

Official Journal

of the European Communities

ISSN 0378-6978

L 242

Volume 37

17 September 1994

English edition

Legislation

Contents

I Acts whose publication is obligatory

- ★ **Commission Regulation (EC) No 2246/94 of 16 September 1994 amending Regulation (EEC) No 2780/92 on the conditions for the grant of compensatory payments under the support system for producers of certain arable crops** 1
- ★ **Commission Regulation (EC) No 2247/94 of 15 September 1994 establishing procedures for administering the additional quantitative quota introduced by Council Regulation (EC) No 1921/94** 2
- ★ **Commission Regulation (EC) No 2248/94 of 16 September 1994 introducing retrospective Community surveillance of imports of certain steel cables originating in non-member countries** 5
- ★ **Commission Regulation (EC) No 2249/94 of 16 September 1994 amending Regulation (EC) No 762/94 laying down detailed rules for the application of Council Regulation (EEC) No 1765/92 with regard to the set-aside scheme** ... 6
- Commission Regulation (EC) No 2250/94 of 16 September 1994 on the supply of tomato concentrate as food aid 7
- Commission Regulation (EC) No 2251/94 of 16 September 1994 on the supply of milk products as food aid 10
- Commission Regulation (EC) No 2252/94 of 16 September 1994 altering the export refunds on cereals and on wheat or rye flour, groats and meal 17
- Commission Regulation (EC) No 2253/94 of 16 September 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal 19
- Commission Regulation (EC) No 2254/94 of 16 September 1994 fixing the premiums to be added to the import levies on cereals, flour and malt 21

II *Acts whose publication is not obligatory*

Council

94/612/EC :

- ★ **Decision No 1/94 of the Association Council between the European Communities and their Member States, on the one part, and the Republic of Hungary, on the other part of 7 March 1994 on its rules of procedure** 23

Commission

94/613/EC :

- ★ **Commission Decision of 27 July 1994 approving the programme for the eradication and surveillance of African swine fever presented by Portugal and fixing the level of the Community's financial contribution** 28

94/614/EC :

- ★ **Commission Decision of 27 July 1994 approving the programme for the eradication and surveillance of African swine fever presented by Spain and fixing the level of the Community's financial contribution** 30

94/615/EC :

- ★ **Commission Decision of 13 September 1994 approving the programme for the eradication and surveillance of swine vesicular disease presented by Italy and fixing the level of the Community's financial contribution** 31

94/616/EC :

- ★ **Commission Decision of 13 September 1994 approving the programme for the eradication and surveillance of African swine fever in Sardinia presented by Italy and fixing the level of the Community's financial contribution** 32

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2246/94**of 16 September 1994****amending Regulation (EEC) No 2780/92 on the conditions for the grant of compensatory payments under the support system for producers of certain arable crops**

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

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 232/94 ⁽²⁾, and in particular Articles 10 (4) and 12 thereof,

Whereas, pursuant to Article 10 (4) of Regulation (EEC) No 1765/92, the Commission may decide that certain varieties of durum wheat are ineligible for the supplement referred to in Article 4 (3) and (4); whereas in the absence of such a decision, the varieties previously excluded by the Member States on the grounds of quality become eligible; whereas in order to avoid any risk of an increase in the production of these varieties of lower quality, the exclusion provided for in Commission Regulation (EEC) No 2780/92 ⁽³⁾ should be extended for 1995/96;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 7 (3) of Regulation (EEC) No 2780/92 'for the 1994/95 marketing year' is hereby replaced by 'for the 1995/96 marketing year.'

Article 2

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

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

Done at Brussels, 16 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 7.

⁽³⁾ OJ No L 281, 25. 9. 1992, p. 5.

COMMISSION REGULATION (EC) No 2247/94**of 15 September 1994****establishing procedures for administering the additional quantitative quota
introduced by Council Regulation (EC) No 1921/94**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 520/94 of 7 March 1994 establishing a Community procedure for administering quantitative quotas⁽¹⁾, and in particular Articles 2 (3) and (4), 7, 13, 16 and 24 thereof,

Whereas the Council, by Regulation (EC) No 1921/94 of 25 July 1994 amending Regulation (EC) No 519/94 on common rules for imports from certain third countries⁽²⁾, increased for 1994 the quota applying to toys falling within CN code 9503 41 and originating in the People's Republic of China by ECU 45 534 917;

Whereas the Council laid down in this Regulation that this additional quantity should be allocated in accordance with the provisions of Regulation (EC) No 520/94;

Whereas the Commission adopted Regulation (EC) No 738/94⁽³⁾ laying down general rules for the implementation of Regulation (EC) No 520/94; whereas these provisions apply to the administration of the abovementioned additional quantity subject to the provisions of this Regulation;

Whereas, for the purposes of administering this additional quantity, which has been introduced to ensure the smooth transition from the previous import regime to that established by Regulation (EC) No 519/94, it is considered appropriate, for the same reasons as those set out in Commission Regulation (EC) No 747/94 of 30 March 1994 establishing administrative procedures for quantitative quotas on certain products originating in the People's Republic of China⁽⁴⁾, to use the method chosen to administer the initial quota and the same percentage allocations for traditional importers and other importers, without prejudice to the adaptations mentioned hereafter;

Whereas, for the allocation of the part of the quota set aside for the traditional importers, the reference period applied for the distribution of the initial quota, i.e. 1991/92, has to be maintained; whereas it remains indeed representative of a normal evolution of the traditional

import trade flows formed under the previous system, and ensures moreover an homogeneous administration of the quota for 1994;

Whereas, however, it is necessary to simplify the formalities to be fulfilled by traditional importers who already hold import licences for toys falling within CN code 9503 41 which were issued when the initial quota was allocated pursuant to Commission Regulation (EC) No 1012/94 of 29 April 1994 establishing the allocations to traditional importers from the Community quantitative quotas on certain products originating in the People's Republic of China⁽⁵⁾; whereas the competent administrative authorities already possess the requisite evidence for all traditional importers; whereas the latter need only enclose a copy of their previous licences with their new licence applications;

Whereas it has been found in the past that the method provided for in Article 10 of Regulation (EC) No 520/94, which is based on the order in which applications are submitted, may not be an appropriate way of allocating that portion of the quota reserved for non-traditional importers; whereas, consequently, in accordance with Article 2 (4) of Regulation (EC) No 520/94, an alternative method of apportioning the quota should be determined; whereas, to this end, it seems appropriate to provide a pro rata allocation in proportion to the quantities requested, on the basis of a simultaneous examination of import licence applications actually lodged, in accordance with Article 13 of Regulation (EC) No 520/94;

Whereas, any speculative applications should be excluded to ensure the additional quantity can be allocated and used up by the due date and it is furthermore necessary to allocate economically appreciable quantities; whereas, to this end, the amount that any importer other than traditional may request has to be limited to ECU 30 000;

Whereas, in view of the special nature of transactions concerning the product covered by the quota in question, the period of validity of import licences should be set at six months from the date of issue by the Member States;

Whereas Member States shall notify the Commission of the import licence applications received; whereas details of traditional importers' previous imports should be broken down by reference year and expressed in ecus, the unit in which the quota in question is set; whereas the counter-value of the currency in which previous imports

⁽¹⁾ OJ No L 66, 10. 3. 1994, p. 1.

⁽²⁾ OJ No L 198, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 87, 31. 3. 1994, p. 47.

⁽⁴⁾ OJ No L 87, 31. 3. 1994, p. 83.

⁽⁵⁾ OJ No L 111, 30. 4. 1994, p. 100.

are expressed must be calculated in accordance with Article 18 of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Committee set up pursuant to Regulation (EC) No 520/94,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation lays down specific provisions for the administration of the additional quantitative quota introduced by Regulation (EC) No 1921/94 for 1994.

Regulation (EC) No 738/94 laying down general rules for the implementation of Regulation (EC) No 520/94 shall apply subject to the specific provisions of this Regulation.

Article 2

The quantitative quota referred to in Article 1 shall be allocated using the method based on traditional trade flows referred to in Article 2 (2) (a) of Regulation (EC) No 520/94.

However, that portion of the quota set aside for non-traditional importers shall be allocated in proportion to the quantities requested, the amount which may be requested being limited to ECU 30 000.

Article 3

The portion of the quantitative quota set aside for traditional importers shall be ECU 34 151 188 (75 %).

The portion of the quantitative quota set aside for non-traditional importers shall be ECU 11 383 729 (25 %).

Article 4

Applications for import licences may be lodged from the day following the day of publication of this Regulation in the *Official Journal of the European Communities* to 28 September 1994 at 3 p.m, Brussels time, with the competent authorities listed in Annex I to Regulation (EC) No 738/94.

Article 5

1. The reference period referred to in Article 6 (2) of Regulation (EC) No 520/94 shall comprise calendar years 1991 and 1992.

2. The evidence referred to in Article 7 of Regulation (EC) No 520/94 must refer to the release for free circulation of products originating in the People's Republic of China falling within CN code 9503 41 during calendar years 1991 and 1992.

3. Instead of the evidence referred to in the first indent of Article 7 of Regulation (EC) No 520/94:

— applicants may enclose with their licence applications documents drawn up and certified by the component national authorities on the basis of available customs information as evidence of the imports of the product in question during calendar years 1991 and 1992 carried out by themselves or, where applicable, by the operator whose activities they have taken over,

— applicants already holding import licences issued pursuant to Regulation (EC) No 1012/94 for the products falling within CN Code 9503 41 may enclose a copy of their previous licences with their licence applications. In that case, they shall indicate in their licence applications the aggregate value of imports of the product in question in each of the years of the reference period.

4. Article 18 of Regulation (EEC) No 2913/92 shall apply, where appropriate, to evidence expressed in foreign currency.

Article 6

Member States shall inform the Commission no later than 10 October 1994 at 10 a.m. Brussels time of the number and aggregate quantity of the import licence applications and, in the case of applications from traditional importers, of the volume of previous imports carried out by traditional importers during each year of the reference period referred to in Article 5 (1) of this Regulation.

Article 7

The Commission shall inform Member States as soon as possible of the decision establishing the quantitative criteria according to which importers' applications are to be met by the competent national authorities.

Article 8

The period of validity of the import licences issued by the competent authorities of the Member States shall be six months from the date of issue.

Article 9

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

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

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

Done at Brussels, 15 September 1994.

For the Commission

Leon BRITTAN

Member of the Commission

COMMISSION REGULATION (EC) No 2248/94

of 16 September 1994

introducing retrospective Community surveillance of imports of certain steel cables originating in non-member countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 518/94 of 7 March 1994 on common rules for imports and repealing Regulation (EEC) No 288/82 ⁽¹⁾, and in particular Article 9 (2) thereof,Having regard to Council Regulation (EC) No 519/94 of 7 March 1994 on common rules for imports from certain third countries and repealing Regulations (EEC) No 1765/82, (EEC) No 1766/82 and (EEC) No 3420/83 ⁽²⁾, as amended by Regulation (EC) No 1921/94 ⁽³⁾, and in particular Article 9 thereof,

Consultations having taken place within the Committees set up under the said Regulations,

Whereas information provided by Denmark shows that imports into the Community of stranded wire, ropes, cables, plaited bands, slings and the like, of iron or steel, not electrically insulated, falling within CN codes 7312 10 91, 7312 10 95 and 7312 10 99 originating in non-member countries have been increasing since 1991 at conditions which are likely to threaten Community producers of these products; whereas the figures available for 1993 appear to confirm this upward trend; whereas the prices of these imports substantially undercut the cost price of Community producers;

Whereas the position of Community producers of similar or directly competing products has been deteriorating since 1991, as the following economic indicators attest:

- production, which stood at 215 395 tonnes in 1991, fell to 193 846 tonnes in 1992, 173 715 tonnes in 1993 and, according to the latest estimates, is expected to drop to 159 900 tonnes in 1994,

- utilization of the Community industry's production capacity has dropped by about 30 % in the period 1991 to 1994,

- the number of those employed directly in the industry declined by 28 % in the period 1990 to 1993, falling by 9 % in the period 1992 to 1993 alone, dropping from 4 662 to 4 235;

Whereas these circumstances call for measures to obtain as quickly as possible accurate and up-to-date information on the trend in imports into the Community of the products in question and, therefore, for the introduction of retrospective Community surveillance of such imports,

HAS ADOPTED THIS REGULATION:

Article 1

Imports into the Community of stranded wire, ropes, cables, plaited bands, slings and the like, of iron or steel, not electrically insulated, falling within CN codes 7312 10 91, 7312 10 95 and 7312 10 99 shall be subject to retrospective Community surveillance from 1 October 1994.

Article 2

For each month Member States shall, by the 10th day of the second month following the month in question, notify the Commission of the results of surveillance, stating the quantity and the cif value of the imports, broken down by CN code and country of origin.

Article 3

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

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

Done at Brussels, 16 September 1994.

For the Commission

Leon BRITTAN

Member of the Commission

⁽¹⁾ OJ No L 67, 10. 3. 1994, p. 77.

⁽²⁾ OJ No L 67, 10. 3. 1994, p. 89.

⁽³⁾ OJ No L 198, 30. 7. 1994, p. 1.

COMMISSION REGULATION (EC) No 2249/94

of 16 September 1994

amending Regulation (EC) No 762/94 laying down detailed rules for the application of Council Regulation (EEC) No 1765/92 with regard to the set-aside scheme

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

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support scheme for producers of certain arable crops ⁽¹⁾, as last amended by Regulation (EC) No 232/94 ⁽²⁾, and in particular the second subparagraph of Article 7 (1) and Article 12 thereof,

Whereas in order to relax the rules on set-aside it should be permissible to set aside land in a yield region other than that where the eligible arable crops are situated; whereas, however, so as not to lessen the effectiveness of the set-aside scheme as a means of controlling production, this possibility should be confined to adjacent regions and there should be provision for adjustments to the number of hectares to be set aside depending on yield differences; whereas Commission Regulation (EC) No 762/94 ⁽³⁾ should be amended accordingly;

Whereas the Joint Management Committee for Cereals, Oils and Fats and Dried Fodder has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Article 9 (4) of Regulation (EC) No 762/94 is hereby replaced by the following:

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

Done at Brussels, 16 September 1994.

‘4. Notwithstanding paragraph 2, the compulsory set-aside corresponding to an application for compensatory payment submitted may be effected entirely or partly:

- in Spain, in the case of a holding situated in “secano” and “regadio” production regions, in the “secano” region,
- in another yield region provided the areas to be set aside are situated in yield regions adjacent to those cultivated.

Where this paragraph is applied the area to be set aside must be adjusted to take account of the difference in yield between the regions concerned. However, application of this subparagraph must not lead to fewer hectares being set aside than the obligation requires.’

Article 2

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

However, Member States are hereby authorized to apply this Regulation only in respect of land set aside for 1996/97 and subsequent marketing years.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 7.

⁽³⁾ OJ No L 90, 7. 4. 1994, p. 8.

COMMISSION REGULATION (EC) No 2250/94
of 16 September 1994
on the supply of tomato concentrate as food aid

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

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

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain recipients tomato concentrate for a total amount of ECU 73 000;

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

is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 16 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 388/94
2. **Programme**: 1994
3. **Recipient** (2): UNHCR, Boîte postale 2500, CH-1211 Genève 2 Dépôt; tel. (41 22) 739 81 37; fax 731 07 76; telex 412404 CH HCR (Mme Seinet)
4. **Representative of the recipient**: UNHCR Branch Office, 31 Josef Broz Tito, Cantonments, ACCRA, Ghana. Tel. and fax (233 21) 773158, telex 2850 UHNCR GH
5. **Place or country of destination** (3): Ghana
6. **Product to be mobilized**: tomato concentrate
7. **Characteristics and quality of the goods** (3): see OJ No C 114, 29. 4. 1991, p. 1 (under VIA (1))
8. **Total quantity**: maximum possible quantity, net weight, for a total amount of ECU 73 000
9. **Number of lots**: one
10. **Packaging and marking** (6):
OJ No C 114, 29. 4. 1991, p. 1 (under VIA (2) and VIA (3))
Markings in English
Supplementary markings: 'Expiry date:.....'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: free at port of landing — landed (6)
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Accra
16. **Address of the warehouse and, if appropriate, port of landing**:
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: (7)
18. **Deadline for the supply**: 4. 12. 1994
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 3. 10. 1994 (Brussels time)
21. **In the case of a second invitation to tender**:
(a) deadline for the submission of tenders: 12 noon on 17. 10. 1994 (Brussels time)
(b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: (7)
(c) deadline for the supply: 18. 12. 1994
22. **Amount of tendering security**: ECU 1 460
23. **Amount of delivery security**: ECU 7 300
24. **Address for submission of tenders and tendering securities** (4): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on application by the successful tenderer** (4): —

Notes :

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

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

— sanitary certificate.

- (4) Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- (5) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- (6) Notwithstanding Article 7 (3) (f) of Regulation (EEC) No 2200/87, one single tender corresponding to the foreseen supply stage be presented. However, the tender shall indicate distinctly an amount expressed in ecus relating to the total transports costs beyond the supply stage free at port of shipment.
- (7) The provisions of Article 9 (4) of Regulation (EEC) No 2200/87 shall not be applicable.
- (8) Notwithstanding OJ No C 114, point VI.A.3 (c) is replaced by the following : 'the words "European Community"'.

COMMISSION REGULATION (EC) No 2251/94
of 16 September 1994
on the supply of milk products as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 5 106 tonnes of milk powder and 452,5 tonnes of butteroil;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community

food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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

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

Done at Brussels, 16 September 1994.

For the Commission
René STEICHEN
Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A, B, C, D and E

1. **Operation Nos⁽¹⁾**: see Annex II
2. **Programme**: 1993 and 1994
3. **Recipient⁽²⁾**: Euronaid, PO Box 12, NL-2501 CA Den Haag (31 70) 33 05 757; fax 36 41 701; telex 30960 euron nl)
4. **Representative of the recipient⁽³⁾**: see OJ No C 103, 16. 4. 1987
5. **Place or countries of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽⁴⁾⁽⁵⁾**:
see OJ No C 114, 29. 4. 1991, p. 1 (under I.B (1))
8. **Total quantity**: 4 170 tonnes
9. **Number of lots**: five (see Annex II)
10. **Packaging and marking⁽⁷⁾⁽⁸⁾**:
see OJ No C 114, 29. 4. 1991, p. 1 (under I.B (2), I.A (2) (3) and I.B (3))
markings in English (A 1 — A 4 + B 5 + D 2 + D 5 + D 12 + D 13), Spanish (E), French (A 5 + B 2 + B 3 + C + D 3 + D 4 + D 6 — D 11) and Portuguese (B 1 + B 4 + D 1)
11. **Method of mobilization**: the Community market
manufacture of skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: lots A, B, C: 31. 10 — 20. 11. 1994
lots D, E: 21. 11 — 11. 12. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 3. 10. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 17. 10. 1994
 - (b) period for making the goods available at the port of shipment: lots A, B, C: 14. 11 — 4. 12. 1994
lots D, E: 5 — 25. 12. 1994
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur T. Vestergaard,
Bâtiment Loi 120, bureau 7/46,
200 rue de la Loi,
B-1049 Bruxelles,
telex 22037 / 25670 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on application by the successful tenderer⁽⁹⁾**: refund applicable on 7. 9. 1994, fixed by Commission Regulation (EC) No 2098/94 (OJ No L 221, 26. 8. 1994, p. 13)

LOT F

1. **Operation Nos** (1): see Annex II
2. **Programme**: 1993
3. **Recipient** (2): World Food Programme, via Cristoforo Colombo 426, I-00145 Roma (telex 626675 I WFP)
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (4): see OJ No C 114, 29. 4. 1991, p. 1 (under I. B (1))
8. **Total quantity**: 936 tonnes
9. **Number of lots**: one (see Annex II)
10. **Packaging and marking** (7): see OJ No C 114, 29. 4. 1991, p. 1 (under I. A (2) (3), I. B (2) and I. B (3))
F2: in 20-foot containers
Markings in English (F1) and Portuguese (F2)
11. **Method of mobilization of product**: Community market
The vitaminized skimmed-milk powder must be manufactured after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 31. 10 — 20. 11. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 3. 10. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 17. 10. 1994
 - (b) period for making the goods available at the port of shipment: 14. 11 — 4. 12. 1994
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention Mr T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** (4): refund applicable on 7. 9. 1994, fixed by Commission Regulation (EC) No 2098/94 (OJ No L 221, 26. 8. 1994, p. 13)

LOT G

1. **Operation No** (1): 390/94
2. **Programme**: 1994
3. **Recipient** (2): UNHCR/FRS (for the attention of Mme Seinet), Case postale 2500, CH-1211 Genève 2
Dépôt, tel. (22) 739 81 37, fax: 731 07 76
4. **Representative of the recipient** (3): Croissant Rouge Algérien, 15bis, Bd Mohammed V, Alger; tel.:
(213 2) 645727/28, fax: 649787, telex 56056/66442
5. **Place or country of destination** (4): Algeria
6. **Product to be mobilized**: butteroil
7. **Characteristics and quality of the goods** (5) (6): see OJ No C 114, 29. 4. 1991, p. 1, I.E. 1
8. **Total quantity**: 452,5 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (7) (10): see OJ No C 114, 29. 4. 1991, p. 4 (I.E. 2, and I.E. 3) 5-kg metal
canister without carton crosspieces
Markings in French
Supplementary markings: 'Expiry date'
11. **Method of mobilization of product**: Community market
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Oran
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at
the port of shipment stage**: 31. 10. - 13. 11. 1994
18. **Deadline for the supply**: 4. 12. 1994
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on
3. 10. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 17. 10. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the
port of shipment stage: 14 to 27. 11. 1994
 - (c) deadline for the supply: 18. 12. 1994
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1):
Bureau de l'aide alimentaire, à l'attention Monsieur T. Vestergaard, Bâtiment Loi 120, bureau 7/46, rue
de la Loi 200, B-1049 Bruxelles; [telex 22037 / 25670 AGREC B, telefax: (32 2) 296 20 05 / 295 01 32 /
296 10 97 / 295 01 30 / 296 33 04]
25. **Refund payable on request by the successful tenderer** (11): refund applicable on 7. 9. 1994, fixed by
Commission Regulation (EC) No 2098/94 (OJ No L 221, 26. 8. 1994, p. 13).

Notes:

- (¹) The operation number should be mentioned in all correspondence.
- (²) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (³) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (⁴) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as amended by Regulation (EC) No 547/94 (OJ No L 69, 12. 3. 1994, p. 1), shall not apply to this amount.

- (⁵) Commission delegation to be contacted by the successful tenderer : OJ No C 114, 29. 4. 1991, p. 33.
- (⁶) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- health certificate (E 1 : the document must be legalized by the diplomatic representation in the country of origin of the goods),
 - Lots A to F : veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing. The veterinary certificate must state the temperature and duration of the pasteurization, the temperature and duration in the spray-drying tower and the expiry date for consumption.
- (⁷) Notwithstanding OJ No C 114, point I. B (3) (c) or I. E (3) (c) is replaced by the following : 'the words "European Community"'.
- (⁸) Shipment to take place in 20-foot containers, condition FCL/FCL each containing 15 tonnes net. The supplier shall be responsible for the cost of making the containers available in the stack position to the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
- The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
- The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
- The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), number of which to be provided to the beneficiary's forwarder.
- (⁹) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (¹⁰) Placed in 20-foot containers. The free holding period for containers must be at least 15 days.

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

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	Pais de destino
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Ação n°	Pais de destino
A	900	A 1 : 300	1716/93	India
		A 2 : 255	1717/93	India
		A 3 : 75	626/94	India
		A 4 : 60	627/94	India
		A 5 : 210	628/94	Vietnam
B	870	B 1 : 60	629/94	Angola
		B 2 : 90	641/94	Togo
		B 3 : 630	570/94	Burkina Faso
		B 4 : 75	571/94	Guinee Bissau
		B 5 : 15	572/94	Liberia
C	765	C 1 : 255	569/94	Algérie
		C 2 : 255	639/94	Algérie
		C 3 : 255	640/94	Algérie
D	1 260	D 1 : 45	1718/93	Moçambique
		D 2 : 75	1719/93	Uganda
		D 3 : 165	567/94	Burundi
		D 4 : 15	568/94	Djibouti
		D 5 : 150	630/94	Zambia

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	País de destino
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Ação n°	País de destino
		D 6 : 45	631/94	Madagascar
		D 7 : 45	632/94	Madagascar
		D 8 : 60	633/94	Madagascar
		D 9 : 45	634/94	Madagascar
		D10 : 30	635/94	Madagascar
		D11 : 45	636/94	Madagascar
		D12 : 90	637/94	Ethiopia
		D13 : 450	638/94	Eritrea
E	375	E 1 : 330	573/94	Guatemala
		E 2 : 15	574/94	Perú
		E 3 : 30	642/94	República Dominicana
F	936	F 1 : 500	1660/93	Somalia
		F 2 : 436	1661/93	Moçambique

COMMISSION REGULATION (EC) No 2252/94

of 16 September 1994

altering the export refunds 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 last amended by Regulation (EC) No 1866/94 ⁽²⁾, and in particular the fourth subparagraph of Article 13 (2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EC) No 2194/94 ⁽³⁾, as amended by Regulation (EC) No 2216/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2194/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas export possibilities exist for a quantity of 135 000 tonnes of hard wheat meal to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 ⁽⁵⁾, as last amended by Regulation (EC) No 1755/94 ⁽⁶⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁷⁾, as

amended by Regulation (EC) No 3528/93 ⁽⁸⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁹⁾, as amended by Regulation (EC) No 547/94 ⁽¹⁰⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 2194/94 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 17 September 1994.

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

Done at Brussels, 16 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 235, 9. 9. 1994, p. 36.

⁽⁴⁾ OJ No L 238, 13. 9. 1994, p. 21.

⁽⁵⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 183, 19. 7. 1994, p. 7.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁰⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 16 September 1994 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 00 100	01	40,00
1001 10 00 400	04	10,00	1101 00 00 130	01	38,00
	02	5,00	1101 00 00 150	01	35,00
1001 90 91 000	—	—	1101 00 00 170	01	32,00
1001 90 99 000	03	25,00	1101 00 00 180	01	30,00
	02	10,00	1101 00 00 190	—	—
1002 00 00 000	03	25,00	1101 00 00 900	—	—
	02	10,00	1102 10 00 500	01	40,00
1003 00 10 000	—	—	1102 10 00 700	—	—
1003 00 90 000	03	45,00	1102 10 00 900	—	—
	02	10,00	1103 11 10 200	04	27,00 (3) (4)
1004 00 00 200	—	—		02	17,00 (3) (4)
1004 00 00 400	—	—	1103 11 10 400	01	0 (5)
1005 10 90 000	—	—	1103 11 10 900	—	—
1005 90 00 000	03	40,00	1103 11 90 200	01	12,00 (5)
	02	0	1103 11 90 800	—	—

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 04 Algeria.

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

(3) No refund is granted when this product contains compressed meal.

(4) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 100 000 tonnes of hard wheat meal destined for Algeria.

(5) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 35 000 tonnes of hard wheat meal destined for other third countries.

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

COMMISSION REGULATION (EC) No 2253/94**of 16 September 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 last amended by Regulation (EC) No 1866/94⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 1937/94⁽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 15

September 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 1937/94 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 17 September 1994.

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

Done at Brussels, 16 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 36.

ANNEX

to the Commission Regulation of 16 September 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	113,26 ^(*) ⁽²⁾
0712 90 19	113,26 ^(*) ⁽²⁾
1001 10 00	35,60 ⁽¹⁾ ^(*) ⁽¹¹⁾
1001 90 91	65,92
1001 90 99	65,92 ^(*) ⁽¹¹⁾
1002 00 00	104,78 ^(*)
1003 00 10	91,75
1003 00 90	91,75 ^(*)
1004 00 00	91,89
1005 10 90	113,26 ^(*) ⁽²⁾
1005 90 00	113,26 ^(*) ⁽²⁾
1007 00 90	115,25 ^(*)
1008 10 00	30,04 ^(*)
1008 20 00	38,01 ^(*) ⁽²⁾
1008 30 00	0 ⁽²⁾
1008 90 10	⁽²⁾
1008 90 90	0
1101 00 00	130,33 ^(*)
1102 10 00	185,03
1103 11 10	90,03
1103 11 90	151,93
1107 10 11	128,22
1107 10 19	98,55
1107 10 91	174,20 ⁽¹⁰⁾
1107 10 99	132,91 ^(*)
1107 20 00	153,09 ⁽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.

⁽¹¹⁾ The levy for the products falling within this code in accordance with Regulation (EC) No 774/94 is restricted under the conditions of this Regulation.

COMMISSION REGULATION (EC) No 2254/94

of 16 September 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 last amended by Regulation (EC) No 1866/94⁽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 1938/94⁽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 15

September 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 17 September 1994.

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

Done at Brussels, 16 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 39.

ANNEX

to the Commission Regulation of 16 September 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 9	1st period 10	2nd period 11	3rd period 12
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	10,03	10,03	10,03
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 9	1st period 10	2nd period 11	3rd period 12	4th period 1
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

II

(Acts whose publication is not obligatory)

COUNCIL

DECISION No 1/94 OF THE ASSOCIATION COUNCIL

between the European Communities and their Member States, on the one part,
and the Republic of Hungary, on the other part

of 7 March 1994

on its rules of procedure

(94/612/EC)

THE ASSOCIATION COUNCIL,

Having regard to the Europe Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part, and in particular Articles 104, 105, 106, 108 and 109 thereof,

Whereas that Agreement entered into force on 1 February 1994,

HAS DECIDED :

*Article 1***Chairmanship**

The Association Council shall be presided over alternately for periods of 12 months by a representative of the Council of the European Union, on behalf of the Community and its Member States, and a representative of the Government of the Republic of Hungary.

*Article 2***Meetings**

The Association Council shall meet regularly at ministerial level once a year. Special sessions of the Association Council may be held if the Parties so agree, at the request of either Party.

Unless otherwise agreed by the Parties, each session of the Association Council shall be held at the usual venue for meetings of the Council of the European Union at a date agreed by both Parties.

The meetings of the Association Council are jointly convened by the secretaries of the Association Council in agreement with the president.

*Article 3***Representation**

The members of the Association Council may be represented if prevented from attending. If a member wishes to be so represented, he must notify the chairman of the name of his representative before the meeting at which he is to be so represented.

The representative of a member of the Association Council shall exercise all the rights of that member.

*Article 4***Delegations**

The members of the Association Council may be accompanied by officials.

Before each meeting, the chairman is informed of the intended composition of the delegations of each Party.

A representative of the European Investment Bank shall attend the meetings of the Association Council, as an observer, when matters which concern the Bank appear on the agenda.

The Association Council may invite non members to attend its meetings in order to provide information on particular subjects.

*Article 5***Secretariat**

An official of the General Secretariat of the Council of the European Union and an official of the Mission of the Republic of Hungary in Brussels shall act jointly as secretaries of the Association Council.

Article 6

Correspondence

Correspondence addressed to the Association Council shall be sent to the president of the Association Council at the address of the General Secretariat of the Council of the European Union.

The two Secretaries shall ensure that correspondence is forwarded to the President of the Association Council and, where appropriate, circulated to other members of the Association Council. Correspondence circulated shall be sent to the General Secretariat of the Commission, the Permanent Representations of the Member States and the Mission of the Republic of Hungary in Brussels.

Communications from the president of the Association Council shall be sent to the recipients by the two secretaries and circulated, where appropriate, to other members of the Association Council at the addresses indicated in the preceding paragraph.

Article 7

Publicity

Unless otherwise decided, the meetings of the Association Council shall not be public.

Article 8

Agenda of the meetings

1. The chairman shall draw up a provisional agenda for each meeting. It shall be forwarded by the secretaries of the Association Council to the addressees referred to in Article 6 not later than 15 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the chairman has received a request for inclusion in the agenda not later than 21 days before the beginning of the meeting, save that items shall not be written into the provisional agenda unless the supporting documentation has been forwarded to the secretaries not later than the date of despatch of the agenda.

The agenda shall be adopted by the Association Council at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the two Parties so agree.

2. The chairman may shorten, in agreement with the two Parties, the time limits specified in paragraph 1 in order to take account of the requirements of a particular case.

Article 9

Minutes

Draft minutes of each meeting shall be drawn up by the two secretaries.

The minutes shall, as a general rule, indicate in respect of each item on the agenda:

- the documentation submitted to the Association Council,
- statements the entry of which has been requested by a member of the Association Council,
- the decisions taken, the statements agreed upon and conclusions taken.

The draft minutes shall be submitted to the Association Council for approval. They will be approved within three months after each Association Council meeting. When approved, the minutes shall be signed by the chairman and by the two secretaries. The minutes shall be filed in the archives of the General Secretariat of the Council of the European Union; a certified copy shall be forwarded to each of the addressees referred to in Article 6.

Article 10

Decisions and recommendations

1. The Association Council shall take its decisions and recommendations by common agreement of the Parties.

During the inter-sessional period, the Association Council may take decisions or recommendations by written procedure if both Parties so agree.

2. The decisions and recommendations of the Association Council within the meaning of Article 106 of the Europe Agreement shall be entitled respectively 'decision' and 'recommendation' followed by a serial number, by the date of their adoption and by a description of their subject.

The decisions and recommendations of the Association Council shall be signed by the chairman and authenticated by the two secretaries.

Decisions and recommendations shall be forwarded to each of the addressees referred to in Article 6.

The Association Council may decide on the publication of its decisions and recommendations in the *Official Journal of the European Communities* and the *Magyar Közlöny*.

Article 11

Languages

The official languages of the Association Council shall be the official languages of the two parties.

Unless otherwise decided, the Association Council shall base its deliberations on documentation prepared in these languages.

Article 12

Expenses

The Community and Hungary shall each defray the expenses they incur by reason of their participation in the meetings of the Association Council, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents shall be borne by the Community, with the exception of expenditure in connection with interpreting or translation into or from Hungarian, which shall be borne by Hungary.

Other expenditure relating to the material organization of meetings shall be borne by the Party which hosts the meetings.

Article 13

Association Committee

1. An Association Committee is hereby established in order to assist the Association Council in carrying out its duties. It shall be composed of representatives of the members of the Council of the European Union and of members of the Commission of the European Communities, on the one hand, and of representatives of the Government of Hungary on the other, normally at senior civil servant level.

2. The Association Committee shall prepare the meetings and the deliberations of the Association Council, implement the decisions of the Association Council where appropriate and, in general, ensure continuity of the association relationship and the proper functioning of the Europe Agreement. It shall consider any matter referred to it by the Association Council as well as any other matter which may arise in the course of the day-to-day implementation of the Europe Agreement. It shall submit proposals or any draft decisions/recommendations for adoption to the Association Council.

3. In the cases where the Europe Agreement refers to an obligation to consult or a possibility of consultation, such consultation may take place within the Association

Committee. The consultation may continue in the Association Council if the two Parties so agree.

4. The rules of procedure of the Association Committee are attached as Annex I to the present Decision.

Article 14

Subcommittees and special groups

The subcommittees and working groups which have been set up by the Joint Committee mentioned in Article 36 of the Interim Agreement of 16 December 1991 between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Hungary, of the other part, on trade and trade related matters pursuant to this Agreement shall continue to exist. They shall be considered to work under the authority of the Association Committee, to which they report after each one of their meetings. They are listed in Annex II.

The Association Committee may decide to abolish any existing subcommittees or groups, modify their terms of reference or set up further subcommittees or groups to assist it in carrying out its duties.

The subcommittees and groups shall not have any decision-making power.

Article 15

Political dialogue

Political dialogue shall take place in accordance with the provisions of the Europe Agreement.

Done at Brussels, 7 March 1994.

For the Association Council

The President

Th. PANGALOS

ANNEX I

RULES OF PROCEDURE OF THE ASSOCIATION COMMITTEE

Article 1

Chairmanship

The Association Committee shall be presided over alternately for periods of 12 months by a representative of the European Commission, on behalf of the Community and its Member States, and a representative of the Government of the Republic of Hungary.

Article 2

Meetings

The Association Committee shall meet when circumstances require with the agreement of both Parties.

Each meeting of the Association Committee shall be held at a time and place agreed by both Parties.

The meetings of the Association Committee are convened by the chairman.

Article 3

Delegations

Before each meeting, the chairman is informed of the intended composition of the delegation of each Party.

Article 4

Secretariat

An official of the European Commission and an official of the Government of the Republic of Hungary shall act jointly as secretaries of the Association Committee.

All communications to and from the chairman of the Association Committee provided for in this Decision shall be forwarded to the secretaries of the Association Committee and to the secretaries and the chairman of the Association Council.

Article 5

Publicity

Unless otherwise decided, the meetings of the Association Committee shall not be public.

Article 6

Agenda of the meetings

1. The chairman shall draw up a provisional agenda for each meeting. It shall be forwarded by the secretaries of the Association Committee to the addressees referred to in Article 4 not later than 15 days before the beginning of the meeting.

The provisional agenda shall include the items in respect of which the chairman has received a request for inclusion in the agenda not later than 21 days before the beginning of the meeting, save that items shall not be written into the provisional agenda unless the supporting documentation has been forwarded to the secretaries not later than the date of dispatch of the agenda.

The Association Committee may ask experts to attend its meetings in order to provide information on particular subjects.

The agenda shall be adopted by the Association Committee at the beginning of each meeting. An item other than those appearing on the provisional agenda may be placed on the agenda if the two Parties so agree.

2. The chairman may shorten, in agreement with the two Parties, the time limits specified in paragraph 1 in order to take account of the requirements of a particular case.

Article 7

Minutes

Minutes shall be taken for each meeting and shall be based on a summing up by the chairman of the conclusions arrived at by the Association Committee.

Upon adoption by the Association Committee, the minutes shall be signed by the chairman and by the secretaries and filed by each of the Parties. A copy of the minutes shall be forwarded to each of the addressees referred to in Article 4.

Article 8

Deliberations

In the specific cases where the Association Committee is empowered by the Association Council pursuant to Article 108, paragraph 2, to take decisions/recommendations, these acts shall be entitled respectively 'decision' and 'recommendation', followed by a serial number, by the date of their adoption and by description of their subject.

Decisions and recommendations of the Association Committee shall be forwarded to the addressees referred to in Article 4 of the present Annex. The Association Committee may decide on the publication of these decisions and recommendations.

The decisions and recommendations of the Association Committee shall be signed by the chairman and the secretaries.

Whenever the Association Committee takes a decision, Article 11 of Decision No 1/94 of the Association Council on its rules of procedure shall be applied *mutatis mutandis*.

*Article 9***Expenses**

The Community and Hungary shall each defray the expenses they incur by reason of their participation in the meetings of the Association Committee and of its subcommittees and working parties, both with regard to staff, travel and subsistence expenditure and to postal and telecommunications expenditure.

Expenditure in connection with interpreting at meetings, translation and reproduction of documents shall be borne by the Community, with the exception of expenditure in connection with interpreting or translation into or from Hungarian, which shall be borne by Hungary.

Other expenditure relating to the material organization of meetings shall be borne by the Party which hosts the meetings.

*ANNEX II***SUBCOMMITTEES AND SPECIAL GROUPS REFERRED TO IN ARTICLE 14**

1. Subcommittee on customs cooperation
 2. Subcommittee on transport issues
 3. Subcommittee on agriculture
 4. Subcommittee the approximation of legislation
 5. Subcommittee on science and technology
 6. *Ad hoc* group on macro-economic issues
 7. Contact group on ECSC matters
 8. Working group for the implementation of competition rules
-

COMMISSION

COMMISSION DECISION

of 27 July 1994

approving the programme for the eradication and surveillance of African swine fever presented by Portugal and fixing the level of the Community's financial contribution

(Only the Portuguese text is authentic)

(94/613/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 expenditure in the veterinary field⁽¹⁾, as last amended by Decision 94/370/EC⁽²⁾, and in particular Article 24 thereof,

Whereas Decision 90/424/EEC provides for the possibility of financial participation by the Community in the eradication and surveillance of African swine fever;

Whereas by letter dated 15 February 1994, Portugal has submitted a programme for the eradication of African swine fever;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC of 27 November 1990 on laying down Community criteria for the eradication and monitoring of certain animal diseases⁽³⁾, as amended by Directive 92/65/EEC⁽⁴⁾;

Whereas in the light of the importance of the programme for the achievement of Community objectives in the field of animal health, it is appropriate to fix the financial participation of the Community at 50 % of the costs incurred by Portugal up to a maximum of ECU 400 000;

Whereas a financial contribution from the Community shall be granted in so far as the actions provided for are carried out and provided that the authorities furnish all the necessary information within the time limits provided for;

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 programme for the eradication of African swine fever presented by Portugal is hereby approved for the period 1 July to 31 December 1994.

Article 2

Portugal shall bring into force by 1 July 1994 the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

1. Financial participation by the Community shall be at the rate of 50 % of the costs of testing and those incurred in Portugal by way of compensation for owners for the slaughter of animals up to a maximum of ECU 400 000.

2. The financial contribution of the Community shall be granted subject to:

- forwarding a report to the Commission every three months on the progress of the programme and the costs incurred,
- forwarding a final report on the technical execution of the programme accompanied by justifying evidence as to the costs incurred by 1 July 1995 at the latest.

3. The financial contribution of the Community shall be paid in ecus at the rate applying on the first working day of the month when the request of payment is made as published in the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 347, 12. 12. 1990, p. 27.

⁽⁴⁾ OJ No L 268, 14. 9. 1992, p. 54.

Article 4

This Decision is addressed to Portugal.

Done at Brussels, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 27 July 1994

approving the programme for the eradication and surveillance of African swine fever presented by Spain and fixing the level of the Community's financial contribution

(Only the Spanish text is authentic)

(94/614/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 94/370/EC ⁽²⁾, and in particular Article 24 thereof,

Whereas Decision 90/424/EEC provides for the possibility of financial participation by the Community in the eradication and surveillance of African swine fever;

Whereas by letter dated 15 February 1994, Spain has submitted a programme for the eradication of African swine fever;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC of 27 November 1990 on laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽³⁾, as amended by Directive 92/65/EEC ⁽⁴⁾;

Whereas in the light of the importance of the programme for the achievement of Community objectives in the field of animal health, it is appropriate to fix the financial participation of the Community at 50 % of the costs incurred by Spain up to a maximum of ECU 3 500 000 ;

Whereas a financial contribution from the Community shall be granted in so far as the actions provided for are carried out and provided that the authorities furnish all the necessary information within the time limits provided for ;

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 programme for the eradication of African swine fever presented by Spain is hereby approved for the period 1 July to 31 December 1994.

Article 2

Spain shall bring into force by 1 July 1994 the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

1. Financial participation by the Community shall be at the rate of 50 % of the costs of testing and those incurred in Spain by way of compensation for owners for the slaughter of animals up to a maximum of ECU 3 500 000.

2. The financial contribution of the Community shall be granted subject to :

- forwarding a report to the Commission every three months on the progress of the programme and the costs incurred,
- forwarding a final report on the technical execution of the programme accompanied by justifying evidence as to the costs incurred by 1 July 1995 at the latest.

3. The financial contribution of the Community shall be paid in ecus at the rate applying on the first working day of the month when the request of payment is made as published in the *Official Journal of the European Communities*.

Article 4

This Decision is addressed to Spain.

Done at Brussels, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 347, 12. 12. 1990, p. 27.

⁽⁴⁾ OJ No L 268, 14. 9. 1992, p. 54.

COMMISSION DECISION

of 13 September 1994

approving the programme for the eradication and surveillance of swine vesicular disease presented by Italy and fixing the level of the Community's financial contribution

(Only the Italian text is authentic)

(94/615/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 94/370/EC ⁽²⁾, and in particular Article 24 thereof,

Whereas Decision 90/424/EEC provides for the possibility of financial participation by the Community in the eradication and surveillance of swine vesicular disease;

Whereas by letter dated 26 May 1994, Italy has submitted a programme for the eradication of swine vesicular disease;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC of 27 November 1990 on laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽³⁾, as amended by Directive 92/65/EEC ⁽⁴⁾;

Whereas in the light of the importance of the programme for the achievement of Community objectives in the field of animal health, it is appropriate to fix the financial participation of the Community at 50 % of the costs incurred by Italy up to a maximum of ECU 1 400 000;

Whereas a financial contribution from the Community shall be granted in so far as the actions provided for are carried out and provided that the authorities furnish all the necessary information within the time limits provided for;

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 programme for the eradication of swine vesicular disease presented by Italy is hereby approved for the period 1 July to 31 December 1994.

Article 2

Italy shall bring into force by 1 October 1994 at the latest, the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

1. The financial contribution of the Community shall be at the rate of 50 % of the costs of testing, compensation to owners for the slaughter of animals and the development of software incurred by Italy up to a maximum of ECU 1 400 000.

2. The financial contribution of the Community shall be granted subject to:

— forwarding a report to the Commission every three months on the progress of the programme and the costs incurred,

— forwarding a final report on the technical execution of the programme accompanied by justifying evidence as to the costs incurred by 1 July 1995 at the latest.

3. The financial contribution of the Community shall be paid in ecus at the rate applying on the first working day of the month when the request of payment is made as published in the *Official Journal of the European Communities*.

Article 4

This Decision is addressed to Italy.

Done at Brussels, 13 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 347, 12. 12. 1990, p. 27.

⁽⁴⁾ OJ No L 268, 14. 9. 1992, p. 54.

COMMISSION DECISION

of 13 September 1994

approving the programme for the eradication and surveillance of African swine fever in Sardinia presented by Italy and fixing the level of the Community's financial contribution

(Only the Italian text is authentic)

(94/616/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 94/370/EC ⁽²⁾, and in particular Article 24 thereof,

Whereas Decision 90/424/EEC provides for the possibility of financial participation by the Community in the eradication and surveillance of African swine fever;

Whereas Italy has submitted a programme for the eradication of African swine fever;

Whereas after examination of the programme it was found to comply with all Community criteria relating to the eradication of the disease in conformity with Council Decision 90/638/EEC of 27 November 1990 on laying down Community criteria for the eradication and monitoring of certain animal diseases ⁽³⁾, as amended by Directive 92/65/EEC ⁽⁴⁾;

Whereas in the light of the importance of the programme for the achievement of Community objectives in the field of animal health, it is appropriate to fix the financial participation of the Community at 50 % of the costs incurred by Italy up to a maximum of ECU 1 200 000;

Whereas a financial contribution from the Community shall be granted in so far as the actions provided for are carried out and provided that the authorities furnish all the necessary information within the time limits provided for;

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 programme for the eradication of African swine fever in Sardinia presented by Italy is hereby approved for the period 1 July to 31 December 1994.

Article 2

Italy shall bring into force by 1 October 1994 at the latest, the laws, regulations and administrative provisions for implementing the programme referred to in Article 1.

Article 3

1. Financial participation by the Community shall be at the rate of 50 % of the costs of testing and compensation to owners for the slaughter of animals incurred in Italy up to a maximum of ECU 1 200 000.

2. The financial contribution of the Community shall be granted subject to:

— forwarding a report to the Commission every three months on the progress of the programme and the costs incurred,

— forwarding a final report on the technical execution of the programme accompanied by justifying evidence as to the costs incurred by 1 July 1995 at the latest.

3. The financial contribution of the Community shall be paid in ecus at the rate applying on the first working day of the month when the request of payment is made as published in the *Official Journal of the European Communities*.

Article 4

This Decision is addressed to Italy.

Done at Brussels, 13 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 168, 2. 7. 1994, p. 31.

⁽³⁾ OJ No L 347, 12. 12. 1990, p. 27.

⁽⁴⁾ OJ No L 268, 14. 9. 1992, p. 54.