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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 1662/94**of 8 July 1994****amending Regulation (EEC) No 1859/93 on the application of the system of import licences for garlic imported from third countries**

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 22b thereof,

Whereas, under Article 3 (2) of Commission Regulation (EEC) No 1859/93⁽³⁾, import licences must be issued within three working days following the day on which the application is lodged; whereas this time limit is inadequate for the purposes of efficient management of the system and should accordingly be extended to five days;

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

In Article 3 (2) of Regulation (EEC) No 1859/93, the first subparagraph is replaced by the following:

'Import licences shall be issued on the fifth working day following the day on which the application is lodged unless measures are taken within that time.'

Article 2

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

It shall not apply to applications lodged prior to the day of its entry into force.

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

Done at Brussels, 8 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 170, 13. 7. 1993, p. 10.

COMMISSION REGULATION (EC) No 1663/94

of 7 July 1994

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 1641/94⁽²⁾, and in particular Article 9,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is acceptance that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the combined

nomenclature and which do not conform to the rights established by this Regulation, can continue to be invoked, under the provisions in Article 12 (6) of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code⁽³⁾, for a period of three months by the holder;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12 (6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 21st 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, 7 July 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 172, 7. 7. 1994, p. 12.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Description	Classification CN code	Grounds
(1)	(2)	(3)
Silicon containing by weight : — more than 98,7 % of silicon, — 0,1 % or more but not more than 0,2 % of aluminium, — less than 0,1 % of calcium. Such silicon is generally used in the manufacture of alkylchlorosilanes	2804 69 00	Classification is determined by general rules 1 and 6 for the interpretation of the combined nomenclature and the wording of CN codes 2804 and 2804 69 00

COMMISSION REGULATION (EC) No 1664/94

of 8 July 1994

introducing specific rules for the amendment and distribution of the second tranche of certain textile quotas established under Council Regulation (EC) No 517/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 517/94 of 7 March 1994 on common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules⁽¹⁾, amending Commission Regulation (EC) No 1470/94⁽²⁾, and in particular Article 17 (3) and (6) and Articles 20 and 21 (2) and (3) thereof,

Whereas Commission Regulation (EC) No 934/94⁽³⁾ established specific rules for the management and distribution of certain quantitative textile quotas established by Regulation (EC) No 517/94 and, for the purposes of managing these quotas, opened a first tranche for distribution on the basis of the requests notified by the Member States' competent authorities before 31 March 1994;

Whereas the management of these quotas calls for the rapid opening of a second tranche and provision to be made, on the one hand, for that tranche to be distributed on the basis of requests lodged with the competent authorities of the Member States and notified to the Commission between 31 March and 11 July 1994 inclusive and, on the other, for it to cover quantities not covered by the first tranche plus any quantities which the Commission allocated from the first tranche, but for which no import authorization has been issued, or which, an import authorization having been issued, have not been taken up by the operators concerned within 90 days of the authorization being issued;

Whereas the second tranche should also be allocated using a method which takes account of traditional trade flows in order to ensure a progressive transition towards the system provided for in Regulation (EC) No 517/94; whereas the second tranche should therefore be divided into two parts, the first reserved for traditional importers

and the second for other applicants; whereas the share reserved for each category of importer should be set at a level which, while taking due account of traditional trade flows, nevertheless affords non-traditional importers significant access to the quotas established by Regulation (EC) No 517/94;

Whereas it is advisable, in the interests of equity, again to limit the amount which may be allocated to a traditional importer for each category and country concerned to the level of that importer's actual imports from those categories and countries in 1992 and, where the aggregate quantities to be allocated to traditional importers exceed the share reserved for them, to provide, in the interests of sound management, for a *pro rata* reduction in the quantities allocated to each;

Whereas the share reserved for the other operators will be dealt with in the chronological order in which the Member States' notifications are received, in order to give access to as many importers as possible, and an upper limit should again be set on the quantity an importer may receive from each category and country;

Whereas it should be stipulated, in the interests of clarity, that a traditional importer's allocation from this second tranche may not exceed the quantities imported by that importer in 1992 for which no import authorization has been issued under Regulation (EC) No 934/94; whereas, in order to afford as many importers as possible access to the quota share not specifically reserved for traditional importers such access should be limited to importers who failed to obtain an import authorization for the category and country in question under the first tranche and those who obtained such an authorization under Regulation (EC) No 934/94 and are able to satisfy the Member States' competent authorities that they have imported the products concerned before 12 July 1994;

Whereas, with a view to making optimal use of the quantities that will be confirmed under this Regulation, the validity of import authorizations should again be set at 90 days from the date of issue by the Member States, and such issue, which, under Article 19 of Regulation No 517/94, has to occur within five working days of notification of the Commission's decision, should be authorized only where the operators concerned are able to show the

⁽¹⁾ OJ No L 67, 10. 3. 1994, p. 1.

⁽²⁾ OJ No L 159, 28. 6. 1994, p. 14.

⁽³⁾ OJ No L 107, 28. 4. 1994, p. 19.

existence of a contract and certify that they have not already received an import authorization in the Community issued by a Member State under this Regulation for the category and country concerned;

Whereas confirmation by the Commission, in accordance with the specific management and distribution rules introduced by this Regulation, of the quantities which will be notified to it between 31 March and 11 July 1994 inclusive, calls for the full cooperation of the Member States, and in particular the communication of certain data; whereas it is therefore necessary to specify the information required and provide that it be supplied as soon as possible, in order to allow rapid confirmation by the Commission;

Whereas the measures for which this Regulation provides are in accordance with the opinion of the Committee established by Regulation (EC) No 517/94,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down certain specific rules for the management and distribution of the second tranche of the quantitative quotas established for 1994 by Council Regulation (EC) No 517/94 and listed in Annex I to this Regulation.

Article 2

The second tranche of the quantitative quotas referred to in Article 1, which covers the quantities listed in Annex II, will be distributed according to the methods set out in this Regulation on the basis of requests for import authorizations submitted to the Member States' competent authorities and notified to the Commission between 31 March and 11 July 1994 inclusive.

Article 3

The second tranche referred to in Article 2 is divided into two parts as indicated in Annex II to this Regulation, the first reserved for traditional importers and the second for other importers.

In order to be considered a traditional importer of a category of products originating in one of the countries referred to in Annex II, an importer must furnish proof to the Member States' competent authorities of having imported products falling within the same category and originating in the same country in 1992.

Article 4

The amount allocated to a traditional importer for a given category and country may not exceed his actual imports of that category from that country in 1992.

If the aggregate quantities for allocation to traditional importers on the basis of the quantities notified by Member States exceed the share reserved for such importers, the quantities allocated to each will be reduced *pro rata*.

Article 5

Without prejudice to Article 6, requests for import authorizations submitted by other non-traditional operators and notified to the Commission will be dealt with in chronological order of their receipt from the Member States. Requests will be met up to the maximum indicated for each category in Annex III. Should the Commission find, on the basis of notifications from Member States, that a proportion of the share reserved for non-traditional operators remains unused, the maximum may be increased in accordance with the procedures laid down in Article 25 of Regulation (EC) No 517/94.

Article 6

Without prejudice to Article 4, a traditional importer may receive a new allocation only for quantities for which no import authorization has yet been issued pursuant to Regulation (EC) No 934/94, and a non-traditional importer only if goods have actually been imported before 12 July 1994 under an authorization obtained pursuant to Regulation (EC) No 934/94 for the category and country concerned.

Article 7

Import authorizations issued by the competent authorities in the Member States shall be valid for 90 days from the date of issue.

Import authorizations will be granted by the Member States' competent authorities only where the importer concerned is able to show the existence of a contract and certify in writing that he has not already had an import authorization in the Community issued under this Regulation for the category and the country concerned.

Article 8

Member States shall inform the Commission as soon as possible:

- (a) of quantities allocated by the Commission under the first tranche for which no import authorization has been issued and of quantities for which an authorization has been issued but which have not been used by the operators concerned within 90 days of the date of issue of such authorization;

(b) for every notification made in the period from 31 March to 11 July 1994 inclusive, of the quantities required by each importer, by category and country, indicating:

— in the case of requests from traditional importers within the meaning of Article 3, the quantities imported by each of them during 1992 and the amount for which no import authorization has yet been issued pursuant to Regulation (EC) No 934/94,

— in the case of requests from other importers, the quantities imported on the strength of import authorizations issued pursuant to Regulation (EC) No 934/94.

Article 9

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

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

Done at Brussels, 8 July 1994.

For the Commission

Leon BRITTAN

Member of the Commission

ANNEX I

Quantitative restrictions referred to in Article 1

Third country	Category	Unit	Quantities
China	ex 13 ⁽¹⁾	1 000 pieces	150
	ex 18 ⁽¹⁾	tonnes	98
	ex 20 ⁽¹⁾	tonnes	10
	ex 24 ⁽¹⁾	1 000 pieces	120
	ex 39 ⁽¹⁾	tonnes	10
	ex 78 ⁽¹⁾	tonnes	3
	115	tonnes	450
	117	tonnes	450
	118	tonnes	950
	120	tonnes	63
	ex 136 ⁽¹⁾ ⁽²⁾	tonnes	285
	156	tonnes	760
	157	tonnes	5 400
	159	tonnes	3 020
	161	tonnes	10 777
North Korea	4	1 000 pieces	285
	5	1 000 pieces	119
	6	1 000 pieces	144
	7	1 000 pieces	93
	8	1 000 pieces	133
	15	1 000 pieces	107
	21	1 000 pieces	2 857
	76	tonnes	74
Republics of Bosnia-Herzegovina, Croatia and the former Yugoslav Republic of Macedonia	78	tonnes	115
	2	tonnes	8 544
	2a	tonnes	1 931
	6	1 000 pieces	954
	7	1 000 pieces	571
	8	1 000 pieces	2 568
	16	1 000 pieces	567

⁽¹⁾ Categories marked by 'ex' cover products other than those of wool or fine hairs, cotton or synthetic or artificial textile materials.

⁽²⁾ This category only covers woven fabrics and other silk products other than unbleached, scoured or bleached falling within CN 5007 20 19, 5007 20 31, 5007 20 39, 5007 20 41, 5007 20 59, 5007 20 61, 5007 20 69, 5007 20 71, 5007 90 30, 5007 90 50, 5007 90 90.

ANNEX II

**Repartition of the second tranche to be allocated with regard to importers' requests submitted
and notified to the Commission between 31 March and 11 July 1994 included**

Third country	Category	Unit	Quantities reserved for traditional importers	Quantities reserved for other importers	Total
China	ex 13 ⁽¹⁾	pieces	31 950	13 050	45 000
	ex 18 ⁽¹⁾	kilogrammes	20 874	8 526	29 400
	ex 20 ⁽¹⁾	kilogrammes	4 106	1 677	5 783
	ex 24 ⁽¹⁾	pieces	57 108	23 326	80 434
	ex 39 ⁽¹⁾	kilogrammes	4 868	1 989	6 857
	ex 78 ⁽¹⁾	kilogrammes	639	261	900
	115	kilogrammes	132 465	54 105	186 570
	117	kilogrammes	263 000	107 422	370 422
	118	kilogrammes	310 324	126 752	437 076
	120	kilogrammes	13 419	5 481	18 900
	ex 136 ⁽¹⁾ ⁽²⁾	kilogrammes	60 705	24 795	85 500
	156	kilogrammes	161 880	66 120	228 000
	157	kilogrammes	1 637 290	668 752	2 306 042
	159	kilogrammes	643 260	262 740	906 000
	161	kilogrammes	3 423 072	1 398 156	4 821 228
North Korea	4	pieces	161 880	66 120	228 000
	5	pieces	25 347	10 353	35 700
	6	pieces	39 705	16 218	55 923
	7	pieces	19 809	8 091	27 900
	8	pieces	57 794	23 606	81 400
	15	pieces	22 791	9 309	32 100
	21	pieces	608 541	248 559	857 100
	76	kilogrammes	26 270	10 730	37 000
	78	kilogrammes	47 570	19 430	67 000
Republics of Bosnia-Herzegovina, Croatia and the former Yugoslav Republic of Macedonia	2	kilogrammes	4 274 987	1 746 122	6 021 109
	2a	kilogrammes	1 342 610	548 390	1 891 000
	6	pieces	316 066	129 098	445 164
	7	pieces	121 623	49 677	171 300
	8	pieces	1 456 636	594 964	2 051 600
	16	pieces	206 858	84 491	291 349

⁽¹⁾ Categories marked by 'ex' cover products other than those of wool or fine hairs, cotton or synthetic or artificial textile materials.

⁽²⁾ This category only covers woven fabrics and other silk products other than unbleached, scoured or bleached falling within CN codes 5007 20 19, 5007 20 31, 5007 20 39, 5007 20 41, 5007 20 59, 5007 20 61, 5007 20 69, 5007 20 71, 5007 90 30, 5007 90 50, 5007 90 90.

ANNEX III

Maximum amounts to be allocated to operators, others than those to be considered as traditional importers of the category and the country concerned

Third country	Category	Unit	Maximum amount
China	ex 13	pieces	250
	ex 18	kilogrammes	100
	ex 20	kilogrammes	100
	ex 24	pieces	250
	ex 39	kilogrammes	100
	ex 78	kilogrammes	100
	115	kilogrammes	500
	117	kilogrammes	500
	118	kilogrammes	1 000
	120	kilogrammes	100
	ex 136	kilogrammes	500
	156	kilogrammes	500
	157	kilogrammes	500
	159	kilogrammes	250
	161	kilogrammes	250
North Korea	4	pieces	2 500
	5	pieces	2 500
	6	pieces	2 500
	7	pieces	500
	8	pieces	2 500
	15	pieces	500
	21	pieces	2 500
	76	kilogrammes	500
	78	kilogrammes	500
Republics of Bosnia-Herzegovina, Croatia and the former Yugoslav Republic of Macedonia	2	kilogrammes	2 500
	2a	kilogrammes	2 500
	6	pieces	2 500
	7	pieces	2 500
	8	pieces	2 500
	16	pieces	2 500

COMMISSION REGULATION (EC) No 1665/94
of 8 July 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 1535/94 ⁽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 9 July 1994.

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

Done at Brussels, 8 July 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 166, 1. 7. 1994, p. 13.

ANNEX

to the Commission Regulation of 8 July 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ⁽⁶⁾		
	Arrangement in Regulation (EEC) No 3877/86 ⁽⁵⁾	ACP Bangladesh ⁽¹⁾ ⁽²⁾ ⁽³⁾ ⁽⁴⁾	Third countries (except ACP) ⁽⁵⁾
1006 10 21	—	153,15	313,50
1006 10 23	—	153,54	314,28
1006 10 25	—	153,54	314,28
1006 10 27	235,71	153,54	314,28
1006 10 92	—	153,15	313,50
1006 10 94	—	153,54	314,28
1006 10 96	—	153,54	314,28
1006 10 98	235,71	153,54	314,28
1006 20 11	—	192,34	391,88
1006 20 13	—	192,82	392,85
1006 20 15	—	192,82	392,85
1006 20 17	294,64	192,82	392,85
1006 20 92	—	192,34	391,88
1006 20 94	—	192,82	392,85
1006 20 96	—	192,82	392,85
1006 20 98	294,64	192,82	392,85
1006 30 21	—	238,33	500,52
1006 30 23	—	296,84	617,45
1006 30 25	—	296,84	617,45
1006 30 27	463,09	296,84	617,45
1006 30 42	—	238,33	500,52
1006 30 44	—	296,84	617,45
1006 30 46	—	296,84	617,45
1006 30 48	463,09	296,84	617,45
1006 30 61	—	254,18	533,06
1006 30 63	—	318,60	661,91
1006 30 65	—	318,60	661,91
1006 30 67	496,43	318,60	661,91
1006 30 92	—	254,18	533,06
1006 30 94	—	318,60	661,91
1006 30 96	—	318,60	661,91
1006 30 98	496,43	318,60	661,91
1006 40 00	—	49,87	105,75

⁽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 1666/94

of 8 July 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 1534/94 ⁽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 9 July 1994.

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

Done at Brussels, 8 July 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 166, 1. 7. 1994, p. 11.

ANNEX

to the Commission Regulation of 8 July 1994 fixing the premiums to be added to the import levies on rice and broken rice

CN code	(ECU/tonne)			
	Current 7	1st period 8	2nd period 9	3rd period 10
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 1667/94**of 8 July 1994****amending Regulation (EEC) No 1627/89 on the buying-in of beef by invitation to tender**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EC) No 1096/94⁽²⁾, and in particular Article 6 (7) thereof,

Whereas Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying-in of beef by invitation to tender⁽³⁾, as last amended by Regulation (EC) No 1452/94⁽⁴⁾, buying-in by invitation to tender in certain Member States or regions of a Member State for certain quality groups;

Whereas the application of Article 6 (2), (3) and (4) of Regulation (EEC) No 805/68 and the need to limit intervention to the buying-in of the quantities necessary

to ensure reasonable support for the market result, on the basis of the prices of which the Commission is aware, in an amendment, in accordance with the Annex hereto, to the list of Member States or regions of a Member State where buying-in is open by invitation to tender, and the list of the quality groups which may be bought in,

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Regulation (EEC) No 1627/89 is hereby replaced by the Annex hereto.

Article 2

This Regulation shall enter into force on 11 July 1994.

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

Done at Brussels, 8 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 121, 12. 5. 1994, p. 9.

⁽³⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁴⁾ OJ No L 157, 24. 6. 1994, p. 21.

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

**Estados miembros o regiones de Estados miembros y grupos de calidades previstos en el apartado
1 del artículo 1**

Medlemsstater eller regioner og kvalitetsgrupper, jf. artikel 1, stk. 1

**Mitgliedstaaten oder Gebiete eines Mitgliedstaats sowie die in Artikel 1 Absatz 1 genannten
Qualitätsgruppen**

**Κράτη μέλη ή περιοχές κρατών μελών και ομάδες ποιότητας που αναφέρονται στο άρθρο 1
παράγραφος 1**

Member States or regions of a Member State and quality groups referred to in Article 1 (1)

**États membres ou régions d'États membres et groupes de qualités visés à l'article 1^{er}
paragraphe 1**

Stati membri o regioni di Stati membri e gruppi di qualità di cui all'articolo 1, paragrafo 1

In artikel 1, lid 1 bedoelde Lid-Staten of gebieden van een Lid-Staat en kwaliteitsgroepen

**Estados-membros ou regiões de Estados-membros e grupos de qualidades referidos no n.º 1 do
artigo 1.º**

Estados miembros o regiones de Estados miembros	Categoría A			Categoría C		
Medlemsstat eller region	Kategori A			Kategori C		
Mitgliedstaaten oder Gebiete eines Mitgliedstaats	Kategorie A			Kategorie C		
Κράτος μέλος ή περιοχές κράτους μέλους	Κατηγορία Α			Κατηγορία Γ		
Member States or regions of a Member State	Category A			Category C		
États membres ou régions d'États membres	Catégorie A			Catégorie C		
Stati membri o regioni di Stati membri	Categoria A			Categoria C		
Lid-Staat of gebied van een Lid-Staat	Categorie A			Categorie C		
Estados-membros ou regiões de Estados-membros	Categoria A			Categoria C		
	U	R	O	U	R	O
Denmark			×			
Ireland					×	×

COMMISSION REGULATION (EC) No 1668/94**of 8 July 1994****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

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

Having regard to Council Regulation (EC) No 129/94 of 24 January 1994 opening a Community tariff quota for high-quality fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1994) (1), and in particular Article 2 thereof,

Whereas Commission Regulation (EC) No 212/94 of 31 January 1994 laying down detailed rules for the application of import arrangements provided for by Council Regulations (EC) No 129/94 and (EC) No 131/94 for high-quality beef and frozen buffalo meat (2) provides in Article 6, that applications for and the issue of import licences for the meat referred to in Article 1 (1) (d) thereof are to be effected in accordance with the provisions of Articles 12 and 15 of Commission Regulation (EEC) No 2377/80 of 4 September 1980 on special detailed rules for the application of the system of import and export licences in the beef and veal sector (3), as last amended by Regulation (EC) No 1084/94 (4);

Whereas Article 1 (1) (d) of Regulation (EC) No 212/94 fixes the amount of high-quality fresh, chilled or frozen

beef and veal originating in and imported from the United States of America and Canada which may be imported on special terms in 1994 at 10 000 tonnes;

Whereas it should be recalled that licences issued pursuant to this Regulation will, throughout the period of validity, be open for use only in so far as provisions on health protection in force permit,

HAS ADOPTED THIS REGULATION:

Article 1

1. All applications for import licences from 1 until 5 July 1994 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EC) No 212/94 shall be met in full.
2. Applications for licences may be submitted, in accordance with Article 15 of Regulation (EEC) No 2377/80, during the first five days of August 1994 for 5 640 tonnes.

Article 2

This Regulation shall enter into force on 9 July 1994.

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

Done at Brussels, 8 July 1994.

For the Commission

René STEICHEN

Member of the Commission

(1) OJ No L 22, 27. 1. 1994, p. 1.

(2) OJ No L 27, 1. 2. 1994, p. 38.

(3) OJ No L 241, 13. 9. 1980, p. 5.

(4) OJ No L 120, 11. 5. 1994, p. 30.

COMMISSION REGULATION (EC) No 1669/94

of 8 July 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 1561/94⁽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 7 July 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 1561/94 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 9 July 1994.

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

Done at Brussels, 8 July 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 166, 1. 7. 1994, p. 74.

ANNEX

to the Commission Regulation of 8 July 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	110,04 ⁽²⁾ ⁽³⁾
0712 90 19	110,04 ⁽²⁾ ⁽³⁾
1001 10 00	40,41 ⁽¹⁾ ⁽²⁾
1001 90 91	78,67
1001 90 99	78,67 ⁽²⁾
1002 00 00	101,58 ⁽⁶⁾
1003 00 10	101,30
1003 00 90	101,30 ⁽²⁾
1004 00 00	90,18
1005 10 90	110,04 ⁽²⁾ ⁽³⁾
1005 90 00	110,04 ⁽²⁾ ⁽³⁾
1007 00 90	115,06 ⁽⁴⁾
1008 10 00	17,84 ⁽²⁾
1008 20 00	32,53 ⁽⁴⁾ ⁽⁷⁾
1008 30 00	0 ⁽²⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	148,25 ⁽²⁾
1102 10 00	180,32
1103 11 10	99,62
1103 11 90	169,54
1107 10 11	150,91
1107 10 19	115,51
1107 10 91	191,19 ⁽¹⁰⁾
1107 10 99	145,61 ⁽²⁾
1107 20 00	167,90 ⁽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 1670/94

of 8 July 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 (EC) No 1562/94 ⁽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 7 July 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 9 July 1994.

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

Done at Brussels, 8 July 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 166, 1. 7. 1994, p. 77.

ANNEX

to the Commission Regulation of 8 July 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 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	0	1,02	1,57
0712 90 19	0	0	1,02	1,57
1001 10 00	0	0	0	6,88
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	1,02	1,57
1005 90 00	0	0	1,02	1,57
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

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

COMMISSION REGULATION (EC) No 1671/94
of 8 July 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 (EC) No 1573/94 ⁽⁵⁾, as last amended by Regulation (EC) No 1661/94 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1573/94 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 7 July 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 9 July 1994.

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

Done at Brussels, 8 July 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 166, 1. 7. 1994, p. 99.

⁽⁶⁾ OJ No L 174, 8. 7. 1994, p. 31.

ANNEX

to the Commission Regulation of 8 July 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	34,26 ⁽¹⁾
1701 11 90	34,26 ⁽¹⁾
1701 12 10	34,26 ⁽¹⁾
1701 12 90	34,26 ⁽¹⁾
1701 91 00	40,22
1701 99 10	40,22
1701 99 90	40,22 ⁽²⁾

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

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

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 June 1994

concerning the placing on the market of a product consisting of a genetically modified organism, seeds of herbicide-resistant tobacco variety ITB 1000 OX, pursuant to Article 13 of Council Directive 90/220/EEC

(94/385/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms (GMOs)⁽¹⁾, and in particular Article 13 thereof,

Whereas, in accordance with Part C of Council Directive 90/220/EEC, there is a Community procedure enabling the competent authority of a Member State to give consent to the placing on the market of products consisting of GMOs;

Whereas, a notification concerning the placing on the market of such a product (a herbicide-resistant tobacco variety) has been submitted to the competent authorities of a Member State;

Whereas, in consequence, the competent authority has subsequently forwarded the dossier thereon to the Commission with a favourable opinion;

Whereas the Commission has forwarded the dossier to the competent authorities of all Member States; whereas the competent authorities of some Member States have raised an objection to the said dossier;

Whereas, therefore, in accordance with Article 13 (3), the Commission is required to take a decision in accordance with the procedure provided for in Article 21 of Directive 90/220/EEC;

Whereas under Directive 90/220/EEC only the risks related to the release of the genetically modified tobacco plant itself are evaluated;

Whereas, furthermore, authorization of the chemical herbicides applied to plants and assessment of the impact of their use on the environment falls within the scope of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market⁽²⁾ and not within the scope of Council Directive 90/220/EEC;

Whereas the Commission having examined the dossier and having taken into account all the information submitted by the authorities of the Member States, including extensive evidence of testing, has found that the potential risks for human health and the environment presented by the placing on the market and cultivation of the tobacco variety resistant to the herbicide bromoxynil, are not expected to be significant, as regards the aspects covered under Directive 90/220/EEC;

Whereas, consequently, the Commission can take a favourable decision on the placing on the market of the said product under Directive 90/220/EEC;

Whereas this Decision is in accordance with the opinion of the Committee of Member States Representatives established under Article 21 of Directive 90/220/EEC,

HAS ADOPTED THIS DECISION:

Article 1

A favourable decision is hereby taken, according to which, consent shall be given under Article 13 of Directive 90/220/EEC by the authorities of France for the placing on the market of the following product, notified by the

⁽¹⁾ OJ No L 117, 8. 5. 1990, p. 15.

⁽²⁾ OJ No L 230, 19. 8. 1991, p. 1.

Société nationale d'exploitation industrielle des tabacs et allumettes (Seita) (Notification number: C/F/93/08-02):

Seeds of the genetically modified *Nicotiana tabacum* (common name: Tobacco), variety ITB 1000 OX, male sterile hybrid, resistant to the herbicide bromoxynil and containing the nitrilase gene from *Klebsiella ozaenae*, the promoter RuBisCo SSU from *Helianthus annuus* and the nopaline synthase gene terminator from *Agrobacterium tumefaciens* pTiA6.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 June 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

DECISION No 1/94 OF THE ACP-EEC CUSTOMS COOPERATION COMMITTEE**of 10 June 1994****derogating from the definition of the concept of 'originating products' to take account of the special situation of the Republic of Fiji with regard to its production of certain garments****(94/386/EC)****THE ACP-EEC CUSTOMS COOPERATION COMMITTEE,**

Having regard to the Fourth ACP-EEC Convention signed at Lomé on 15 December 1989, and in particular Article 31 (9) of Protocol No 1 thereto,

Whereas Article 31 of Protocol 1 to the Convention concerning the definition of the concept of 'originating products' and methods of administrative cooperation makes provision for the granting of derogations to the Protocol by the Customs Cooperation Committee to facilitate, in particular, the development of existing industries or the creation of new industries;

Whereas the ACP States have submitted a request from the Government of Fiji for a derogation from the definition set out in Protocol 1 in respect of certain garments;

Whereas the requested derogation is justified under the relevant provisions of Protocol 1, especially as regards the development of existing industries and the creation of new industries, the fact that the applicant is an island country and the inapplicability of the rules on cumulation of origin, and by the argument that sufficient time is needed to strengthen trade links with Community firms with a view to ultimately complying with Protocol 1; whereas the derogation cannot cause serious injury to an established Community industry, provided that certain conditions relating to quantities, surveillance and duration are respected,

HAS DECIDED AS FOLLOWS:*Article 1*

Notwithstanding the special provisions of Annex II to Protocol 1, the products listed in the Annex to this Decision manufactured in Fiji shall be considered as originating in the ACP States subject to the following conditions.

Article 2

The derogation provided for in Article 1 shall cover products made in and exported from Fiji to the Community between 1 January 1994 and 31 December 1998.

Article 3

The competent authorities of Fiji shall take the necessary steps to carry out quantitative checks on exports of the products referred to in Article 1.

To that end, all the certificates they issue pursuant to this Decision shall bear a reference to it. The competent authorities of Fiji shall forward to the Commission every three months a statement of the quantities in respect of which EUR.1 movement certificates have been issued pursuant to this Decision and the serial numbers of those certificates.

Article 4

The ACP States, the Community and the Member States shall be bound, each to the extent to which it is concerned, to take the measures necessary to implement this Decision.

Article 5

This Decision shall enter into force on the day of its adoption.

Done at Brussels, 10 June 1994

For the ACP-EEC Customs Cooperation Committee

The Chairmen

Lingston-Lloyd CUMBERBATCH
Peter WILMOTT

ANNEX

Item	Description	HS code	Textile category	Annual quantity (pieces)
a	Men's or boys' overcoats, anoraks, wind-cheaters, wind-jackets and similar articles, other than those of heading No 6203, of wool, of cotton, of synthetic fibres or of other textile materials	6201.11 6201.12 6201.13 6201.19 6201.91 6201.93 6201.99	ex 14 ex 14 + 21 ex 14 + 21 ex 161 ex 21 ex 21 ex 161	22 000
b	Men's and boys' suits, of wool, of synthetic fibres or of other textile materials	6203.11 6203.12 6203.19	ex 16 ex 16 ex 16 + 161	20 000
c	Men's and boys' jackets, of wool, of synthetic fibres or of other textile materials	6203.31 6203.32 6203.33 6303.39	ex 17 ex 17 + 76 ex 17 + 176 ex 17 + 76 + 161	24 000
d	Men's or boys' and women's or girls' trousers and shorts, of wool, of cotton, of synthetic fibres or of other textile materials	6203.41 6203.42 6203.43 6203.49 6204.61 6204.62 6204.63 6204.69	ex 6 + 78 ex 6 + 76 + 78 ex 6 + 76 + 78 ex 6 + 76 + 78 + 161 ex 6 + 78 ex 6 + 76 + 78 ex 6 + 76 + 78 ex 6 + 76 + 78 + 161	800 000
e	Women's and girls' jackets, of wool, of cotton, of synthetic fibres or of other textile materials	6204.31 6204.32 6204.33 6204.39	ex 15 ex 15 + 76 ex 15 + 76 ex 15 + 76 + 161	5 000
f	Other garments, men's or boys and women's or girls', of wool, or fine animal hair, of cotton, of synthetic or man-made, or of other textile materials	6211.31 6211.32 6211.39 6211.41 6211.42 6211.43 6211.49	ex 78 ex 6 + 21 + 16 + 78 ex 161 ex 78 ex 6 + 21 + 29 + 78 ex 6 + 21 + 29 + 78 ex 161	5 000
g	Hats, knitted or crocheted	6505.90		13 500
h	Women's or girls' blouses, of silk, of wool, of cotton, or synthetic fibres or of other textile materials	6206.10 6206.20 6206.30 6206.40 6206.90	ex 159 ex 7 ex 161	50 000
i	Women's or girls' blouses, shirts and shirt-blouses, knitted or crocheted, of cotton	6106.10	ex 7	20 000
j	Articles of apparel and clothing accessories	6217.10	88	22 000
k	Other garments, of the type described in subheadings 6201.111 to 6201.19 and 6202.11 to 6202.19, other men's or boys' garments	6210.20 6210.30 6210.40	ex 14 ex 15 ex 78	55 000

COMMISSION DECISION

of 10 June 1994

amending Decision 92/452/EEC establishing lists of embryo collection teams approved in third countries for export of bovine embryos to the Community

(94/387/EC)

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

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and imports from third countries of embryos of domestic animals of the bovine species⁽¹⁾, as last amended by Council Directive 93/52/EEC⁽²⁾, and in particular Article 8 thereof,

Whereas Commission Decision 92/452/EEC⁽³⁾, as last amended by Decision 94/221/EC⁽⁴⁾, establishes a list of embryo collection teams approved in third countries for the export of embryos of domestic animals of the bovine species to the Community;

Whereas the competent authorities of the United States of America have forwarded amendments to the list of teams and Austria and Switzerland have forwarded lists of teams approved in their territories;

Whereas it is now necessary to amend the list of approved teams as regards the United States of America and to establish lists of teams in respect of Austria and Switzerland;

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

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 92/452/EEC is hereby replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 10 June 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 302, 10. 10. 1989, p. 1.

⁽²⁾ OJ No L 175, 19. 7. 1993, p. 21.

⁽³⁾ OJ No L 250, 29. 8. 1992, p. 40.

⁽⁴⁾ OJ No L 107, 28. 4. 1994, p. 63.

ANNEX

Embryo collection teams approved by the competent veterinary authorities of the following third countries are listed together with the approval number and the name of the team veterinarian.

Part 1

CANADA

Approval number	Address	Team veterinarian
E542	Canadiana Genetics Carstairs, Alberta	Dr Martin Wenkoff
E764	Alta Genetics Inc. Calgary, Alberta	Dr R. J. McAllister
E764	Alta Genetics Inc. Calgary, Alberta	Dr R. E. Janzen
E593	DRI Embryo Transplant Crossfield, Alberta	Dr S. Rairdon
E593	DRI Embryo Transport Crossfield, Alberta	Dr R. Davis
E72	Western Ontario Breeders Inc. Woodstock, Ontario	Dr B. Hill
E652	Trans Tech Genetics Saskatoon, Saskatchewan	Dr V. Pawlyshen
E812	New England Genetics Turner, Maine, USA	Dr Richard Whittaker
E630	Progressive Dairy Techniques Cambridge, Ontario	Dr J. Draper
E546	Emtech Genetics Ltd 19790 — 88th Street Langley, British Columbia	Dr G. K. McDonald
E549	Dairy Veterinary Services Ltd 5904 Interprovincial Highway Yarrow, British Columbia	Dr R. Vanderwal
E733	Boviteq Inc. 1425, Grand rang Saint-François Saint-Hyacinthe, Québec J2S 7A9	D ^r Denis-Pierre Ménard
E661	Clinique vétérinaire — Saint-Louis 84 Principale, CP 30 Saint-Louis de Gonzague, Québec, J0S 1T0	D ^r Roger Sauvé
E661	Clinique vétérinaire — Saint-Louis 84 Principale, CP 30 Saint-Louis de Gonzague, Québec, J0S 1T0	D ^r Richard Rémillard
E661	Clinique vétérinaire — Saint-Louis 84 Principale, CP 30 Saint-Louis de Gonzague, Québec, J0S 1T0	D ^r Guy Massicotte
E770	PO Box 648 Port Perry, Ontario	Dr Roger Holtby
E1067	R.R. 1 Port Perry, Ontario	Dr Ralph Warren
E70	Eastern Breeders Inc. Kemptville, Ontario	Dr Jim Algire
E70	Eastern Breeders Inc. Kemptville, Ontario	Dr Myron Mills

Approval number	Address	Team veterinarian
E933	Service Embryotec 1215 rue de Samos Sillery, Québec G1T 2K5	D ^r Louis Picard
E866	Clinique vétérinaire Saint-Alexis 3 rue Landry Saint-Alexis de Montcalm, Québec, J0K 1T0	D ^r Jacques Cloutier
E876	269 rue Élizabeth CP 670 Thurso, Québec J0X 3B0	D ^r Pierre Thibaudeau
E1027	210 rue du Moulin CP 68 Durham-Sud, Québec, J0H 2C0	D ^r Raymond Houde
E827	216 rue Campagna Arthabaska, Québec G6P 6A2	D ^r Richard Landry
E868	Abbey Hill Cattle Co. R.R. 7 Woodstock, Ontario N4S 7W2	Dr Maarten Ringleberg
E678	Sundown Livestock Transplants PO Box 1582 Didsbury, Alberta T0M 0W0	Dr Don Miller
E1028	330 Saint-Thomas Proulxville, Québec G0X 2B0	D ^r Marc Déry
E733	Boviteq Inc. 1425 Grand rang Saint-François Saint-Hyacinthe, Québec J2S 7A9	D ^r Daniel Bousquet
E583	130 rang Charlotte Saint-Liboire, Québec J0H 1R0	D ^r Rolland Lussier
E1142	45, rang Saint-Édouard Saint-Liboire, Québec J0H 1R0	D ^r Raynald Dupras
E979	Bureau vétérinaire Kildare 681, rue Kildare CP 252 Saint-Ambroise, Québec J0K 1C0	D ^r Suzanne Laurence
E1033	Clinique vétérinaire Saint-Pierre 183, rue Sainte-Anne Rimouski, Québec G5L 4H2	D ^r Léon-Paul Saint-Pierre
E915	Clinique vétérinaire Saint-Vallier 440, de la Station CP 9, Saint-Vallier, Québec G0R 4J0	D ^r Albiny Corriveau
E505	Bova-Tech Livestock Ltd Box 5, Shaughnessy, Alberta T0K 2A0	Dr Murray Jacobson
E505	Bova-Tech Livestock Ltd Box 5, Shaughnessy, Alberta T0K 2A0	Dr C West

Approval number	Address	Team veterinarian
E1160	Clinique vétérinaire Sagamie 741 Chemin du Pont Taché Nord Alma, Québec G8B 5B7	Maxime Dessureault
E660	Clinique vétérinaire Coaticook 490 rue Main Ouest CP 25 Coaticook, Québec J1A 2SB	Pierre Brassard
E945	Hôpital vétérinaire Iberville-Missiquoi 1120 boulevard d'Iberville Iberville, Québec J2X 4B6	Daniel Gervais
E986	Clinique vétérinaire Royaume 1310 boulevard du Royaume Ouest Chicoutimi, Québec G7H 5B1	Jacques Rouillard
E1159	Clinique vétérinaire Saint-Georges 555 rue 1301 ^e Est Saint-Georges de Beauce, Québec G5Y 2T4	Michael Donnelly
E1005	Clinique vétérinaire de Rivière-du-Loup 205 rue Lafontaine Rivière-du-Loup, Québec G5R 3A6	Jean-René Paquin
E817	15 rue Gale CP 449 Ormstown, Québec J0S 1K0	Mario Lefort
E953	Bovex Canada Corp. R.R. 4 Rockwood, Ontario N0B 2K0	Dr Ludovit Nechala
E1052	New Brunswick Department of Agriculture PO Box 5001 Sussex, New Brunswick E0E 1P0	Dr Ian Leask
E728	Midwest Embryo Transfer Selkirk Animal Hospital 601 Christie Ave. Selkirk, Manitoba RIA 2C7	Dr Jack Reeb
E546	Emtech Genetics PO Box 148 Hague, Saskatchewan S0K 0X0	Dr Doug Bienia
E607	PO Box 128 Mill Bay, British Columbia	Dr Jim Decker
E546-MB	Emtech Genetics Ltd Morden, Manitoba R0G 1J0	Dr David Hamilton
E71	United Breeders Inc. R.R. 5 Geulph, Ontario N1H 6J2	Dr Ken Christie
E581	R.R. 4 Owen Sound, Ontario N4K 5N6	Dr Everett Hall

Part 2

NEW ZEALAND

Approval Number	Address	Team veterinarian
NZET 1	Ingram Road, RD3, Drury	Thomas Edward Dixon
NZET 2	53 Mutu Street, Te Awamutu	David Leslie Hayman
NZET 3	37 Liverpool Street, Kawerau	John David Hepburn
NZET 4	Willowbank, RD3, Amberley	Garry Neil Sanderson
NZET 5	Brunthill Breeders, PO Box 3186 Tauranga	Charles Gilbert Sinclair

Part 3

UNITED STATES OF AMERICA

Approval number	Address	Team veterinarian
91CA035 E689	Golden Genes 3899 W Davis Avenue Riverdale, CA	Kenneth Halback
91CA040 E692	Emtran West 323 Lander Avenue Turlock, CA	James Webb
91CA049 E553	Sunnyside Veterinary Clinic 7684a E. Kings Canyon, Fresno, CA	B. H. Cutright
91IA016 E608	Trans Ova Genetics RR 1, Box 144A Sioux Center, IA	David Faber
91IA027 E509	Maplehurst Ova Trans RR 1, Box 124 Keota, IA	R. A. Carmichael
91IA029 E544	Westwood Embryo Services RR 1, Box 44 Waverly, IA	James K West
91IL002 E648	North Central Embryo 1060 W Rock Grove Rd Orangeville, IL	Lawrence W. Strelow
91IL004 E833	Reeser Embryo Transfer RR 2, Box 144 Monticello, IL	D. Philip Reeser
91IL008 E562	Dixon Veterinary Hospital 605 1L Rt 2 Dixon, IL	James R. Collins
91KS028 E726	Sun Valley Veterinary Rt 2, Box 146 Salina, KS	Glenn Engelland
91KS047 E552	Great Plains ET 5541 SE 69th Street Berryton, KS	Donald G. Atteberry
91KY014 E592	Bov Eq Et PO Box 787, Russellville, KY	Jenks Britt

Approval number	Address	Team veterinarian
91ME001 E812	New England Genetics Rt 4, PO Box 217 Turner, ME	Richard Whitaker
91ME009 E585	Pinetree-R ET Servic PO Box 249 North Anson, ME	Paul L. Roullard
91ME018 E812	New England Genetics Rt 4, PO Box 217 Turner, ME	Randy A. Musack
91MI017 E599	Reproductive Special 4915 Delta River Drive Lansing, MI	Graig Thompson
91MN046 E594	Future Genetics ET Box 87 Lewiston, MN	Clair D. Sauer
91NC054 E705	Apex Veterinary Hospital 1600 E Williams St Apex, NC	Samuel P. Galphin
91NJ021 E503	Huff-N-Puff ET PO Box 418 Vincentown, NJ	William H. Pettitt
91NY013 E706	Copake Veterinary Hospital Copake Falls, NY	Mark E. Henderson
91NY023 E582	Delaware Valley VS Box 259 Andes Star Delhi, NY	Brad Pedersen
91OH025 E568	Ohio Embryo Transfer 43629, SR 558 Columbiana, OH	Max M. Van Buren
91PA005 E512	EmTran Inc. 197 Bossier Road Elizabethtown, PA	Alan MaCauley
91PA022 E996	Next Generation ET 815 Pleasure Rd Lancaster, PA	Allen Rushmer
91PA026 E768	Cornerstone Genetics RR 2 Box 654, Mt Joy, PA	Larry Kennel
91PA041 E963	Bovet Creations RD 1 Box 454, New Enterprises, PA	Walter North
91PA043 E560	Penn England ET RD 1, Box 151A Williamsburg, PA	Barry England
91PA044 E1010	Keystone Embryo Services RD 2, Box 328 Mt Joy, PA	Jack Tate
91TN006 E538	Harrogate Genetics US Highway 25 E Harrogate, TN	Edwin Robertson
91TN007 E538	Harrogate Genetics US Highway 25 E Harrogate, TN	Sam Edwards

Approval number	Address	Team veterinarian
91TX012 E948	Affiliated Genetics 10105 FM 471, South Castroville, TX	Sam Castleberry
91TX019 E516	Granada Biosciences Rt 1, Box 201 Marquez, TX	Dan R. Miller
91TX050 E548	Spring Creek Embryo Rt 2, Box 169-A. Weatherford, TX	Brad K. Stroud
91VA031 E576	ABC Embryonics Rt 1, Box 1080 Church Road, VA	Beecher H. Watson
91WA020 E572	North West Veterinary Clinic 8500 Cedarhome Drive Stanwood, WA	E. E. Elefson
91WA048 E11	Carnation Research 28901 NE Carnation F Carnation, WA	Erich Studer
91WI010 E778	River Valley Veterinary Clinic E5721 CTH B Plain, WI	John Schneller
91WI011 E778	River Valley Veterinary Clinic E5721 CTH B Plain, WI	Mike Kieler
91WI015 E722	Malin Embryo Transfer N5404A HWY 151 Fond du lac, WI	Stephen Malin
91WI033 E725	Midwest ET Service 616 Highway 63 Baldwin, WI	David B Duxbury
91WI038 E1053	Segga ET, SC, Box 296, 306 S Pine Weyauwega, WI	Scott Allenstein
91WI039 E547	Paradocs ET, Inc. 121 Packerland Drive Green Bay, WI	Scott Armbrust
91WI042 E708	Progressive ET 916 N. Central Avenue Marshfield, WI	Richard Schulte
91WI045 E655	Sunshine Genetics Rt 2, Box 38 Whitewater WI	Dan Hornickel
91WI047 E840	County Veterinary Hospital 1320 15th Avenue Bloomer, WI	Eugene Buchner
92KY053 E702	Green River ET Service 3250 Nashville Road Bowling Green, KY	James Herbert Brown
92MN048 E754	Portland Prairie EMB. Rt 1, Box 46 Caledonia, MN	Charles D. Wray

Approval number	Address	Team veterinarian
92MO047 E762	Sho Me Embryos Rt. 1, Box 368 Boonville, MO	Greg Lenz
92WI051 E29	ABS Specialty Genetics 3804 Vinburn Road DeForest, WI	Lee Mathews
91WI048 E29	ABS Specialty Genetics 3804 Vinburn Road DeForest, WI	Patrick Phillips
92VA055 E794	Ashby Farms Rt. 8 Box 32A Harrisonburg, VA	Dr Randall Hinshaw
92VA056 E794	Ashby Farms Rt. 8 Box 32A Harrisonburg, VA	Dr Sarah S. Whitman
92WI057 E631	Sikkema Star Holstei W 7312 Manske Road Lake Mills, WI	Robert Rowe
92MD058 E745	Genetic Management 10132 C. Hansonville Road Frederick, MD 21702	W. L. Graves
92MD002 E755	Rt. 1 Box 19, Accident MD 21520	Ronald M. Kling
93IN058 E532	US Highway 27 North Bearne, IN 46711	Dr Max Lehman
93OH057 E720	4088 Ruby Road Tipp City, OH 45371	Dr Chris Blauser
92PA059 E758	Twin Lakes Genetics RD 1, Box 60B, Enon Valley, PA	Dr Richard Byers
93GA061 E821	Dr John Dale Lott 1390 Belmont Road Athens, GA 30650	Dr John Dale Lott
93WI060 E857	Dr Byron W. Williams W 6279 Sumac Road Plymouth, WI 53073	Dr Byron W. Williams
93MD062 E1139	Genetic Management 10132 C. Hansonville Road Frederick, Maryland	Dr John Heizer
93MD063 E1139	Genetic Management 10132 C. Hansonville Road Frederick, Maryland	Dr Tom Mercuro
93WA061 E600	Mr Baker Vet and ET 9320 Weldkamp Road, Lynden, Washington	Dr Blake Bostrum
93WI064 E655	Sunshine Genetics Rt. 2, Box 38 Whitewater, Wisconsin	Dr Chris Keim

Approval number	Address	Team veterinarian
94VT065 E524	Convet RR. 2, Box 242 Chester, Vermont	Dr Roy Homan
92NY057 E808	Dr Pamela Powers Rd. 1, Box 229 South New Berlin, NY	Dr Pamela Powers
94IA066 E627	Hawkeye Ova Transplant 125 N. Main Osceola, IA	Dr Fred Wood
94IN067 E739	Embryo Transfer Services 4958 US 35N Osceola, IA	Dr A. R. Delessandro
94OH068 E565	Midwest Genetics 3883 Klondyke Road Delaware, OH	Dr Tye Henschen

Part 4

AUSTRIA

Approval number	Address	Team veterinarian
AT-ET1	Rinderbesamungsstation Kagelsberg der niederösterreichischen Landes-Landwirtschaftskammer Kagelsberg 4 3244 Rupprechtshofen Rottenhauserstraße 33 3250 Wieselburg, N. Ö.	Dr. Führer
AT-ET2	Bundesanstalt für Fortpflanzung und Besamung bei Haustieren Thalheim bei Wels Postfach 121, Austraße 10 4600 Wels, O. Ö.	Dr. Franz Fischerleitner
AT-ET3	Hauptstation für Rinderbesamung des Fleckviehzuchtverbandes Inn- und Hausruckviertel Volksfestplatz 2 4910 Ried im Innkreis, O. Ö.	Mag. Peter Horvat
AT-ET5	Besamungsstation Birkenberg Birkenberg 2 6410 Telfs, Tirol	Dr. Franz Schneider
AT-ET7	Besamungsstation Kleßheim Kleßheim 32 5071 Wals, Salzburg	Dr. Johannes Meissel

Part 5

SWITZERLAND

Approval number	Address	Team veterinarian
CH-ET-1131	Arbeitsgemeinschaft für Embryotransfer Birrhardstraße 5243 Mülligen	Dr. Rainer Saner

COMMISSION DECISION

of 4 July 1994

concerning certain protection measures with regard to swine vesicular disease in the Netherlands

(94/388/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10 (4) thereof,

Whereas swine vesicular disease was detected in mid-May in a consignment of pigs which had arrived in Italy from the Netherlands;

Whereas swine vesicular disease can spread through the trade in live pigs;

Whereas measures for the control of swine vesicular disease are laid down in Council Directive 92/119/EEC⁽³⁾;

Whereas swine vesicular disease virus is very resistant to environmental factors and can survive for long periods in contaminated transport systems;

Whereas particular attention must be paid to the cleansing and disinfection of collecting centres and vehicles used for the transport of pigs;

Whereas appropriate measures must be taken by the Netherlands to lay down provisions with regard to infringements of this Decision;

Whereas a serological screening of pigs for antibodies to swine vesicular disease virus have been carried out by Member States within the context of Commission Decision 93/178/EEC⁽⁴⁾; whereas that Decision contains information on a serum with a low positive reaction supplied by the Pirbright Laboratory;

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

Article 1

Pigs being sent from the Netherlands to other Member States must meet the following conditions:

1. Pigs intended for breeding and production:

- (a) must originate from a holding where the pig population is included in a programme for the detection of antibodies to swine vesicular disease virus in accordance with the provisions of Annex I;
- (b) must be identified by eartags at the original holding so that they can be traced back to that holding;
- (c) may, from the time they leave the original holding to their arrival at the place of destination, pass through only one collecting centre, which must comply with the conditions set out in Article 2;
- (d) must not come into contact with pigs which do not fulfil the requirements referred to under (a), (b) and (c).

2. Pigs intended for slaughter:

- (a) must have been kept at the original holding for at least the last 30 days prior to dispatch;
- (b) must comply with the conditions set out in point 1 (a), (b) and (c);
- (c) must not come into contact with pigs which do not fulfil the requirements referred to under (a) and (b).

Article 2

Collecting centres which can be used during the transport of pigs from the original holding to the place of destination shall:

- (a) comply with the conditions set out in Annex II, Chapter I;
- (b) be notified to the Commission and Member States before 15 July 1994. Any amendments to notified collecting centres shall be communicated to the Commission and the Member States.

Article 3

1. The vehicles used to transport pigs referred to in Article 1 shall comply with the conditions set out in Annex II, Chapter II.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 62, 15. 3. 1993, p. 69.

⁽⁴⁾ OJ No L 74, 27. 3. 1993, p. 91.

2. Vehicles used for the international transport of pigs shall not enter any area which is under restriction in connection with swine vesicular disease.

Article 4

1. The Netherlands will take all appropriate measures to sanction any infringement of this Decision, in particular when it is ascertained that sufficient cleansing and disinfection has not been carried out.

2. Whenever a collecting centre is found to be insufficiently cleansed or disinfected or the operation of the collecting centre does not conform to the requirements of Annex II, Chapter I, the collecting centre shall be deleted from those notified pursuant to point (b) of Article 2.

3. Where a vehicle, having entered a collecting centre, is found not to meet the conditions for the transport of pigs laid down in national legislation, that vehicle and the pigs shall be detained by the competent authority and action shall be taken in accordance with national legislation.

4. In a case where the country of destination has informed the Member State of dispatch and the Commission about irregularities in a consignment of pigs, the approval of the collecting centre involved in the transport of the consignment shall be suspended until the irregularities have been rectified.

Article 5

To the health certificate provided for in Council Directive 64/432/EEC ⁽¹⁾ accompanying pigs sent from the Netherlands, must be added the following:

'The animals comply with Commission Decision 94/388/EC of 4 July 1994 concerning certain protection measures with regard to swine vesicular disease in the Netherlands.'

Article 6

Member States shall amend the measures which they apply to trade so as to bring them into conformity with this Decision. They shall inform the Commission thereof.

Article 7

This Decision shall apply until 1 October 1994 and shall be reviewed not later than 15 September 1994.

Article 8

This Decision is addressed to the Member States.

Done at Brussels, 4 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

*ANNEX I***PROGRAMME FOR THE DETECTION OF ANTIBODIES TO SWINE VESICULAR DISEASE**

The holding referred to in Article 1, point 1, (a) shall be included in a health programme which requires :

- (a) the holding to be visited three times per year by a veterinarian. During each visit :
- the entire pig population shall undergo a clinical inspection in order to detect notifiable diseases,
 - the requirements for the identification of pigs shall be assessed,
 - blood samples shall be collected at random following the scheme :

Size of farm number of animals > 30 kg	Number of blood samples
0-10	7
11-30	9
31-120	10
> 120	12

The samples will be subjected to a test which has been standardized so that the reference serum supplied by the Pirbright Laboratory (see Decision 93/178/EEC) scores positive.

Where one sample reacts positively the holding shall immediately be subjected to the provisions of Article 4 of Directive 92/119/EEC,

In case of a holding which consists of more than one epidemiological unit, each unit shall be subjected to a visit ;

- (b) the holding shall be registered in a central database.

*ANNEX II***CHAPTER 1**

The collecting centres referred to in Article 2 shall immediately comply with the following conditions with the exception of points 3 and 6 in which case the competent authority may permit a transitional period of not more than one month :

Approval

1. All collecting centres shall be approved by the competent authority. The approval shall be reviewed annually.
2. Approval shall be automatically withdrawn if a collecting centre is not used as such for a period of more than three months.

Layout and construction

3. The limits of the premises shall be defined by an effective boundary.
4. The collecting centre may not be used for any enterprise involving livestock except as a collecting centre.
5. The premises shall be situated in such a way as to minimize the risk of spread of contagious animal diseases from neighbouring premises.
6. All areas of the collecting centre which are likely to come into contact with infective agents shall be constructed of a durable, impermeable material which will facilitate thorough cleansing and disinfection. These areas shall include the loading/unloading bays, pens, handling facilities, slurry drainage and storage and lorry wash areas.

All areas shall be maintained in good condition and any deficiencies promptly rectified.

7. For the purposes of cleansing and disinfection, the collecting centre shall have the following installations and equipment :
 - a supply of hot and cold running water and, in the case of hot water, at a temperature of not less than 70 °C when used for cleansing and disinfection of the collecting centre,
 - a hot water high pressure spraying system for the application of detergent,
 - a mist sprayer or similar equipment for the application of disinfectant,
 - disinfectant footbaths at all entrances and exits,
 - adequate facilities for the cleansing and disinfection of personnel and visitors,
 - a supply of protective clothing for personnel and visitors,
 - a wheel bath at all vehicle entrances and exits.
8. The collecting centre shall have adequate facilities and equipment for the cleansing and disinfection of vehicles. These facilities shall :
 - be sited in such a way as to prevent contamination of the collecting centre with effluent or spray from the lorry wash,
 - include hot and cold running water and, in the case of hot water, at a temperature of not less than 70 °C when used for the cleansing and disinfection of vehicles,
 - have a hot water high pressure system for the application of detergent,
 - have a mist sprayer or equivalent for the application of disinfectant.
9. The collecting centre shall have a separate area to which access can be controlled for the isolation of sick or rejected pigs.
10. The collecting centre shall have a separate lockable area suitable for the storage of dead pigs.
11. The internal layout of the collecting centre shall be such that the spread of infectious agents between animals is minimized by ensuring that there is no direct or indirect contact between different categories of animal. For this purpose :
 - solid walls shall separate different categories of pigs,
 - the areas used by different categories shall not be directly connected with each other,
 - different loading/unloading areas shall be used by different categories of pigs,
 - incoming and outgoing pigs shall use different loading and unloading areas.
12. The collecting centre shall have facilities suitable for the storage and disposal of litter, dung and effluent.

Working practices

13. The working practices of the collecting centre shall be such that spread of infectious agents between animals is minimized by ensuring that there is no direct or indirect contact between different categories of animal. For this purpose :
 - slaughter pigs shall be separated from pigs for breeding and production either by space or by time,
 - manure and effluent shall be removed and stored in such a manner as to prevent contact with pigs,
 - the collecting centre shall be emptied of pigs, cleansed and disinfected at least once in each period of 36 hours. The disinfectant shall have been approved by the competent authority for use in respect of swine vesicular disease.
14. A legal document shall be drawn up by the competent authority and signed by the person responsible for the collecting centre to ensure that the working practices of the collecting centre comply with the above conditions.
15. Each time the collecting centre is emptied of pigs and cleansed and disinfected, the collecting centre shall be inspected by an official of the competent authority.
16. Samples of manure shall be obtained from the collecting centre and shall be examined for the presence of swine vesicular disease virus at least once per month.

The following conditions shall apply :

 - the management shall be responsible for the sampling,
 - the sampling shall be carried out to the satisfaction of the competent authority,
 - the samples shall be sent to a national laboratory listed in Annex 2 of Council Directive 92/119/EEC,
 - the sampling shall be carried out in accordance with a schedule drawn up by the competent authority,
 - the schedule and results of sampling shall be made available to the Commission.

17. A log book shall be kept at each collecting centre which shall include the following information :
- the type, concentration and quantity of disinfectant used during disinfection,
 - the time and date of the inspections carried out by the competent authority,
 - a description of any deficiencies noted and any instructions given to the management of the collecting centre,
 - the date by which any problems are expected to be resolved,
 - details of the samples taken and the results obtained from virological sampling of the collecting centre.

CHAPTER 2

The means of transport referred to in Article 3 shall comply with the following conditions :

1. No person shall use a vehicle for the transport of pigs for intra-Community trade unless the vehicle has been cleansed and disinfected since the vehicle was last used to carry any animal or thing.
2. The disinfectant shall have been approved by the competent authority for use in respect of swine vesicular disease.
3. No empty, unclean vehicles may enter a collecting centre.
4. Bacteriological sampling of all vehicles used for the transport of pigs from collecting centres shall be carried out.

The following conditions shall apply :

- the person deemed to be responsible for the vehicle shall ensure that the sampling is carried out,
 - the sampling shall be carried out to the satisfaction of the competent authority,
 - the samples shall be sent to a laboratory which has been approved for this purpose by the competent authority,
 - the sampling shall be carried out in accordance with a schedule drawn up by the competent authority,
 - the schedule shall be made available to the Commission by 1 July 1994.
5. No vehicle used for the transport of pigs may enter a collecting centre unless the driver has a log book containing the following information in chronological order :
 - details of previous movements for not less than the last 30 days,
 - details of the samples taken and the results obtained from the bacteriological sampling required by point 4.
 6. No vehicle used for the transport of pigs may enter a collecting centre unless the driver has a log book containing the following details :
 - place and time of disinfection,
 - type, concentration and quantity of disinfectant,
 - confirmation that the disinfectant used has been approved by the competent authority for use in respect of swine vesicular disease,
 - any evidence of official approval of cleansing and disinfection.
 7. No pigs may be loaded into a vehicle at a collecting centre unless the certifying veterinary officer :
 - has been provided with written evidence acceptable to the competent authority that cleansing and disinfection have been carried out,
 - or
 - has supervised the cleansing and disinfection of the vehicle.
 8. No empty vehicles may leave a collecting centre unless cleansing and disinfection has been carried out to the satisfaction of the competent authority.

COMMISSION DECISION

of 6 June 1994

terminating the anti-dumping proceeding regarding imports of refined antimony trioxide originating in the People's Republic of China

(94/389/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2423/88 of 11 July 1988 on protection against dumped or subsidized imports from countries not members of the European Economic Community⁽¹⁾, as last amended by Regulation (EC) No 522/94⁽²⁾, and in particular Article 9 (1) thereof,

After conclusion within the Advisory Committee,

Whereas :

A. PROCEDURE

(1) In March 1992 the Commission announced, by a notice published in the *Official Journal of the European Communities*⁽³⁾, the initiation of an anti-dumping proceeding concerning imports into the Community of refined antimony trioxide (hereinafter referred to as 'RAT') falling within CN Code 2825 80 00 in the People's Republic of China, and commenced an investigation.

(2) The proceeding was initiated as a result of a complaint lodged by the European Chemical Industry (Cefic) on behalf of producers whose collective output was alleged to represent all Community production of the product concerned.

The complaint contained evidence of dumping and material injury resulting therefrom which was considered sufficient to justify opening a proceeding.

(3) The Commission officially informed the exporters and importers known to be concerned, the representatives of the exporting country and the complainants. It requested the parties concerned to reply to the questionnaires which had been sent to

them and gave them the opportunity to make their views known in writing and to request a hearing.

(4) Five of the six Community producers representing approximately 90 % of Community production of RAT replied to the questionnaire (see recital 6).

(5) Two Chinese trading organizations, China National Non-ferrous Metals Import and Export Corporation (CNIEC) and China Metals and Minerals Import and Export Corporation (Minmetals), hereinafter referred to as 'the cooperating Chinese exporters', replied to the questionnaires, sought and were granted a hearing by the Commission and made their views known in writing.

After a comparison of Eurostat official statistics with the replies of the cooperating Chinese exporters, it emerged that their exports accounted for less than 14,5 % of total Chinese exports of RAT to the Community during the reference period. No information, apart from Eurostat data, was available regarding exports by other Chinese exporters.

(6) The Commission sent questionnaires to all the importers listed in the complaint. Two of these

— GMS (Chemiehandelsgesellschaft GmbH), Hamburg,

and

— Non-ferrous Metals GmbH, Düsseldorf, which is a related selling company of CNIEC,

provided replies. On the basis of Eurostat data these two importers accounted for 20 % of total Community imports of RAT from China during the investigation period.

(7) The Commission verified all the information made available and considered necessary for the purposes of a preliminary determination of dumping and resultant injury. To this end, it carried out investigations at the premises of the following companies.

(a) Community producers :

— Belgium :
Campine, Brussels,

— France :
Mines de la Lucette, Paris,
SICA, Chauny,

⁽¹⁾ OJ No L 209, 2. 8. 1988, p. 1.

⁽²⁾ OJ No L 66, 10. 3. 1994, p. 10.

⁽³⁾ OJ No C 72, 21. 3. 1992, p. 6.

- Italy :
Nuova Solmine, Massa Marittima,
- United Kingdom :
Cookson Minerals, Tyne & Wear.

(b) Importers into the Community :

GMS (Chemiehandelsgesellschaft GmbH),
Hamburg
and
Non-ferrous Metals GmbH, Düsseldorf

- (c) Information was also sought from producers in the United States which was selected as reference country for the establishment of normal value (see recitals 15 and 16).

For this purpose, questionnaires were sent to several United States producers and a verification was carried out at the premises of one of these producers, namely Anzon Incorporated of Philadelphia.

- (8) The investigation covered the period from 1 March 1991 to 29 February 1992. It exceeded the time limit provided for pursuant to Article 7 (9) (a) of Regulation (EEC) No 2423/88 (hereinafter to as 'the Basic Regulation') because of difficulties in finding a cooperating producer in an analogue market and the complexity of the injury examination.

B. PRODUCT UNDER CONSIDERATION AND LIKE PRODUCT

1. Product under consideration

- (9) The product for which the proceeding was opened is RAT powder, chemical formula Sb_2O_3 , falling within CN Code 2825 80 00. Its principal application is as a polymerization catalyst in polyester fibres and polyethylene production, as a smelting agent in glass and an opacifier in ceramics.

The preliminary investigation revealed that RAT is sold in forms other than powder. This development stems from health and environmental concerns regarding the possible carcinogenic effects of inhaling RAT dust. To prevent dispersion of the RAT powder it is increasingly mixed with water or oil-based substances and sold in damped, wetted or paste form. The mixture of the powder with these substances changes neither its basic, chemical or physical characteristics, nor end use.

- (10) Presented in damped, wetted or paste form RAT is interchangeable with RAT powder particularly in those flame-retarding applications requiring high

volumes of RAT, where factors such as particle size, or impurity levels are not critical.

RAT is also sold in masterbatch form. In this form the RAT powder of a guaranteed purity level and consistent particle size is mixed with products such as plastic to produce components which are principally used in high technology applications. After the compounding process the RAT takes on the essential characteristics of the compound with which it is mixed and can no longer be regarded as RAT. Accordingly, the Commission has excluded it from the investigation.

The product under consideration is therefore : RAT originating in the People's Republic of China and presented in powder, damped, wetted or paste form and falling within CN code 2825 80 00.

The product thus defined is RAT.

2. Like product

- (11) As regards the definition of like product within the meaning of Article 2 (2) of the Basic Regulation, the Commission has examined whether RAT of Community or United States' origin can be regarded as similar to the product under consideration.
- (12) In this respect the Commission has established that while the antimony content of the base materials used in the production of RAT may vary from country to country, this does not have a significant impact on the end product in terms of chemical and physical characteristics, interchangeability or end use. The Commission therefore concludes that all qualities of RAT produced in the Community, the United States and the People's Republic of China have to be considered to be one single like product.

C. COMMUNITY INDUSTRY

- (13) Two of the complaining Community producers, whose production was estimated to represent approximately 10 % of production of the like product in the Community, did not cooperate fully with the Commission investigation. The remaining cooperating producers account for *circa* 90 % of Community production of the like product and therefore constitute a major proportion of total Community production.

This assessment relates to RAT in powder, paste and wetted forms and is based on information supplied by, and verified at, the cooperating Community producers.

D. INDIVIDUAL TREATMENT FOR CHINESE EXPORTERS

- (14) The two cooperating Chinese exporters sought individual treatment on the grounds that they act independently of the State as separate profit centres and must assume full responsibility for the revenues and expenses related to their business activities.

Individual treatment for exporters in non-market economy countries gives rise to a number of issues (see Council Regulation (EEC) No 2474/93 of 8 September 1993⁽¹⁾), relating to bicycles originating in the People's Republic of China).

In any event, in the present case it is noted that one exporter is wholly-owned by the State and the other is a trading subsidiary of a State company. Under these circumstances, the Commission is not satisfied that these exporters enjoy permanent independence from the State and accordingly takes the view that individual treatment should not be granted.

E. DUMPING

1. Reference country

- (15) In order to establish whether imports of RAT originating in the People's Republic of China were being dumped, the Commission had to take into account the fact that it is not a market economy country and accordingly to base its calculation on the normal value of the products in question in a market economy country (reference country). To this end, the complainant has suggested the Republic of Korea. This proposal was criticized by the cooperating Chinese exporters which suggested Thailand as being a more appropriate choice.
- (16) In any event, neither the Korean nor Thai producers cooperated with Commission's investigation. In the absence of any further suggestions from the Chinese exporters, producers in Bolivia, Brazil and the United States were contacted. One company, Anzon Incorporated of Philadelphia, agreed to

cooperate with the Commission. This company, which is a wholly-owned subsidiary of Cookson UK, was visited in order to verify its reply and to obtain a better knowledge of the production process of RAT in the United States.

The United States was considered a reasonable choice of reference country because of the high volumes of RAT produced, and the open and highly competitive domestic market. In addition, the sales volume of the cooperating United States producer was found to be representative in terms of Chinese RAT exports to the Community.

The cooperating Chinese exporters stressed that the People's Republic of China has a special comparative advantage in terms of ease of access to high-quality raw materials and the production process employed in RAT manufacture.

The Commission has examined available information regarding the production of RAT worldwide and while it could be argued that the producer which supplies the cooperating Chinese exporter may have certain advantages in terms of ease of access to quality antimony ore, this would not preclude the choice of the United States as an analogue market since appropriate adjustments to normal value could be claimed to reflect such natural comparative advantages. However, no information was submitted to substantiate these alleged advantages in respect of the production process. In any event, as more than 85 % of Chinese RAT exports to the Community are made by companies which did not cooperate in the investigation, the Commission is not in a position to assess whether they enjoy these alleged comparative advantages.

2. Normal value

- (17) In accordance with Article 2 (5) (a) of the Basic Regulation, the Commission considered whether normal value could be established on the basis of the prices at which the product concerned is sold for consumption on the United States market. In this context, it was noted that the United States domestic market for the product concerned is characterized by vigorous competition between several producers both domestic and foreign, and that sales prices are dictated by this competition and reflect an open and fully competitive market situation.
- (18) Taking the above factors into account, normal value was established on the basis of the weighted average ex-works price of the cooperating producer's domestic sales to independent customers in the investigation period.

⁽¹⁾ OJ No L 228, 9. 9. 1993, p. 1.

The cooperating Chinese exporters questioned the appropriateness of using the domestic sales prices of a company which was related to one of the complainants for the purposes of establishing normal value. The Commission considered that, given the highly competitive nature of the United States market and the fact that normal value was based on arm's length sales prices, this relationship could not have a bearing on the normal value thus established.

3. Export price

- (19) The export volumes of the cooperating Chinese exporters represented less than 14,5 % of total Chinese RAT imports into the Community during the reference period, while the cooperating independent importer accounted for less than 13 % of total Chinese RAT imports into the Community in the same period. These volumes were considered too small to be representative. In these circumstances export sales prices had to be based on the facts available in accordance with Article 7 (7) (b) of the Basic Regulation, in this case Eurostat data. Although providing only an average export price for all transactions, the Eurostat data were in line with the prices reported by the cooperating independent importer.

4. Comparison

- (20) Normal value, based on the weighted average ex-works price of the cooperating United States producer for RAT powder was compared with the weighted average export price established on the basis of Eurostat data. This export price free at Community frontier was adjusted in accordance with Article 2 (10) of the Basic Regulation to take account of insurance and freight costs to bring it back to an ex-China border price.

No other adjustments were made or considered appropriate given the lack of cooperation by the Chinese exporters.

5. Dumping margin

- (21) The preliminary examination of the facts shows the existence of dumping. The dumping margin being equal to the amount by which the normal value as established exceeds the price for export to the Community. Calculated as a percentage of the free-at-Community-frontier price of the imports concerned, the dumping margin found is 43,2 %.

F. INJURY

1. Preliminary consideration

- (22) The analysis of injury excludes data in respect of the non-cooperating producers. The Commission

has no reason to believe, nor was any evidence submitted to suggest, that the exclusion of these data would influence the trends established in its injury analysis.

2. Factors relating to the dumped imports

Apparent Community consumption

- (23) The Commission calculated total consumption by adding the total sales of the cooperating Community producers to total imports into the Community. On this basis, Community consumption of RAT increased by 8 % between 1989 and the reference period, from 15 626 tonnes to 16 886 tonnes, having peaked at 18 320 tonnes in 1990.

Volume and market share of the dumped imports

- (24) On the basis of Eurostat data, imports of RAT from China increased by 32 % between 1988, when they stood at 3 601 tonnes, to 4 766 tonnes during the reference period, having peaked at 4 979 tonnes in 1990. Over the same period, the market share held by the Chinese imports increased by 5,2 % from 23 % in 1988 to 28,2 % during the reference period.

Prices of the dumped imports

- (25) Prices of RAT from China declined by 32 % since 1988, the most significant decrease (21 %) occurring in 1990, when Chinese exports to the Community peaked at 4 979 tonnes.

The level of price undercutting in the reference period was established by a comparison between the average price of the imports from China (customs cleared — Community border) and the selling price ex-works of the like product sold by the Community producers. For the purpose of this comparison and in the absence of information accounting for a representative proportion of total Chinese imports, the levels of trade were considered similar and accordingly no adjustments were made. The price undercutting thus established for the investigation period was 32,5 %.

3. Factors relating to the state of the Community industry

Production

- (26) Production of the product concerned declined from 20 504 tonnes in 1988 to 19 657 tonnes in the reference period, having peaked at 22 379 tonnes in 1990.

Capacity utilization

- (27) The overall capacity of the Community industry increased by 500 metric tonnes between 1988 and the investigation period, from 37 560 tonnes in 1988 to 38 160 tonnes during the investigation period. Capacity utilization declined from 54,6 % to 51,5 % over the same period.

Stocks

- (28) Stock levels increased by 3 % between 1988 and the investigation period. It must be pointed out however that stock levels increased by 20 % in 1990 coincidental with the surge in Chinese imports.

Community industry sales and market share

- (29) While Chinese exports to the Community increased by 32 % between 1988 and the investigation period, Community producers' sales increased by a mere 3 % despite a somewhat greater increase in consumption. Community producers' sales increased from 10 994 tonnes in 1988 to 12 441 tonnes in 1990 with a decline to 11 344 tonnes during the investigation period which coincided with the surge in Chinese imports. The market shares of the Community producers showed a similar trend peaking in 1989 at 73 % and declining between 1990 and the investigation period to 67,2 %.

Prices

- (30) Unit prices declined by 26,2 % between 1988 and the reference period.

Profitability

- (31) The price undercutting practised by the Chinese exporters forced the Community producers to decrease their prices which resulted in a 20 % decrease in the overall profitability of the Community producers between 1990 and the investigation period. Nevertheless, the rate of profit achieved during the investigation period was, although reduced, still considered sufficient.

Employment

- (32) Between 1988 and the investigation period employment fell by 9 %.

ment. However, the relatively high profits achieved by the cooperating Community producers up to and including the investigation period, despite the presence on the Community market of the dumped Chinese imports, lead the Commission to conclude that the Community industry has not suffered material injury, within the meaning of Article 4 (1) of the Basic Regulation.

G. THREAT OF MATERIAL INJURY

- (34) In the absence of material injury, the Commission examined if there exists a threat thereof from the dumped imports and whether actual material injury is clearly foreseeable and imminent in accordance with Article 4 (3) of the Basic Regulation. To this end, the following factors were considered:

- production and capacity levels in the exporting country,
- the rate of increase of the dumped exports to the Community, and
- the actual and potential negative effects on the development and production of the Community industry.

Notwithstanding the fact that the People's Republic of China has the largest reserves of antimony ore in the world, there is no substantive evidence to suggest that a significant increase in its production of refined antimony trioxide intended for export to the Community is likely in the near future. While dumped imports increased between 1988 and the end of the investigation period, the rate of increase was not so marked as to prevent the Community industry from maintaining its profitability at a level which can be considered sufficient. Furthermore, given the level of profit during the investigation period and taking into consideration the various indicators of the Community industry's performance (see recitals 26 to 32), the Commission considers that it is not clearly foreseeable that the present situation is likely to develop into imminent material injury. This conclusion is not contradicted by the most recent information available to the Commission. In consequence, the adoption of anti-dumping measures is deemed unjustified.

CONCLUSION

- (33) In view of the above factors the Commission considers that the Community industry has suffered from falling production and capacity utilization and declining sales, prices, market share and employ-

H. TERMINATION OF THE PROCEEDING

- (35) Accordingly, the anti-dumping proceeding concerning imports of refined antimony trioxide originating in China should be terminated without protective measures being imposed.

- (36) Interested parties were informed of the essential facts and considerations on the basis of which the Commission intended the proceeding. The complainant Community producers objected to the termination of the proceeding on the grounds that the dumped imports had either already caused material injury or that a threat of imminent material injury existed. Several of these producers argued that their profitability had declined rapidly from 1988 up to and including the investigation period and had deteriorated further thereafter. It was also argued that the Commission has underestimated the likelihood of a significant increase in the dumped imports and the potential negative effects of any such increase.

- (37) With regard to the arguments outlined in recital 36, it should be pointed out that the Commission, in accordance with normal practice, assessed the situation of the Community industry globally on the basis of the facts established up to and including the investigation period, and based its determination thereon.

While it is accepted that the financial situation of individual companies varied in that period, the Commission's assessment of the state of the Community industry and notably its financial situation, was based on the performance of the Community industry as a whole. On that basis and taking into account the level of profit still being achieved during the investigation period, the Commission considered that the Community industry did not suffer material injury.

With regard to the allegation that the likelihood of a significant increase in the dumped imports and their potential negative effects had been underestimated, as set out in recital 34, the complainant producers have not provided any new information which would warrant a change in the Commission's position.

One producer argued that unlike the large multinationals, the small size of the Community companies involved in the proceeding meant that they did not have the resources to sustain losses and given the time taken to complete an anti-dumping investigation it would be too late to act.

While recognizing the differences between small companies and large multinationals with regard to

their financial flexibility the Commission considers, however, that each case must be decided on its own merits on the basis of the facts established. Accordingly, the Commission considers on the basis of the facts of this case that a finding of material injury or a threat thereof is not warranted. However, should the Community RAT industry lodge a new complaint containing *prima facie* evidence of injurious dumping the Commission will conduct a new proceeding expeditiously.

- (38) During the consultations within the Advisory Committee several Member States raised objections to the termination of the proceeding. Consequently, in accordance with Article 9 of the Basic Regulation, this Decision should take effect and be published only if the Council does not decide otherwise within one month,

HAS DECIDED AS FOLLOWS:

Article 1

The anti-dumping proceeding concerning imports of refined antimony trioxide falling within CN Code 2825 80 00, originating in the People's Republic of China, is hereby terminated.

Article 2

This Decision shall take effect and be published in the *Official Journal of the European Communities* if the Council does not decide otherwise within one month in accordance with Article 9(1) of Regulation (EEC) No 2423/88.

Done at Brussels, 6 June 1994.

For the Commission

Leon BRITTAN

Member of the Commission

CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1576/94 of 30 June 1994 fixing the import levies on sugar beet and sugar cane

(Official Journal of the European Communities No L 166 of 1 July 1994)

On page 106 in Article 2:

delete: 'It shall apply with effect from 1 July 1992.'

Corrigendum to Commission Regulation (EC) No 1610/94 of 1 July 1994 fixing, for June 1994, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector

(Official Journal of the European Communities No L 168 of 2 July 1994)

On page 23 in the title of the Annex:

for: 'fixing, for May 1994, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector',

read: 'fixing, for June 1994, the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the sugar sector'.
