59
— July and August:	60,82
— September:	56,33
— October:	50,57
— November to April:	47,15
— May:	47,73.

Article 2

This Regulation shall enter into force on 1 June 1994.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁶⁾ OJ No L 158, 30. 6. 1993, p. 18.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1255/94

of 31 May 1994

reducing the basic price and buying-in price for cauliflowers, peaches, nectarines, lemons, tomatoes and apricots for June 1994 as a result of the monetary realignments of January and May 1993 and the overrun of the intervention threshold fixed for the 1993/94 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EC) No 3669/93⁽²⁾, and in particular Article 16b (4) thereof,

Having regard to Commission Regulation (EEC) No 3824/92 of 28 December 1992 amending the prices and amounts fixed in ecus as a result of monetary realignments⁽³⁾, as last amended by Regulation (EEC) No 1663/93⁽⁴⁾, and in particular Article 2 thereof,

Whereas Regulation (EEC) No 3824/92 establishes a list of the prices and amounts in the fruit and vegetables sector which are divided by the reducing coefficients of 1,002583 and 1,000426 fixed by Commission Regulation (EEC) No 537/93⁽⁵⁾, as amended by Regulation (EEC) No 1331/93⁽⁶⁾; whereas Article 2 of Regulation (EEC) No 3824/92 provides that the reduction in the prices and amounts resulting therefrom is to be specified for each sector concerned and that the value of the prices and amounts so reduced is to be fixed; whereas the basic price and buying-in price for cauliflowers, peaches, nectarines, lemons, tomatoes and apricots for June 1994 were fixed by Council Regulation (EC) No 1234/94⁽⁷⁾;

Whereas Commission Regulation (EEC) No 1202/93⁽⁸⁾ fixes the intervention thresholds for the 1993/94 marketing year at 283 200 tonnes for peaches, 74 800 tonnes for nectarines and 367 400 tonnes for lemons;

Whereas, pursuant to Article 16a (1) of Regulation (EEC) No 1035/72 and Article 2 (1) of Council Regulation (EEC) No 2240/88 of 19 July 1988 fixing, in respect of peaches, lemons and oranges, the rules for applying Article 16a of Regulation (EEC) No 1035/72⁽⁹⁾, as last amended by Regulation (EC) No 1623/91⁽¹⁰⁾, where, in a given mar-

keting year, the quantities of peaches, nectarines and lemons which are the subject of intervention measures exceed the intervention thresholds fixed for those products for that marketing year, the basic and buying-in prices fixed for those products for the following marketing year are to be reduced by 1 % per tranche of 23 000 tonnes in the case of peaches, 3 000 tonnes in the case of nectarines and 11 200 tonnes in the case of lemons;

Whereas, according to information supplied by the Member States, the intervention measures taken by the Community for the 1993/94 marketing year related to 690 051 tonnes for peaches, 156 991 tonnes for nectarines and 596 363 tonnes for lemons;

Whereas an overrun of 406 851 tonnes for peaches, 82 191 tonnes for nectarines and 229 363 tonnes for lemons on the intervention thresholds fixed for that marketing year has therefore been recorded by the Commission; whereas as a result of the foregoing the basic and buying-in prices for peaches, nectarines and lemons for June 1994 fixed by Regulation (EC) No 1234/94 must be reduced by 17 % in the case of peaches, 20 % in the case of nectarines and 20 % in the case of lemons; whereas this reduction is to be added to that resulting from the monetary realignment of 13 May 1993 for peaches and nectarines; whereas the basic and buying-in prices for cauliflowers, tomatoes and apricots for June 1994 fixed by Regulation (EC) No 1234/94 must be reduced by 0,04 % in the case of cauliflowers and apricots and by 0,26 % in the case of tomatoes; whereas these reductions result from the monetary realignments of May 1993, in the case of cauliflowers and apricots, and of January and May 1993, in the case of tomatoes;

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

HAS ADOPTED THIS REGULATION:

Article 1

The basic and buying-in prices for cauliflowers, peaches, nectarines, lemons and apricots for the period 1 to 30 June 1994 and the basic and buying-in prices for toma-

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁴⁾ OJ No L 158, 30. 6. 1993, p. 18.

⁽⁵⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁶⁾ OJ No L 132, 29. 5. 1993, p. 114.

⁽⁷⁾ OJ No L 136, 31. 5. 1994, p. 73.

⁽⁸⁾ OJ No L 122, 18. 5. 1993, p. 30.

⁽⁹⁾ OJ No L 198, 26. 7. 1988, p. 9.

⁽¹⁰⁾ OJ No L 150, 15. 6. 1991, p. 8.

toes for the period 11 to 30 June 1994 fixed by Regulation (EC) No 1234/94 shall be reduced by 17,04 % in the case of peaches, 20,03 % in the case of nectarines, 20 % in the case of lemons, 0,26 % in the case of tomatoes and 0,04 % in the case of cauliflowers and apricots and shall be as follows :

(Ecu/100 kg net)

	Basic price	Buying-in price
Cauliflowers	24,57	10,65
Peaches	37,45	20,78
Nectarines	47,26	22,68
Lemons	34,45	20,19
Apricots	41,14	23,43
Tomatoes (11 to 20 June)	28,09	10,68
(21 to 30 June)	25,55	9,92

These prices refer, respectively, to :

- packed, trimmed cauliflowers of quality class I,
- packed peaches of the Amsden, Cardinal, Charles Ingouf, Dixired, Jeronimo, J. H. Hale, Merrill Gemfree, Michelini, Red Haven, San Lorenzo, Springcrest and Springtime varieties of quality class I, size 61 to 67 millimetres,
- packed nectarines of the Armking, Crimsongold, Early Sun Grand, Fantasia, Independence, May Grand, Nectared, Snow Queen and Stark Red Gold varieties of quality class I, size 61 to 67 millimetres,
- packed lemons of quality class I, size 53 to 62 millimetres,
- packed apricots of quality class I of a size over 30 millimetres,
- packed round or ribbed tomatoes of quality class I, size 57 to 67 millimetres.

These prices do not take account of the cost of the packaging in which the product is put up.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 1256/94
of 31 May 1994

**fixing for the month of June 1994 the minimum purchase price for lemons
delivered to the processing industry and the financial compensation payable
after processing thereof**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/77 of 17 May 1977 laying down special measures to encourage the marketing of products processed from lemons ⁽¹⁾, as last amended by Regulation (EEC) No 1199/90 ⁽²⁾, and in particular Article 3 thereof,

Whereas, pursuant to Article 1 (3) of Regulation (EEC) No 1035/77, the minimum price which processors must pay to producers is fixed, as from the 1991/92 marketing year at 105 % of the average withdrawal price calculated in accordance with the first indent of Article 18 (1) (a) of Council Regulation (EEC) No 1035/72 ⁽³⁾, as last amended by Regulation (EC) No 3669/93 ⁽⁴⁾; whereas the minimum price must be fixed on the basis of the basic and buying-in prices for the month of June 1994 by Council Regulation (EC) No 1234/94 ⁽⁵⁾ and reduced by Commission Regulation (EC) No 1254/94 ⁽⁶⁾;

Whereas, pursuant to Article 2 of Regulation (EEC) No 1035/77, financial compensation cannot exceed the difference between the minimum purchase price referred to in Article 1 of that Regulation and the prices obtained for the raw material in producer third countries;

Whereas the Management Committee for Fruit and Vegetables has not reached an opinion within the time-limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

For the month of June 1994 the minimum price referred to in Article 1 (3) of Regulation (EEC) No 1035/77 shall be as follows:

Minimum price: ECU 11,60/100 kg net.

The minimum price shall refer to products ex-producers' packaging stations.

Article 2

For the month of June 1994 the financial compensation referred to in Article 2 of Regulation (EEC) No 1035/77 shall be as follows:

Financial compensation: ECU 7,23/100 kg net.

Article 3

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

It shall apply from 1 June 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 125, 19. 5. 1977, p. 3.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 61.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽⁵⁾ OJ No L 136, 31. 5. 1994, p. 73.

⁽⁶⁾ See page 47 of this Official Journal.

COMMISSION REGULATION (EC) No 1257/94

of 31 May 1994

fixing indicative quantities for imports of bananas into the Community for the third quarter of 1994

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

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as last amended by Regulation (EC) No 3518/93 ⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EEC) No 1442/93 ⁽³⁾, as last amended by Regulation (EC) No 740/94 ⁽⁴⁾, provides in Article 9 (1) for the fixing of indicative quantities for the purposes of issuing import licences for each quarter using the data and forecasts relating to the Community market on the basis of the forecast supply balance for production and consumption in the Community and of imports and exports as referred to in Article 16 of Regulation (EEC) No 404/93;

Whereas, notwithstanding, an indicative quantity for the third quarter of 1994 should therefore be established on the basis of the analysis which may currently be made of the market; whereas this indicative quantity should be fixed on the basis of the average volume of bananas marketed in the Community in this same period in the years 1988 to 1992, while at the same time providing for some progressive increase so as to bring about a harmonious and gradual opening of the market and better trade fluidity within the Community;

Whereas to these same ends, the quantity authorized as laid down in Article 9 (1) of Regulation (EEC) No 1442/93 which each category A and B operator may request for the third quarter of 1994 and the indicative quantities provided for in Article 14 (1) of the same Regulation for the purposes of issuing the licences for imports of traditional ACP bananas should be fixed;

Whereas the provisions of this Regulation must enter into force immediately before the period in which licence applications for the third quarter of 1994 are submitted;

Whereas the Management Committee for Bananas has not delivered its opinion within the time limit laid down by the chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The indicative quantities referred to in Article 9 (1) of Regulation (EEC) No 1442/93 for imports of bananas into the Community under the tariff quota laid down in Articles 18 and 19 of Regulation (EEC) No 404/93 are hereby fixed for the third quarter of 1994 at 550 000 tonnes.

Article 2

The quantity authorized for each category A and B operator for the third quarter of 1994 as provided for in Article 9 (2) of Regulation (EEC) No 1442/93 is hereby fixed at 29 % of the total annual quantity which has been allocated to him pursuant to the second subparagraph of Article 6 of the aforementioned Regulation.

Article 3

The indicative quantities referred to in Article 14 (1) of Regulation (EEC) No 1442/93 for imports of traditional ACP bananas for the third quarter of 1994 are hereby fixed at 30 % of the traditional quantities laid down for each country of origin in the Annex to Regulation (EEC) No 404/93.

Article 4

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, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 15.

⁽³⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁴⁾ OJ No L 87, 31. 3. 1994, p. 65.

COMMISSION REGULATION (EC) No 1258/94

of 31 May 1994

amending Regulation (EC) No 3190/93 fixing the uniform reduction coefficient for determining the quantities of bananas to be allocated to each operator in categories A and B in the context of the tariff quota 1994

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, as amended by Commission Regulation (EC) No 3518/93 ⁽²⁾, and in particular Article 20 thereof,

Whereas Commission Regulation (EC) No 3190/93 ⁽³⁾, pursuant to Article 6 of Commission Regulation (EEC) No 1442/93 ⁽⁴⁾, as last amended by Regulation (EC) No 740/94 ⁽⁵⁾ and with a view to observing the amount of the tariff quota opened for 1994, fixes for each of the categories of operators the uniform reduction coefficient to be applied to the reference quantity for each operator so as to determine the quantity to be allocated to each operator for 1994; whereas a detailed check of the calculations which resulted in these reduction coefficients has uncovered a material error in the determination of the coefficient for category A; whereas the coefficient in question should accordingly be rectified;

Whereas it is advisable to allow for the immediate application of the measures in this Regulation so that operators

can benefit from these measures for the third quarter of 1994;

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

HAS ADOPTED THIS REGULATION:

Article 1

The coefficient 0,506617 in the first indent of Article 1 of Regulation (EC) No 3190/93 is hereby replaced by the coefficient 0,508753.

Article 2

The Member States shall notify as soon as possible each operator registered with their competent authorities of this reference quantity as corrected by applying the coefficient fixed in Article 1.

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, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 15.

⁽³⁾ OJ No L 285, 20. 11. 1993, p. 28.

⁽⁴⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽⁵⁾ OJ No L 87, 31. 3. 1994, p. 65.

COMMISSION REGULATION (EC) No 1259/94

of 31 May 1994

amending Regulation (EEC) No 1274/91 introducing detailed rules for implementing Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs

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 1907/90 of 26 June 1990 on certain marketing standards for eggs⁽¹⁾, as amended by Regulation (EEC) No 2617/93⁽²⁾, and in particular Articles 10 (3) and 20 (1) thereof,

Whereas Commission Regulation (EEC) No 1274/91⁽³⁾, as last amended by Regulation (EC) No 3300/93⁽⁴⁾, provides for the detailed rules necessary for the implementation of such marketing standards;

Whereas the provisions regarding the indications on 'extra' packs should be modified taking into account the cases where use is made of optional packing date indications;

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

Article 1

Article 24 (1) of Regulation (EEC) No 1274/91 is replaced by the following:

'1. The band or label referred to in Article 12 of Regulation (EEC) No 1907/90 must be printed or affixed in such a way that none of the information on the pack is obscured by the position of the band or label. The term "extra" shall be printed on the band or label in italics at least 1 cm high, followed by the word "until" and the two sets of figures as referred to in the second subparagraph of Article 14 (1) indicating the seventh day after packing.

Where the packing date is indicated on the packs, the indication referred to above may be replaced by the following indication "extra until seventh day after packing".'

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 6. 7. 1990, p. 5.

⁽²⁾ OJ No L 240, 25. 9. 1993, p. 1.

⁽³⁾ OJ No L 121, 16. 5. 1991, p. 11.

⁽⁴⁾ OJ No L 296, 1. 12. 1993, p. 52.

COMMISSION REGULATION (EC) No 1260/94
of 31 May 1994
fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 ⁽¹⁾, as last amended by Regulation (EC) No 3528/93 ⁽²⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 1160/94 ⁽³⁾;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that the agricultural conversion rate for a floating currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels; whereas, notwithstanding that Article 4, Article 4a of that Regulation applies until 31 December 1994;

Whereas the representative market rates are determined on the basis of reference periods established in accordance with Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates ⁽⁴⁾, amended by Regulation (EC) No 547/94 ⁽⁵⁾;

Whereas, as a consequence of the exchange rates recorded during the reference period 21 to 31 May 1994, it is necessary to fix a new agricultural conversion rate for the Portuguese escudo;

Whereas Article 15 (3) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance shall be adjusted if the gap between that rate and

the agricultural conversion rate in force at the time of the operative event applicable for the currency concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

— Table A, where the latter rate is higher than the rate fixed in advance,

or

— Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EC) No 1160/94 is hereby repealed.

Article 4

This Regulation shall enter into force on 1 June 1994.

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 129, 21. 5. 1994, p. 17.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 69, 12. 3. 1994, p. 1.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Agricultural conversion rates

ECU 1 =	49,3070	Belgian and Luxembourg francs
	9,34812	Danish kroner
	2,35418	German marks
	342,048	Greek drachmas
	192,319	Spanish pesetas
	7,98191	French francs
	0,976426	Irish punt
	2 274,93	Italian lire
	2,65256	Dutch guilders
	239,331	Portuguese escudos
	0,920969	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	47,4106	Belgian and Luxembourg francs	ECU 1 =	51,3615	Belgian and Luxembourg francs
	8,98858	Danish kroner		9,73763	Danish kroner
	2,26363	German marks		2,45227	German marks
	328,892	Greek drachmas		356,300	Greek drachmas
	184,922	Spanish pesetas		200,332	Spanish pesetas
	7,67491	French francs		8,31449	French francs
	0,938871	Irish punt		1,01711	Irish punt
	2 187,43	Italian lire		2 369,72	Italian lire
	2,55054	Dutch guilders		2,76308	Dutch guilders
	230,126	Portuguese escudos		249,303	Portuguese escudos
	0,885547	Pound sterling		0,959343	Pound sterling

COMMISSION REGULATION (EC) No 1261/94

of 31 May 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 1230/94 ⁽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 30 May 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 1 June 1994.

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

Done at Brussels, 31 May 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 136, 31. 5. 1994, p. 53.

ANNEX

to the Commission Regulation of 31 May 1994 fixing the import levies on white sugar and raw sugar

<i>(ECU/100 kg)</i>	
CN code	Levy ⁽¹⁾
1701 11 10	33,80 ⁽¹⁾
1701 11 90	33,80 ⁽¹⁾
1701 12 10	33,80 ⁽¹⁾
1701 12 90	33,80 ⁽¹⁾
1701 91 00	38,65
1701 99 10	38,65
1701 99 90	38,65 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

⁽²⁾ In accordance with Article 16 (2) of Regulation (EEC) No 1785/81 this amount is also applicable to sugar obtained from white and raw sugar containing added substances other than flavouring or colouring matter.

⁽³⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 1262/94**of 31 May 1994****altering the import levies on products processed from cereals and rice**

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 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EEC) No 1544/93⁽⁴⁾, and in particular Article 12 (4) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽⁵⁾, as amended by Regulation (EC) No 3528/93⁽⁶⁾,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 1211/94⁽⁷⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽⁸⁾, as last amended by Regulation (EEC) No 1740/78⁽⁹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93⁽¹⁰⁾ as fixed in the Annex to Regulation (EC) No 1211/94 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 June 1994.

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

Done at Brussels, 31 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 133, 28. 5. 1994, p. 30.

⁽⁸⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁹⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁰⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

to the Commission Regulation of 31 May 1994 altering the import levies on products processed from cereals and rice

(*ECU/tonne*)

CN code	Import levies (7)	
	ACP	Third countries (other than ACP)
1103 21 00	168,70	174,74
1104 19 10	168,70	174,74
1104 29 11	124,65	127,67
1104 29 31	149,95	152,97
1104 29 91	95,59	98,61
1104 30 10	70,29	76,33
1108 11 00	206,18	226,73
1109 00 00	374,88	556,22

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

**Information on the date of entry into force of the Agreement on relations
between the European Economic Community and the Argentine Republic on
relations in the sea fisheries sector⁽¹⁾**

The Parties notified each other of the completion of the ratification procedures for the Agreement on relations between the European Economic Community and the Argentine Republic on relations in the sea fisheries sector on 24 May 1994. Therefore, in accordance with Article 14 thereof, the Agreement entered into force on 24 May 1994.

⁽¹⁾ OJ No L 318, 20. 12. 1993.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 April 1994

laying down the animal health requirements and the veterinary certification for the importation from third countries of certain petfoods and certain untanned edible products for pets, containing low-risk animal materials

(Text with EEA relevance)

(94/309/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/118/EEC of 17 December 1992 laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A (I) to Directive 89/662/EEC and, as regards pathogens, in Directive 90/425/EEC⁽¹⁾, and in particular Article 10 paragraph 2 (c) thereof,

Whereas Chapter 4 of Annex I to Directive 92/118/EEC lays down requirements for the importation of petfood containing low-risk materials within the meaning of Council Directive 90/667/EEC⁽²⁾, as amended by Directive 92/118/EEC;

Whereas Commission Decision 94/278/EC⁽³⁾ has laid down a list of third countries from which Member States shall authorize the importation of petfood and certain untanned edible products for pets;

Whereas the animal health conditions and veterinary certification required for the importation of these products from third countries must be laid down;

whereas different animal health conditions shall apply for petfood depending on whether it is petfood in hermetically sealed containers, semi-moist petfood, or dried petfood;

Whereas, in particular, such petfood may contain animal proteins; whereas Member States are allowed to maintain their national import rules in force before 18 December 1992, concerning the requirements applicable for animal proteins as regards BSE and scrapie, pending a decision on the type of heat treatment capable of destroying the agent responsible;

Whereas considering that a new certification regime is being established, a period of time should be provided for its implementation;

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

1. Member States shall authorize the importation from third countries of petfood which may contain processed animal protein derived from high-risk material not intended for human consumption, in hermetically sealed containers, if it is accompanied by a health certificate as set out in Annex A.

⁽¹⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽²⁾ OJ No L 363, 27. 12. 1990, p. 51.

⁽³⁾ OJ No L 120, 11. 5. 1994, p. 44.

2. Member States shall authorize the importation from third countries of semi-moist petfood, which must not contain processed animal protein derived from high-risk material not intended for human consumption, if it is accompanied by a health certificate as set out in Annex B.

3. Member States shall authorize the importation from third countries of dried petfood, which must not contain processed animal protein derived from high-risk material not intended for human consumption, if it is accompanied by a health certificate as set out in Annex C.

4. Member States shall authorize the importation from third countries of untanned edible products for pets, made out of skins of ungulates, if they are accompanied by a health certificate as set out in Annex D.

5. The health certificates referred to in paragraphs 1 to 4 shall consist of one sheet and shall be completed in at least one official language of the Member State carrying out import checks.

Article 2

This Decision shall apply from 1 July 1994.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 27 April 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX A

ANIMAL HEALTH CERTIFICATE

for petfood in hermetically sealed containers intended for dispatch to the European Community

Note for the importer:

This certificate is for veterinary purposes only and the original must accompany the consignment until it reaches the border inspection post.

Country of destination :

Reference number of the health certificate :

Exporting country :

Responsible ministry :

Certifying department :

I. Identification of petfood

The petfood was produced from raw material of the following species :

.....

Nature of packaging :

Number of parts or packages :

Net weight :

II. Origin of petfood

Address and veterinary registration number of the approved or registered establishment :

.....

.....

III. Destination of petfood

The petfood will be sent from

(place of loading)

to

(country and place of destination)

by the following means of transport :

Number of the seal⁽¹⁾ :

Name and address of consignor :

.....

Name and address of consignee :

.....

⁽¹⁾ Optional.

IV. Attestation

I, the undersigned official veterinarian certify that the petfood described above :

- (a) has been subject to heat treatment to a minimum F_0 value of 3,0 in hermetically sealed containers ;
- (b) was analysed by a random sampling of at least five containers from each processed batch by laboratory diagnostic methods to ensure adequate heat treatment of the whole consignment as foreseen under (a) ;
- (c) was produced by using ruminant protein ⁽¹⁾ ;
was produced without using ruminant protein ⁽¹⁾ ;
- (d) was not produced from :
 - animals kept for agricultural production, which died but were not slaughtered, including stillborn and unborn animals, and, without prejudice to instances of emergency slaughtering for reasons of welfare, farm animals which have died in transit,
 - animals which were killed in the context of disease control measures either on the farm or in any other place designated by the competent authority,
 - animal waste including blood originating from animals which showed, during the veterinary inspection carried out at the time of slaughtering, clinical signs of diseases communicable to man or other animals,
 - those parts of an animal slaughtered in the normal way which were not presented for *post mortem* inspection, with the exception of hides, skins, hooves, feathers, wool, horns, blood and similar products,
 - meat, poultrymeat, fish, game and foodstuffs of animal origin which were spoiled,
 - animals, fresh meat, poultrymeat, fish, game and meat and milk products, which in the course of the inspections provided for in Community legislation failed to comply with the veterinary requirements for their importation into the Community,
 - animal waste containing residues of substances which posed a danger to human or animal health and milk, meat or products of animal origin rendered unfit for human consumption by the presence of such residues,
 - fish or offal from fish which was excluded from human consumption because of clinical signs of an infectious disease,

unless the abovementioned animal protein has been subjected to the following heat treatment process in a plant registered and approved in accordance with Council Directive 90/667/EEC :

heating to at least 133 °C throughout its substance for a minimum of 20 minutes at a pressure of 3 bars, with a particle size prior to processing of not more than 5 cm ;

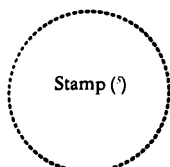
and the random sample complies with the following standards ⁽²⁾ :

- *clostridium perfringens* : absence in 1 g ⁽³⁾,
- *salmonella* : absence in 25 g, $n = 5$, $c = 0$, $m = 0$, $M = 0$ ⁽⁴⁾,
- *enterobacteriaceae* : $n = 5$, $c = 2$, $m = 10$, $M = 3 \times 10^2$ in 1 g ⁽⁴⁾,

- (e) has undergone all precautions to avoid recontamination with pathogenic agents after treatment.

Done at on
(place) (date)

.....
(signature of the official veterinarian ⁽⁵⁾)



.....
(name in capital letters, qualifications and title)

⁽¹⁾ Delete as appropriate.

⁽²⁾ where :

n = number of units comprising the sample ;

m = threshold value for the number of bacteria ; the result is satisfactory if the number of bacteria in all sample units does not exceed m ;

M = maximum value for the number of bacteria ; the result is considered unsatisfactory if the number of bacteria in one or more sample units is M or more ;

c = number of sample units the bacterial count of which may be between m and M , the sample still being considered acceptable if the bacterial count of the other sample units is m or less.

⁽³⁾ Sample taken after treatment.

⁽⁴⁾ Sample taken during storage at processing plant.

⁽⁵⁾ The signature and the stamp must be in a colour different to that of the printing.

ANNEX B

ANIMAL HEALTH CERTIFICATE

for semi-moist petfood intended for dispatch to the European Community

Note for the importer:

This certificate is for veterinary purposes only and the original must accompany the consignment until it reaches the border inspection post.

Country of destination :

Reference number of the health certificate :

Exporting country :

Responsible ministry :

Certifying department :

I. Identification of petfood

The petfood was produced from raw material of the following species :

.....

Nature of packaging :

Number of parts or packages :

Net weight :

II. Origin of petfood

Address and veterinary registration number of the approved or registered establishment :

.....

.....

III. Destination of petfood

The petfood will be sent from

(place of loading)

to

(country and place of destination)

by the following means of transport :

Number of the seal⁽¹⁾ :

Name and address of consignor :

.....

Name and address of consignee :

.....

⁽¹⁾ Optional.

I, the undersigned official veterinarian certify that the petfood described above:

- (3) The signature and the stamp must be in a colour different to that of the printing.

ANNEX C

ANIMAL HEALTH CERTIFICATE

for dried petfood intended for dispatch to the European Community

Note for the importer:

This certificate is for veterinary purposes only and the original must accompany the consignment until it reaches the border inspection post.

Country of destination :

Reference number of the health certificate :

Exporting country :

Responsible ministry :

Certifying department :

I. Identification of petfood

The petfood was produced from raw material of the following species :

.....

Nature of packaging :

Number of parts or packages :

Net weight :

II. Origin of petfood

Address and veterinary registration number of the approved or registered establishment :

.....

.....

III. Destination of petfood

The petfood will be sent from

(place of loading)

to

(country and place of destination)

by the following means of transport :

Number of the seal (''):

Name and address of consignor :

.....

Name and address of consignee :

.....

(') Optional.

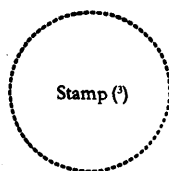
IV. Attestation

I, the undersigned official veterinarian certify that the petfood described above :

- (a) was produced in such a way that the dried petfood or the ingredients of animal origina have been subject to a heat treament of at least 90 °C throughout their substance ;
- (b) was examined by a random sampling of at least five samples from each processed batch taken during or after storage at the processing plant, that complies with the following standards ⁽¹⁾ :
 - *salmonella* : absence in 25 g, n = 5, c = 0, m = 0, M = 0,
 - *enterobacteriaceae* : n = 5, c = 2, m = 10, M = 3×10^2 in 1 g ;
- (c) was produced by using ruminant protein ⁽²⁾ ;
was produced without using ruminant protein ⁽²⁾ ;
- (d) was not produced from :
 - animals kept for agricultural production, which died but were not slaughtered, including stillborn and unborn animals, and, without prejudice to instances of emergency slaughtering for reasons of welfare, farm animals which have died in transit,
 - animals which were killed in the context of disease control measures either on the farm or in any other place designated by the competent authority,
 - animal waste including blood originating from animals which showed, during the veterinary inspection carried out at the time of slaughtering, clinical signs of diseases communicable to man or other animals,
 - those parts of an animal slaughtered in the normal way which were not presented for *post mortem* inspection, with the exception of hides, skins, hooves, feathers, wool, horns, blood and similar products,
 - meat, poultrymeat, fish, game and foodstuffs of animal origin which were spoiled,
 - animals, fresh meat, poultrymeat, fish, game and meat and milk products, which in the course of the inspections provided for in Community legislation failed to comply with the veterinary requirements for their importation into the Community,
 - animal waste containing residues of substances which posed a danger to human or animal health and milk, meat or products of animal origin rendered unfit for human consumption by the presence of such residues,
 - fish or offal from fish which was excluded from human consumption because of clinical signs of an infectious disease,
 - processed animal protein derived from high risk material ;
- (e) has undergone all precautions to avoid recontamination with pathogenic agents after treatment ;
- (f) was packed in new packaging material.

Done at on
(place) (date)

.....
(signature of the official veterinarian ⁽³⁾)



.....
(name in capital letters, qualifications and title)

⁽¹⁾ where :

- n = number of units comprising the sample ;
- m = threshold value for the number of bacteria ; the result is satisfactory if the number of bacteria in all sample units does not exceed m ;
- M = maximum value for the number of bacteria ; the result is considered unsatisfactory if the number of bacteria in one or more sample units is M or more ;
- c = number of sample units the bacterial count of which may be between m and M, the sample still being considered acceptable if the bacterial count of the other sample units is m or less.

⁽²⁾ Delete as appropriate.

⁽³⁾ The signature and the stamp must be in a colour different to that of the printing.

ANNEX D

ANIMAL HEALTH CERTIFICATE

for untanned edible products for pets made from skins of ungulates (dogchews) and intended for
dispatch to the European Community

Note for the importer:

This certificate is for veterinary purposes only and the original must accompany the consignment until it reaches the border inspection post.

Country of destination :

Reference number of the health certificate :

Exporting country :

Responsible ministry :

Certifying department :

I. Identification of product

Nature of product :

The product was produced out of skins of the following species :

Nature of packaging :

Number of parts or packages :

Net weight :

II. Origin of product

Address and veterinary registration number of the approved or registered establishment :

.....

.....

III. Destination of product

The product will be sent from

(place of loading)

to

(country and place of destination)

by the following means of transport :

Number of the seal⁽¹⁾ :

Name and address of consignor :

.....

Name and address of consignee :

.....

⁽¹⁾ Optional.

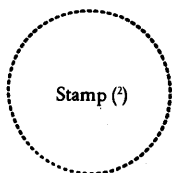
I, the undersigned official veterinarian certify that the petfood described above:

- (a) has been subjected to heat treatment to kill pathogenic agents, especially *salmonella*;
- (b) was examined by random samples taken during storage at the processing plant, that complies with the following standards ("):
 - *salmonella*: absence in 25 g, n = 5, c = 0, m = 0, M = 0,
 - *enterobacteriaceae*: n = 5, c = 2, m = 10, M = 3×10^2 in 1 g;
- (c) was produced from skins, which :
 - were obtained from animals slaughtered in a slaughterhouse which have undergone an *ante mortem* and *post mortem* health inspection and showed no clinical sign of an infectious disease,
 - were not obtained from animals which were killed in the context of disease control measures ;
 - were not obtained from dead animals which were designated for rendering by the competent authority ;
- (d) has undergone all precautions to avoid recontamination with pathogenic agents after treatment.

(place)

(date)

(signature of the official veterinarian ⁽²⁾)



Stamp (2)

(name in capital letters, qualifications and title)

(¹) where :

n = number of units comprising the sample ;

m = threshold value for the number of bacteria; the result is satisfactory if the number of bacteria in all sample units does not exceed m ;

M = maximum value for the number of bacteria; the result is considered unsatisfactory if the number of bacteria in one or more sample units is M or more;

c = number of sample units the bacterial count of which may be between m and M , the sample still being considered acceptable if the bacterial count of the other sample units is m or less.

(2) The signature and the stamp must be in a colour different to that of the printing.

COMMISSION DECISION**of 18 May 1994**

amending Council Decision 79/542/EEC drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine, *equidae*, sheep and goats, fresh meat and meat products

(94/310/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries⁽¹⁾, as last amended by Regulation (EEC) No 1601/92⁽²⁾, and in particular Article 3 thereof,

Whereas by Council Decision 79/542/EEC⁽³⁾, as last amended by Commission Decision 94/59/EC⁽⁴⁾, a list of third countries from which Member States authorize imports of bovine and porcine animals, *equidae*, sheep and goats, fresh meat and meat products has been established;

Whereas Council Regulation (EEC) No 990/93 of 26 April 1993 concerning trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro)⁽⁵⁾ has prohibited the introduction onto the territory of the Community of all commodities and products originating in, coming from, or having transited through the Federal Republic of Yugoslavia (Serbia and Montenegro);

Whereas, in the former Yugoslav Republic of Macedonia, deficiencies were observed in the quality of the veterinary controls in respect of bovine animals and bovine meat during a recent Community on-the-spot inspection;

Whereas, moreover, account must be taken of the provisions of Commission Decision 93/242/EEC⁽⁶⁾, as last amended by Decision 94/81/EC⁽⁷⁾, and of the fact that vaccination against classical swine fever takes place in this country;

Whereas it is necessary to amend Decision 79/542/EEC accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

Part 1 of the Annex of Decision 79/542/EEC is amended as follows:

1. the whole line in relation to the Yugoslav Republics is deleted;

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽⁴⁾ OJ No L 27, 1. 2. 1994, p. 53.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁶⁾ OJ No L 110, 4. 5. 1993, p. 36.

⁽⁷⁾ OJ No L 40, 11. 2. 1994, p. 58.

2. the following line is inserted following the alphabetic order of the ISO code :

'MK		Former Yugoslav	o x o x o x o o o x				XR		MK	'.	
		Republic									
		of Macedonia									

Article 2

This Decision shall apply seven days after its notification to the Member States.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 18 May 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 19 May 1994

on import licences in respect of beef and veal products originating in Botswana,
Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(94/311/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories ⁽¹⁾, as last amended by Regulation (EC) No 235/94 ⁽²⁾, in particular Article 27 thereof,

Having regard to Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 2867/93 ⁽⁴⁾, and in particular Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 provides for the possibility of issuing import licences for beef and veal products; whereas, however, imports must take place within the limits of the quantities specified for each of these exporting non-member countries;

Whereas the applications for import licences submitted between 1 and 10 May 1994, expressed in terms of boned meat, in accordance with Article 15 (1) (b) of Regulation (EEC) No 2377/80, do not exceed, in respect of products originating from Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia the quantities available from these States; whereas it is therefore possible to issue import licences in respect of the quantities requested;

Whereas the quantities, in respect of which licences may be applied for from 1 June 1994, should be fixed within the scope of the total quantity of 57 242 tonnes, fixed by Commission Regulation (EC) No 578/94 ⁽⁵⁾;

Whereas it seems expedient to recall that this Decision is without prejudice to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine animals and swine

and fresh meat from third countries ⁽⁶⁾, as last amended by Council Regulation (EEC) No 1601/92 ⁽⁷⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 May 1994 import licences concerning beef and veal products, expressed in terms of boned meat, originating from certain African, Caribbean and Pacific States, in respect of the quantities and the countries of origin stated:

Germany:

- 310,00 tonnes originating in Botswana,
- 180,00 tonnes originating in Madagascar,
- 330,00 tonnes originating in Zimbabwe,
- 460,00 tonnes originating in Namibia;

Netherlands:

- 130,00 tonnes originating in Botswana,
- 120,00 tonnes originating in Zimbabwe,
- 115,00 tonnes originating in Namibia;

United Kingdom:

- 810,00 tonnes originating in Botswana,
- 41,00 tonnes originating in Swaziland,
- 730,00 tonnes originating in Zimbabwe,
- 950,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80 during the first 10 days of June 1994 in respect of the following quantities of boned beef and veal:

- | | |
|----------------|------------------|
| — Botswana : | 13 751,00 tonnes |
| — Kenya : | 142,00 tonnes |
| — Madagascar : | 7 103,00 tonnes |
| — Swaziland : | 3 068,00 tonnes |
| — Zimbabwe : | 4 765,00 tonnes |
| — Namibia : | 7 320,00 tonnes. |

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 12.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 262, 21. 10. 1993, p. 26.

⁽⁵⁾ OJ No L 74, 17. 3. 1994, p. 6.

⁽⁶⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁷⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 19 May 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 20 May 1994

suspending the buying-in of butter in certain Member States

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

(94/312/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 230/94 ⁽²⁾, and in particular the first subparagraph of Article 7a (1) and Article 7a (3) thereof,

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

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

Whereas Commission Decision 94/147/EC ⁽⁷⁾ suspends buying-in of butter in certain Member States; whereas information on market prices shows that the condition laid down in Article 1 (3) of Regulation (EEC) No 1547/87 is currently met in Denmark, Germany, France, the Netherlands and in Northern Ireland; but is no longer met in Belgium and Luxembourg; whereas the list of Member States where that suspension applies must be adapted accordingly;

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

HAS ADOPTED THIS DECISION:

Article 1

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

Article 2

Decision 94/147/EC is hereby repealed.

Article 3

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

Done at Brussels, 20 May 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 78, 20. 3. 1987, p. 10.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 26.

⁽⁵⁾ OJ No L 144, 4. 6. 1987, p. 12.

⁽⁶⁾ OJ No L 185, 11. 7. 1991, p. 5.

⁽⁷⁾ OJ No L 64, 8. 3. 1994, p. 30.

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 600/94 of 17 March 1994 fixing the compensatory payment for non-professional producers of sunflower seed in Spain and Portugal for the 1994/95 marketing year

(Official Journal of the European Communities No L 76 of 18 March 1994)

On page 18 in Article 3 (a), second line :

for: '... Article 2 (3) ...'

read: '... Article 2 (4) ...'
