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Legislation

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.
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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2435/94**of 7 October 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 (EC) No 1869/94 ⁽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 (EC) No 2147/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2354/94 ⁽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 8 October 1994.

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

Done at Brussels, 7 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 228, 1. 9. 1994, p. 23.

⁽⁶⁾ OJ No L 255, 1. 10. 1994, p. 1.

ANNEX

to the Commission Regulation of 7 October 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies ^(*)		
	Arrangement in Regulation (EEC) No 3877/86 ^(*)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾) (⁽⁴⁾)	Third countries (except ACP) (⁽⁵⁾)
1006 10 21	—	145,04	297,28
1006 10 23	—	145,50	298,20
1006 10 25	—	145,50	298,20
1006 10 27	223,65	145,50	298,20
1006 10 92	—	145,04	297,28
1006 10 94	—	145,50	298,20
1006 10 96	—	145,50	298,20
1006 10 98	223,65	145,50	298,20
1006 20 11	—	182,20	371,60
1006 20 13	—	182,77	372,75
1006 20 15	—	182,77	372,75
1006 20 17	279,56	182,77	372,75
1006 20 92	—	182,20	371,60
1006 20 94	—	182,77	372,75
1006 20 96	—	182,77	372,75
1006 20 98	279,56	182,77	372,75
1006 30 21	—	226,15	476,16
1006 30 23	—	271,81	567,40
1006 30 25	—	271,81	567,40
1006 30 27	425,55	271,81	567,40
1006 30 42	—	226,15	476,16
1006 30 44	—	271,81	567,40
1006 30 46	—	271,81	567,40
1006 30 48	425,55	271,81	567,40
1006 30 61	—	241,20	507,11
1006 30 63	—	291,77	608,25
1006 30 65	—	291,77	608,25
1006 30 67	456,19	291,77	608,25
1006 30 92	—	241,20	507,11
1006 30 94	—	291,77	608,25
1006 30 96	—	291,77	608,25
1006 30 98	456,19	291,77	608,25
1006 40 00	—	56,57	119,14

(⁽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 2436/94**of 6 October 1994**

re-establishing the levying of customs duties on certain textile products originating in India, Pakistan and Indonesia to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3832/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3832/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries⁽¹⁾, extended for 1994 by Regulation (EC) No 3668/93⁽²⁾, and in particular Article 12 thereof,

Whereas Article 10 of Regulation (EEC) No 3832/90 provides that preferential tariff treatment shall be accorded from 1 July to 31 December 1994 for each category of products subjected in Annexes I and II thereto to individual ceilings, within the limits of the quantities specified in column 8 of its Annex I and column 7 of Annex II, in respect of certain or each of the countries or territories of origin referred to in column 5 of the same Annexes ;

Whereas Article 11 of the abovementioned Regulation provides that the levying of customs duties may be re-established at any time in respect of imports of the products in question once the relevant individual ceilings have been reached at Community level ;

Whereas, in respect of products of the order Nos, categories and origins indicated in the table below, the relevant ceilings were fixed at the levels indicated in that table ; whereas that ceiling was reached on the date indicated below, by charges of the imports into the Community of the products in question :

Order No	Origin	Ceiling	Date
40.0040	Indonesia	941 500 pieces	13. 9. 1994
40.0280	Indonesia	55 000 pieces	27. 7. 1994
40.0290	Indonesia	62 000 pieces	5. 9. 1994
40.0830	Pakistan	30 tonnes	28. 7. 1994
40.0910	Indonesia	34,5 tonnes	1. 8. 1994
40.1120	India	16,5 tonnes	27. 7. 1994

Whereas it is appropriate to re-establish the levying of customs duties for the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

As from 11 October 1994, the levying of customs duties, suspended from 1 July to 31 December 1994, pursuant to Regulation (EEC) No 3832/90, shall be re-established on imports into the Community of the products indicated in the table below :

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 22.

Order No	Category	CN code	Description	Origin
40.0040	4	6105 10 00	Shirts, T-shirts, lightweight fine knit roll, polo or turtle necked jumpers and pullovers (other than of wool or fine animal hair), undervests and the like, knitted or crocheted	Indonesia
		6105 20 10		
		6105 20 90		
		6105 90 10		
		6109 10 00		
		6109 90 10		
		6109 90 30		
		6110 20 10		
		6110 30 10		
40.0280	28	6103 41 10	Trousers, bib and brace overalls, breeches and shorts (other than swimwear) knitted or crocheted, of wool, of cotton or man-made fibres	Indonesia
		6103 41 90		
		6103 42 10		
		6103 42 90		
		6103 43 10		
		6103 43 90		
		6103 49 10		
		6103 49 91		
		6104 61 10		
		6104 61 90		
		6104 62 10		
		6104 62 90		
		6104 63 10		
		6104 63 90		
		6104 69 10		
		6104 69 91		
40.0290	29	6204 11 00	Women's or girls' suits and ensembles other than knitted or crocheted, of wool, of cotton or man-made fibres, excluding ski suits: women's or girls' tracksuits with lining, with an outer shell of a single identical fabric, of cotton or of man-made fibres	Indonesia
		6204 12 00		
		6204 13 00		
		6204 19 10		
		6204 21 00		
		6204 22 80		
		6204 23 80		
		6204 29 18		
		6211 42 31		
		6211 43 31		
40.0830	83	6101 10 10	Overcoats, jackets, blazers and other garments, including ski suits, knitted or crocheted, excluding garments of categories 4, 5, 7, 13, 24, 26, 27, 28, 68, 69, 72, 73, 74 and 75	Pakistan
		6101 20 10		
		6101 30 10		
		6102 10 10		
		6102 20 10		
		6102 30 10		
		6103 31 00		
		6103 32 00		
		6103 33 00		
		ex 6103 39 00		
		6104 31 00		
		6104 32 00		
		6104 33 00		
		ex 6104 39 00		
		ex 6112 20 00		
		6113 00 90		
		6114 10 00		
		6114 20 00		
		6114 30 00		

Order No	Category	CN code	Description	Origin
40.0910	91	6306 21 00 6306 22 00 6306 29 00	Tents	Indonesia
40.1120	112	6307 20 00 ex 6307 90 99	Other made up textile articles, woven, excluding those of categories 113 and 114	India

Article 2

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

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

Done at Brussels, 6 October 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 2437/94

of 7 October 1994

amending Regulation (EEC) No 1962/92 establishing the forecast supply balance for glucose and Community aid for the supply to the Canary Islands of certain cereal products of Community origin

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas, pursuant to Article 2 of Regulation (EEC) No 1601/92, Commission Regulation (EEC) No 1962/92 of 15 July 1992 ⁽³⁾, as last amended by Regulation (EC) No 1983/94 ⁽⁴⁾, establishes the forecast supply balance provided for in Article 2 of Regulation (EEC) No 1601/92 for July, August and September 1994 only, on the basis of the quantities determined for the 1993/94 marketing year, pending the conclusions to be drawn from an examination of the additional information provided by the competent authorities and in order to ensure the continuity of the specific supply arrangements; whereas, for the same reasons, the supply balance for glucose should accordingly be established for October and November 1994; whereas Regulation (EEC) No 1962/92 should be amended accordingly;

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

Article 1

Article 1 of Regulation (EEC) No 1962/92 is hereby replaced by the following:

Article 1

Pursuant to Article 2 of Regulation (EEC) No 1601/92, the quantity of products covered by CN code 1702, but not including the products covered by CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, in the forecast supply balance for October and November 1994 shall be 250 tonnes in total.'

Article 2

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

It shall apply from 1 October 1994.

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

Done at Brussels, 7 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 197, 16. 7. 1992, p. 45.

⁽⁴⁾ OJ No L 199, 2. 8. 1994, p. 34.

COMMISSION REGULATION (EC) No 2438/94

of 7 October 1994

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of beef held by certain intervention agencies and intended for processing within the Community and repealing Regulation (EC) No 1491/94

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 1884/94 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 1759/93 ⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas certain intervention agencies hold substantial stocks of intervention meat; whereas an extension of the period of storage should be avoided on account of the ensuing high costs; whereas, in the present market situation, there are outlets for such meat for processing in the Community;

Whereas with a view to securing a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Regulation (EEC) No 2173/79 ⁽⁵⁾, as last amended by Regulation (EEC) No 1759/93;

Whereas, as specified in Article 5 of Regulation (EEC) No 2539/84, lodging of securities should be required;

Whereas such sales should be made in accordance with Commission Regulations (EEC) No 2539/84, (EEC) No 3002/92 ⁽⁶⁾, as last amended by Regulation (EC) No 1846/94 ⁽⁷⁾, and (EEC) No 2182/77 ⁽⁸⁾, as last amended by Regulation (EEC) No 1759/93, subject to certain special

exceptions on account of the particular use to which the products in question are to be put;

Whereas Commission Regulation (EC) No 1491/94 ⁽⁹⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The following approximate quantities of beef shall be put up for sale for processing within the Community:

(a) bone-in hindquarters:

— 100 tonnes of bone-in beef held by the Irish intervention agency;

(b) bone-in forequarters:

— 20 tonnes of bone-in beef held by the Danish intervention agency;

(c) boneless beef:

— 6 000 tonnes of boneless beef held by the United Kingdom intervention agency and bought in before 1 June 1993,

— 1 005 tonnes of boneless beef held by the Italian intervention agency and bought in before 1 February 1993,

— 285 tonnes of boneless beef held by the Danish intervention agency and bought in before 1 September 1993,

— 8 000 tonnes of boneless beef held by the Irish intervention agency and bought in before 1 June 1993.

2. The intervention agencies referred to in paragraph 1 shall sell first the meat which has been stored the longest.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 27.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 59.

⁽⁵⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁶⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁷⁾ OJ No L 192, 28. 7. 1994, p. 18.

⁽⁸⁾ OJ No L 251, 1. 10. 1977, p. 60.

⁽⁹⁾ OJ No L 161, 29. 6. 1994, p. 14.

3. The sales shall be conducted in accordance with the provisions of Regulations (EEC) No 2539/84, (EEC) No 3002/92, (EEC) No 2182/77 and this Regulation.

4. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

5. Only those tenders shall be taken into consideration which reach the intervention agencies concerned no later than 12 noon on 19 October 1994.

6. Particulars relating to the quantities and the places where the products are stored may be obtained by interested parties at the addresses given in Annex II.

7. By way of derogation from Article 8 (1) of Regulation (EEC) No 2173/79 a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 5.

Article 2

1. Notwithstanding Article 3 (1) and (2) of Regulation (EEC) No 2182/77, the tender or application to purchase :

(a) shall be valid only if presented by a natural or legal person who, for at least 12 months, has been engaged in the processing of products containing beef and who is entered in a public register of a Member State ;

(b) must be accompanied by :

- a written undertaking by the applicant to process the meat purchased into products specified in Article 1 (1) of Regulation (EEC) No 2182/77 within the period referred to in Article 5 (1) of the abovementioned Regulation,
- a precise indication of the establishment or establishments where the meat which has been purchased will be processed.

2. The applicants referred to in paragraph 1 may instruct an agent to take delivery, on their behalf, of the

products which they purchase. In this case the agent shall submit the tenders or applications to purchase of the purchasers whom he represents.

3. The purchasers and agents referred to in the foregoing paragraphs shall maintain and keep up to date an accounting system which permits the destination and use of the products to be ascertained with a view particularly to checking to ensure that the quantities of products purchased and manufactured tally.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 10 per 100 kilograms.

2. The security provided for in Article 5 (3) (a) of Regulation (EEC) No 2539/84 shall be :

- ECU 150 per 100 kilograms for bone-in hindquarters,
- ECU 100 per 100 kilograms for bone-in forequarters,
- ECU 140 per 100 kilograms for boneless meat.

Article 4

For the purpose of this Regulation, 100 kilograms of bone-in hindquarters equals 64 kilograms of boneless meat after removal of the fillet and the striploin.

Article 5

Regulation (EC) No 1491/94 is hereby repealed.

Article 6

This Regulation shall enter into force on 19 October 1994.

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

Done at Brussels, 7 October 1994.

For the Commission

René STEICHEN

Member of the Commission

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

Estado miembro	Productos	Cantidad aproximada (toneladas)	Precio mínimo expresado en ecus por tonelada (1)
Medlemsstat	Produkter	Tilnærmet mængde (tons)	Mindestpriser i ECU/ton (1)
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)	Mindestpreise, ausgedrückt in ECU/Tonne (1)
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)	Ελάχιστες τιμές πώλησεως εκφραζόμενες σε Ecu τόνο (1)
Member State	Products	Approximate quantity (tonnes)	Minimum prices expressed in ecus per tonne (1)
État membre	Produits	Quantité approximative (tonnes)	Prix minimaux exprimés en écus par tonne (1)
Stato membro	Prodotti	Quantità approssimativa (tonnellate)	Prezzi minimi espressi in ecu per tonnellata (1)
Lid-Staat	Produkten	Hoeveelheid bij benadering (ton)	Minimumprijzen uitgedrukt in ecu per ton (1)
Estado-membro	Produtos	Quantidade aproximada (toneladas)	Preço mínimo expresso em ecus por tonelada (1)

a) i) Cuartos traseros con hueso — Bagfjerdinger, ikke udbenet — Hinterviertel mit Knochen — Οπίσθια τέταρτα με κόκαλα — Bone-in hindquarters — Quartiers arrière avec os — Quarti posteriori non disossati — Achtervoeten met been — Quartos traseiros com osso

Ireland	— Hindquarters, from : category C, classes U, R and O	100	1 300
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b) Cuartos delanteros con hueso — Forfjerdinger, ikke udbenet — Vorderviertel mit Knochen — Εμπρόσθια τέταρτα με κόκαλα — Bone-in forequarters — Quartiers avant avec os — Quarti anteriori non disossati — Voorvoeten met been — Quartos dianteiros com osso

Danmark	— Forfjerdinger af : kategori A/C, klasse R og O	20	1 100
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c) Carne deshuesada — Udbenet kød — Fleisch ohne Knochen — Αποσσεωμένο κρέας — Boneless beef — Viande désossée — Carni senza osso — Vlees zonder been — Carne desossada

Ireland	— Category C:		
	Shins and shanks	500	1 500
	Plates and flanks	3 000	1 150
	Forequarters	2 000	1 550
	Briskets	1 000	1 500
	Outsides	500	2 700
	Knuckles	500	2 400
	Rumps	500	1 900
United Kingdom	— Category C:		
	Briskets	500	1 500
	Rumps	500	1 950
	Thick flanks	500	2 050
	Topsides	1 200	3 100
	Pony	700	1 900
	Pony parts	200	1 400
	Foreribs	500	1 550
	Shins and shanks	400	1 450
	Clod and sticking	500	1 650
	Thin flanks	200	1 200
	Silversides	800	3 050
Italia	— Categoria A:		
	Scamone	250	2 000
	Fesa esterne	250	2 500
	Fesa interna	350	2 600
	Noce	150	2 100
	Collo sottospalla	4	1 750
	Geretto pesce	1	1 500

Estado miembro	Productos	Cantidad aproximada (toneladas)	Precio mínimo expresado en ecus por tonelada ⁽¹⁾
Medlemsstat	Produkter	Tilnærmet mængde (tons)	Mindstepriser i ECU/ton ⁽¹⁾
Mitgliedstaat	Erzeugnisse	Ungefähre Mengen (Tonnen)	Mindestpreise, ausgedrückt in ECU/Tonne ⁽¹⁾
Κράτος μέλος	Προϊόντα	Κατά προσέγγιση ποσότητα (τόνοι)	Ελάχιστες τιμές πωλήσεως εκφραζόμενες σε Ecu τόνο ⁽¹⁾
Member State	Products	Approximate quantity (tonnes)	Minimum prices expressed in ecus per tonne ⁽¹⁾
État membre	Produits	Quantité approximative (tonnes)	Prix minimaux exprimés en écus par tonne ⁽¹⁾
Stato membro	Prodotti	Quantità approssimativa (tonnellate)	Prezzi minimi espressi in ecu per tonnellata ⁽¹⁾
Lid-Staat	Produkten	Hoeveelheid bij benadering (ton)	Minimumprijzen uitgedrukt in ecu per ton ⁽¹⁾
Estado-membro	Produtos	Quantidade aproximada (toneladas)	Preço mínimo expresso em ecus por tonelada ⁽¹⁾
Danmark	— Kategori A/C: Øvrigt kød af forfjerding Skank og muskel Yderlår med lårtunge	201 62 22	1 900 1 600 2 750

⁽¹⁾ Estos precios se entenderán con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) n° 2173/79.

⁽¹⁾ Disse priser gælder i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

⁽¹⁾ Diese Preise gelten gemäß Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

⁽¹⁾ Οι τιμές αυτές εφαρμόζονται σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

⁽¹⁾ These prices shall apply in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

⁽¹⁾ Ces prix s'entendent conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) n° 2173/79.

⁽¹⁾ Il prezzo si intende in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

⁽¹⁾ Deze prijzen gelden overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

⁽¹⁾ Estes preços aplicam-se conforme o disposto no n° 1 do artigo 17º do Regulamento (CEE) n° 2173/79.

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

**Direcciones de los organismos de intervención — Interventionsorganernes adresser —
Anschriften der Interventionsstellen — Διευθύνσεις των οργανισμών παρεμβάσεως — Addresses
of the intervention agencies — Adresses des organismes d'intervention — Indirizzi degli
organismi d'intervento — Adressen van de interventiebureaus — Endereços dos organismos de
intervenção**

IRELAND : Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 6616263, (01) 6785214 and (01) 6620198

DANMARK : EF-Direktoratet
Nyropsgade 26
DK-1602 København K
Tlf. (33) 92 70 00, telex 15137 EFDIR DK, telefax (33) 92 69 48

ITALIA : Ente per gli interventi nel mercato agricolo (EIMA)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91
Telex 61 30 03

UNITED KINGDOM : Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302, telefax (0734) 56 67 50

COMMISSION REGULATION (EC) No 2439/94

of 7 October 1994

on the sale by the procedure laid down in Regulation (EEC) No 2539/84 of boneless beef held by certain intervention agencies and intended for export, and repealing Regulation (EC) No 2130/94

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 1884/94 ⁽²⁾, and in particular Article 7 (3) thereof,

Whereas Commission Regulation (EEC) No 2539/84 of 5 September 1984 laying down detailed rules for certain sales of frozen beef held by the intervention agencies ⁽³⁾, as last amended by Regulation (EEC) No 1759/93 ⁽⁴⁾, has provided for the possibility of applying a two-stage procedure when selling beef from intervention stocks;

Whereas Commission Regulation (EEC) No 2824/85 of 9 October 1985 laying down detailed rules for the sale of frozen boned beef from intervention stocks for export, either in the same state or after cutting and/or repackaging ⁽⁵⁾, as amended by Regulation (EEC) No 251/93 ⁽⁶⁾, has provided for repackaging under certain conditions;

Whereas certain intervention agencies hold large stocks of boneless intervention meat; whereas an extension of the period of storage for the meat bought in should be avoided on account of the ensuing high costs; whereas, as there are outlets in certain third countries for the products concerned, part of the meat should be put up for sale in accordance with Regulations (EEC) No 2539/84 and (EEC) No 2824/85;

Whereas with a view to securing a regular and uniform tendering procedure, measures should be taken in addition to those laid down in Regulation (EEC) No 2173/79 ⁽⁷⁾, as last amended by Regulation (EEC) No 1759/93;

Whereas, it is appropriate to provide for the products to leave the Community within five months following the date of conclusion of the sale contract;

Whereas, as specified in Article 5 of Regulation (EEC) No 2539/84, lodging of securities should be required;

Whereas it is appropriate to specify that, in view of the prices which have been fixed in the context of this sale in order to permit the disposal of certain cuts, exports of such cuts should not be eligible for the refunds periodically fixed in the beef and veal sector;

Whereas products held by intervention agencies and intended for export are subject to the provisions of Commission Regulation (EEC) No 3002/92 ⁽⁸⁾, as last amended by Regulation (EC) No 1846/94 ⁽⁹⁾;

Whereas Commission Regulation (EC) No 2130/94 ⁽¹⁰⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A sale shall be organized of approximately:

- 10 000 tonnes of boneless beef held by the Irish intervention agency and bought in before 1 June 1993,
- 6 000 tonnes of boneless beef held by the intervention agency of the United Kingdom and bought in before 1 June 1993,
- 500 tonnes of boneless beef held by the Italian intervention agency and bought in before 1 February 1993.

2. This meat shall be for export.

3. Subject to the provisions of this Regulation, the sale shall take place in accordance with the provisions of Regulations (EEC) No 2539/84, (EEC) No 2824/85 and (EEC) No 3002/92.

The provisions of Commission Regulation (EEC) No 985/81 ⁽¹¹⁾ shall not apply to this sale.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 27.

⁽³⁾ OJ No L 238, 6. 9. 1984, p. 13.

⁽⁴⁾ OJ No L 161, 2. 7. 1993, p. 59.

⁽⁵⁾ OJ No L 268, 10. 10. 1985, p. 14.

⁽⁶⁾ OJ No L 28, 5. 2. 1993, p. 47.

⁽⁷⁾ OJ No L 251, 5. 10. 1979, p. 12.

⁽⁸⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽⁹⁾ OJ No L 192, 28. 7. 1994, p. 18.

⁽¹⁰⁾ OJ No L 225, 31. 8. 1994, p. 17.

⁽¹¹⁾ OJ No L 99, 10. 4. 1981, p. 38.

4. By way of derogation from Article 8 (1) of Regulation (EEC) No 2173/79 a tender must be submitted to the intervention agency concerned in a closed envelope, bearing the reference to the Regulation concerned. The closed envelope must not be opened by the intervention agency before the expiry of the tender deadline referred to in paragraph 6.

5. The qualities and the minimum prices referred to in Article 3 (1) of Regulation (EEC) No 2539/84 are given in Annex I hereto.

6. Only those tenders shall be taken into consideration which reach the intervention agencies concerned not later than 12 noon on 18 October 1994.

7. Particulars of the quantities and the places where the products are stored shall be available to interested parties at the addresses given in Annex II.

Article 2

Products sold under this Regulation shall leave the customs territory of the Community within five months following the date of conclusion of the sale contract.

Article 3

1. The security provided for in Article 5 (1) of Regulation (EEC) No 2539/84 shall be ECU 30 per 100 kilograms.

2. The security provided for in Article 5 (2) (a) of Regulation (EEC) No 2539/84 shall be ECU 450 per 100 kilograms of boneless beef referred to under (a) in Annex I and ECU 230 per 100 kilograms of boneless beef referred to under (b) in Annex I.

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

Done at Brussels, 7 October 1994.

For the Commission

René STEICHEN

Member of the Commission

Article 4

In the case of the meat referred to under 1 (b), and 2 (b) in Annex I no export refund shall be granted.

Article 5

1. In the removal order referred to in Article 3 (1) (b) of Regulation (EEC) No 3002/92, the export declaration, and, where appropriate, the T5 control copy shall be entered :

Productos de intervención [Reglamento (CE) n° 2439/94];
Interventionsprodukter [Forordning (EF) nr. 2439/94];
Interventionserzeugnisse [Verordnung (EG) Nr. 2439/94];
Προϊόντα παρεμβάσεως [κανονισμός (ΕΚ) αριθ. 2439/94];

Intervention products (Regulation (EC) No 2439/94);
Produits d'intervention [Règlement (CE) n° 2439/94];
Prodotti d'intervento [Regolamento (CE) n. 2439/94];
Produkten uit interventievoorraden [Verordening (EG) nr. 2439/94];

Produtos de intervenção [Regulamento (CE) n° 2439/94].

2. With regard to the security provided for in Article 3 (2), compliance with the provisions of paragraph 1 shall constitute a primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽¹⁾.

Article 6

Regulation (EC) No 2130/94 is hereby repealed.

Article 7

This Regulation shall enter into force on 18 October 1994.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

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

**Precio mínimo expresado en ecus por tonelada⁽¹⁾ — Mindestpreise i ECU/ton⁽¹⁾ —
Mindestpreise, ausgedrückt in ECU/Tonne⁽¹⁾ — Ελάχιστες τιμές πωλήσεως εκφραζόμενες σε Ecu
ανά τόνο⁽¹⁾ — Minimum prices expressed in ECU per tonne⁽¹⁾ — Prix minimaux exprimés en
écus par tonne⁽¹⁾ — Prezzi minimi espressi in ecu per tonnellata⁽¹⁾ — Minimumprijzen
uitgedrukt in ecu per ton⁽¹⁾ — Preço mínimo expresso em ecus por tonelada⁽¹⁾**

1. IRELAND		2. UNITED KINGDOM		3. ITALIA	
a) Striploins	2 650	a) Striploins	2 350	a) Rostbeef	2 500
Insides	2 650	Topsides	2 300	Fesa esterna	2 200
Outsides	2 300	Thick flanks	2 150		
Knuckles	2 400	Rumps	2 100		
Rumps	2 350	b) Shins and shanks	850		
Cube-rolls	2 650	Clod and sticking	800		
b) Forequarters	850	Ponies	850		
Shins/shanks	900	Foreribs	700		

⁽¹⁾ Estos precios se entenderán netos con arreglo a lo dispuesto en el apartado 1 del artículo 17 del Reglamento (CEE) nº 2173/79.

⁽¹⁾ Disse priser gælder netto i overensstemmelse med bestemmelserne i artikel 17, stk. 1, i forordning (EØF) nr. 2173/79.

⁽¹⁾ Diese Preise gelten netto gemäß den Vorschriften von Artikel 17 Absatz 1 der Verordnung (EWG) Nr. 2173/79.

⁽¹⁾ Οι τιμές αυτές εφαρμόζονται επί του καθαρού βάρους σύμφωνα με τις διατάξεις του άρθρου 17 παράγραφος 1 του κανονισμού (ΕΟΚ) αριθ. 2173/79.

⁽¹⁾ These prices shall apply to net weight in accordance with the provisions of Article 17 (1) of Regulation (EEC) No 2173/79.

⁽¹⁾ Ces prix s'entendent poids net conformément aux dispositions de l'article 17 paragraphe 1 du règlement (CEE) nº 2173/79.

⁽¹⁾ Il prezzo si intende peso netto in conformità del disposto dell'articolo 17, paragrafo 1 del regolamento (CEE) n. 2173/79.

⁽¹⁾ Deze prijzen gelden netto, overeenkomstig de bepalingen van artikel 17, lid 1, van Verordening (EEG) nr. 2173/79.

⁽¹⁾ Estes preços aplicam-se a peso líquido, conforme o disposto no nº 1 do artigo 17º do Regulamento (CEE) nº 2173/79.

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

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intervenção

IRELAND: Department of Agriculture, Food and Forestry
Agriculture House
Kildare Street
Dublin 2
Tel. (01) 678 90 11, ext. 2278 and 3806
Telex 93292 and 93607, telefax (01) 6616263, (01) 6785214 and (01) 6620198

ITALIA: Ente per gli interventi nel mercato agricolo (EIMA)
Via Palestro 81
I-00185 Roma
Tel. 49 49 91
Telex 61 30 03

UNITED KINGDOM: Intervention Board for Agricultural Produce
Fountain House
2 Queens Walk
Reading RG1 7QW
Berkshire
Tel. (0734) 58 36 26
Telex 848 302, telefax (0734) 56 67 50

COMMISSION REGULATION (EC) No 2440/94**of 7 October 1994****on the free supply to Georgia, Armenia and Azerbaijan of intervention wheat
pursuant to Council Regulation (EC) No 1999/94**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan⁽¹⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EC) No 2065/94⁽²⁾ established the detailed rules applicable to the free supply of agricultural products held in intervention stocks to Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan foreseen by Regulation (EC) No 1999/94; whereas, in addition, specific rules should be laid down for the supply of intervention wheat; whereas, taking account of budgetary resources and the proper management of intervention stocks, a tendering procedure should be organized for the supply of 60 000 tonnes of wheat held by the Danish intervention agency to Georgia, Armenia and Azerbaijan;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby initiated for the supply costs of 60 000 tonnes (net) of wheat as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Articles 2 (1) and 2 (2) thereof.

2. The supply costs shall include the take-over at the stores indicated in Annex II and transport by the appropriate means of transport to the places of destination and within the time limits indicated in Annex I.

1. In accordance with Article 4 of Regulation (EC) No 2065/94 the offers shall be presented to the following address:

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

The closing date for the lodgement of tenders shall be 18 October 1994 at 5 p.m. (Brussels time).

2. The offer shall relate to the total of the quantities referred to in Article 1.

By derogation from Article 6 (1) (d) (1) of Regulation (EC) No 2065/94 the offer must specify the total amount in ecus required for the complete supply, and the amount in ecus per tonne required for each destination.

3. By derogation from the amount referred to in Article 6 (1) (f) of Regulation (EC) No 2065/94 the tendering security is fixed at ECU 20 per tonne.

4. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 140 per tonne, to be lodged in national currency.

5. The securities referred to in paragraphs 3 and 4 shall be drawn up in favour of the Commission of the European Communities.

Article 3

The take-over certificate referred to in Article 10 (1) (a) of Regulation (EC) No 2065/94 shall be established at the places and by the authorities referred to in Article III, on the basis of the model in Annex IV.

Article 4

For the payment provided for in Article 13 of Regulation (EC) No 2065/94, the intervention agency shall deliver a certificate certifying the total removal of the quantities for each destination, upon completion of that operation.

Article 5

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

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 213, 18. 8. 1994, p. 3.

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

Done at Brussels, 7 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Lot: 20 000 tonnes of intervention wheat destined for Armenia.

Delivery stage: Airum via the ports of Poti or Batumi (goods not unloaded).

Final delivery date at the port: 11 December 1994.

20 000 tonnes of intervention wheat destined for Georgia.

Delivery stage: Poti or Batumi (goods not unloaded).

Final delivery date at the port: 4 December 1994.

20 000 tonnes of intervention wheat destined for Azerbaijan.

Delivery stage: Pbeiuk Kesik via the ports of Poti or Batumi (goods not unloaded).

Final delivery date at the port: 27 November 1994.

No quantity destined for Armenia or Azerbaijan may be stored in the ports of Poti or Batumi; the wheat must be unloaded immediately on to the means of transport.

ANNEX II

Places of storage	(tonnes) Quantity
DLG Ravnstrup Hovedgaard Ravnstrupvej 58 DK-4160 Herlufmagle	4 096,120
DLG Niløsegård Dianalundvej 1 DK-4293 Dianalund	2 411,220
DLG Ydernæs Industrivej 14 DK-4700 Næstved	6 752,440
DLG Gavnø Gods Sofusminde DK-4700 Næstved	3 033,280
DLG Fodbygård Gods Toftegårdsvej 15 DK-4700 Næstved	2 539,220
DLG Iselingen Københavnsvej DK-4760 Vordingborg	3 785,980
Østsjælland's Andel Sørup Avlsgård, Lagerhal II Mjelmsømaglevej 99 DK-4100 Ringsted	7 022,260
DLG Lundbygård Gods Stålsilo DK-4750 Lundby	808,340
DLG Ganmelsøvej 14 DK-4760 Vordingborg	2 533,840
DLG Lageret Storegade 4 DK-4780 Stege	1 173,420
Køge Korn A/S Gule Lade af 1984 Vallø Stifts Landbrug DK-4600 Køge	5 041,260

Places of storage	Quantity
DLG Lille Svenstrup Gods Hal II DK-4100 Ringsted	9 799,630
DLG Lageret Parallelvej 2 DK-4300 Holbæk	2 020,440
A. Nielsen & Co. A/S Kostervig — Den Gule Lade — 1979 Egholmvej DK-4780 Stege	6 966,040
DLG Turebylille Øst, Sydenden Vordingborgvej DK-4682 Tureby	2 016,510

The characteristics of the lots shall be supplied to the successful tenderer by the Danish intervention agency.

Address of the intervention agency :

Landbrugsministeriet
EF-Direktoratet
Nyropsgade 26
DK-1602 København V
Tel. : 45 33 92 70 00
Telefax : 45 33 92 69 48.

ANNEX III

(a) Place of take-over in Armenia :

1. Airum — goods not unloaded.

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

2. Authority entitled to deliver the take-over certificate :

Ministry of Food and Provision,
375010 Yerevan,
Dom Pravitelstva,
Ploschad Respubliki, 1,
Mr Stepanian, Deputy Minister,
Tel. : (788 52) 52 03 21.

(b) Place of take-over in Georgia

1. Port of Poti or Batumi — goods not unloaded.

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

2. Authority entitled to deliver the take-over certificate :

Gossudarstvenaya Corporatziya Chleboproductov,
Ul. Didi Cheivani, No 6,
Tbilisi,
Mr Anzar Burdjanadze,
Tel. : (788 32) 99 86 98
Telefax : (788 32) 99 67 40.

(c) Place of take-over in Azerbaijan :

1. Pbeiuk-Kesik — goods not unloaded.

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

2. Authority entitled to deliver the take-over certificate :

Azintrade,
Baku, center,
Dom Pravitelsvta, Floor 1,
Tel. : (789 22) 93 19 80/93 97 13.

ANNEX IV

Take-over certificate

I, the undersigned
(name/first name/position)
acting on behalf of
certify that the following goods have been taken over :

Product :		
Packaging :		
Total quantity in tonnes (net) : (gross) :		
Number	of sacks (flour) :	
	of cartons (butter) (meat) (¹) :	
Place and date of take-over :		
Rail wagon numbers / name of boat / heavy goods vehicle registration numbers (¹) :		
Numbers of seals on arrival :		
Name and address of transport company :		

Name / address of monitoring agency :

.....

.....

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

.....

.....

Observations or remarks :

.....

.....

.....

.....

Signature and stamp

.....

(¹) Delete as appropriate.

COMMISSION REGULATION (EC) No 2441/94

of 7 October 1994

on the free supply to Georgia, Armenia and Azerbaijan of breadmaking intervention rye pursuant to Council Regulation (EC) No 1999/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Article 2

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan⁽¹⁾, and in particular Article 4 thereof,

Whereas Commission Regulation (EC) No 2065/94⁽²⁾ established the detailed rules applicable to the free supply of agricultural products held in intervention stocks to Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan foreseen by Regulation (EC) No 1999/94; whereas, in addition, specific rules should be laid down for the supply of breadmaking intervention rye; whereas, taking account of budgetary resources and the proper management of intervention stocks, a tendering procedure should be organized for the supply of 50 000 tonnes of breadmaking rye held by the German intervention agency to Georgia, Armenia and Azerbaijan;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby initiated for the supply costs of 50 000 tonnes (net) of breadmaking rye as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Articles 2 (1) and 2 (2) thereof.

2. The supply costs shall include the take-over at the stores indicated in Annex II and transport by the appropriate means of transport to the places of destination and within the time limits indicated in Annex I.

1. In accordance with Article 4 of Regulation (EC) No 2065/94 the offers shall be presented to the following address:

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

The closing date for the lodgement of tenders shall be 18 October 1994 at 5 p.m. (Brussels time).

2. The offer shall relate to the total of the quantities referred to in Article 1.

By derogation from Article 6 (1) (d) (1) of Regulation (EC) No 2065/94 the offer must specify the total amount in ecus required for the complete supply, and the amount in ecus per tonne required for each destination.

3. By derogation from the amount referred to in Article 6 (1) (f) of Regulation (EC) No 2065/94 the tendering security is fixed at ECU 20 per tonne.

4. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 140 per tonne, to be lodged in national currency.

5. The securities referred to in paragraphs 3 and 4 shall be drawn up in favour of the Commission of the European Communities.

Article 3

The take-over certificate referred to in Article 10 (1) (a) of Regulation (EC) No 2065/94 shall be established at the places and by the authorities referred to in Article III, on the basis of the model in Annex IV.

Article 4

For the payment provided for in Article 13 of Regulation (EC) No 2065/94, the intervention agency shall deliver a certificate certifying the total removal of the quantities for each destination, upon completion of that operation.

Article 5

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

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 213, 18. 8. 1994, p. 3.

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

Done at Brussels, 7 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Lot: 20 000 tonnes of breadmaking intervention rye destined for Armenia.

Delivery stage: Airum via the ports of Poti or Batumi (goods not unloaded).

Final delivery date at the port: 27 December 1994.

10 000 tonnes of breadmaking intervention rye destined for Georgia.

Delivery stage: Poti or Batumi (goods not unloaded).

Final delivery date at the port: 25 December 1994.

20 000 tonnes of breadmaking intervention rye destined for Azerbaijan.

Delivery stage: Pbeiuk Kesik via the ports of Poti or Batumi (goods not unloaded).

Final delivery date at the port: 18 December 1994.

No quantity destined for Armenia or Azerbaijan may be stored in the ports of Poti or Batumi; the rye must be unloaded immediately on to the means of transport.

ANNEX II

Places of storage	Quantity (tonnes)
Behrens Lagerhäuser D-25541 Brunsbüttel	4 777
Siebels D-25724 Neufelderkoog	2 993
Matzhen & Sohn GmbH D-25767 Albersdorf	1 527
Raiffeisen-Hauptgenossenschaft Nord AG D-25767 Albersdorf	3 241
Speditions- und Handelsgesellschaft Kock KG D-25792 Strübbel	1 375
Stöfen GmbH & Co D-25797 Wöhrden	3 173
Rautenberg D-23883 Sterley	2 835
Nordkorn Agrarhandel GmbH D-23623 Ahrensböök	4 095
Raiffeisen-Hauptgenossenschaft Nord AG D-24220 Flintbek	1 692
Raiffeisen-Hauptgenossenschaft Nord AG D-24768 Rendsburg	1 052
Raiffeisen-Hauptgenossenschaft Nord AG D-24783 Ostenfeld	710
Getreide AG vorm. P. Kruse — Chr. Sieck D-24376 Kappeln	6 548
Raiffeisen-Hauptgenossenschaft Nord AG D-23795 Fahrenkrug	4 387
Landw. Ein- und Verkaufsgenossenschaft D-29378 Wittengen	240
Raiffeisen Getreidelagerhaus Lüneburg-Embsen GmbH D-21337 Lüneburg	11 355

The characteristics of the lots shall be supplied to the successful tenderer by the German intervention agency.

Address of the intervention agency :

BALM

Adickesallee 40

Postfach 18 01 07

D-60082 Frankfurt-am-Main

Tel. : 069/1564-0

Telefax : 069/1564-790, 1564-791, 1564-792.

ANNEX III

(a) Place of take-over in Armenia :

1. Airum — goods not unloaded.

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

2. Authority entitled to deliver the take-over certificate :

Ministry of Food and Provision,
375010 Yerevan,
Dom Pravitelstva,
Ploschad Respubliki, 1,
Mr Stepanian, Deputy Minister,
Tel. : (788 52) 52 03 21.

(b) Place of take-over in Georgia

1. Port of Poti or Batumi — goods not unloaded.

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

2. Authority entitled to deliver the take-over certificate :

Gossudarstvenaya Corporatziya Chleboproductov,
Ul. Didi Cheivani, No 6,
Tbilisi,
Mr Anzar Burdjanadze,
Tel. : (788 32) 99 86 98
Telefax : (788 32) 99 67 40.

(c) Place of take-over in Azerbaijan :

1. Pbeiuk-Kesik — goods not unloaded.

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

2. Authority entitled to deliver the take-over certificate :

Azintrade,
Baku, center,
Dom Pravitelstva, Floor 1,
Tel. : (789 22) 93 19 80/93 97 13.

ANNEX IV

Take-over certificate

I, the undersigned
(name/first name/position)

acting on behalf of

certify that the following goods have been taken over :

Product :		
Packaging :		
Total quantity in tonnes (net) : (gross) :		
Number	of sacks (flour) :	
	of cartons (butter) (meat) (¹) :	
Place and date of take-over :		
Rail wagon numbers / name of boat / heavy goods vehicle registration numbers (¹) :		
Numbers of seals on arrival :		
Name and address of transport company :		

Name / address of monitoring agency :

.....
.....

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

.....
.....

Observations or remarks :

.....
.....
.....
.....

Signature and stamp

.....

.....
(¹) Delete as appropriate.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 July 1994

concerning compensation in respect of the deficit incurred by TAP on the routes
to the Autonomous Regions of the Azores and Madeira

(Only the Portuguese text is authentic)

(Text with EEA relevance)

(94/666/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular the first subparagraph of Article 93 (2) thereof,

Having given notice in accordance with the above Article to interested parties to submit their comments and having regard to those comments,

Whereas :

I

By letter of 10 April 1992, registered on 13 April 1992, the Portuguese Government informed the Commission of its intention to settle an alleged accumulated debt of Esc 35 140 964 000 owed to Transportes Aéreos Portugueses SA (hereinafter referred to as 'TAP').

By letter of 25 June 1992, registered on 26 June 1992, in response to a letter from the Commission of 28 May 1992, the Portuguese authorities provided information on the abovementioned operation and listed the criteria which should apply for compensating TAP's losses on the routes to the Autonomous Regions of the Azores and Madeira (hereinafter referred to as 'the Autonomous Regions') from 1992 onwards.

The Commission requested further information by letters of 4 August and 16 December 1992, which the Portu-

guese Government answered by letters of 28 October 1992 and 15 January 1993, registered on 30 October 1992 and 25 January 1993 respectively.

On 11 January 1993 officials of the Commission's Directorate-General for Transport responsible for State aid held a meeting in Brussels with representatives of the Portuguese Civil Aviation Administration, TAP and the Portuguese Permanent Representation.

In March 1993 the Commission decided that the compensation in respect of the deficit incurred by TAP in the 1978-91 period was aid compatible with the common market pursuant to Article 92 (3) (a) of the Treaty, but opened the procedure with regard to future method for calculating compensation (hereinafter referred to as 'the new method'). The Portuguese Government was informed of this decision by letter of 14 April 1993, which was published in the *Official Journal of the European Communities*⁽¹⁾, giving interested third parties the opportunity to comment.

The Portuguese authorities replied to the Commission's letter by letter of 13 July 1993.

The United Kingdom commented on the case, supporting the Commission's conclusions. These comments were transmitted to the Portuguese authorities which replied by

⁽¹⁾ OJ No C 178, 30. 6. 1993, p. 2.

letter of 23 September 1993. Further information was provided by the Portuguese authorities by letters of 16 February and 18 May 1994, in reply to a Commission's letter of 24 November 1993.

II

Article 93 (3) of the Treaty provides, *inter alia*, that where the Commission opens the Article 93 (2) procedure with regard to notified aid the Member State concerned shall not put the proposed measure into effect until this procedure has resulted in a final decision. The Portuguese Government informed the Commission that, as regards the deficit incurred in respect of the Autonomous Regions in 1992, it made a payment of Esc 5 230 671 000 in favour of TAP in March 1993. The Portuguese Government, by having made this payment without waiting for a final decision from the Commission, has failed to fulfil its obligations under Article 93 (3) of the Treaty.

III

The Portuguese authorities provided an analytical breakdown of the deficit incurred by TAP on each of the routes in question, indicating the costs incurred and the revenues earned. In addition, the Portuguese authorities maintained that:

1. compensation in respect of the deficit for public service obligations imposed by the State on an airline cannot be considered as State aid under Article 92 of the Treaty and in particular not as aid which distorts competition and favours the airline in question. The fares imposed have been established only according to the level of the disposable income of the populations of the Autonomous Regions. Consequently, the Portuguese Government could not impose such obligations on an airline without assuming some of the burdens. Such an arrangement could be said to be of a semi-contractual nature and cannot be considered as State aid;
2. contrary to what was stated in the opening of the procedure, TAP cannot freely fix its normal fares on the routes in question. In fact according to Article 1 of the Portuguese Decree No 1057/91 of 18 October 1991:

'The fares for scheduled flights on domestic routes between the mainland and the Autonomous Regions of the Azores and Madeira, and between these regions, shall be set on the basis of the following criteria:

- (a) for each of the areas referred to, a given average weighted fare may not exceed 80 % of the average RPK in the European network of the carrier operating that route, both those averages adjusted in rela-

tion to the distance, according to internationally recognized criteria'.

The fact that the average fare in the European network, where there is fierce price competition, is used as a basis obviates any discrimination in fare-setting on exclusive routes. Furthermore, the reference value of 80 % is based on a comparison of respective costs per destination/kilometre and is thus directly related to the costs borne by the airline on the routes for which compensation is provided. In practice the normal fares applied by TAP for the Autonomous Regions is considerably lower than 80 % of the normal fares on the European network for routes of similar distances.

This is borne out by the fact that in 1992 TAP's operating deficit for the Autonomous Regions was Esc 5 369 508 000 and the compensation based on the criteria used by the Portuguese Government was only Esc 5 230 671 000.

IV

Article 231 of the Portuguese Constitution provides that social protection of the residents of the Autonomous Regions is an imperative commitment for the Portuguese Government, which must smooth out the inequalities stemming from their geographical position.

The Portuguese authorities have imposed public service obligations on the routes between the Autonomous Regions and the mainland, and has entrusted TAP with the task of operating such routes. For this purpose the Government has fixed, on a yearly basis, the tariffs for the residents of the Autonomous Regions at levels considerably lower than those an airline would fix taking into account its costs. Consequently TAP suffers considerable losses in fulfilling the public service obligation requirements imposed by the Portuguese Government.

The Portuguese Government compensates TAP in respect of the deficit incurred on these routes. Since 1992 the Portuguese Government has been applying the following criteria to calculate the compensation:

- (a) TAP will receive an annual subsidy in respect of the regular air links between the mainland and the Autonomous Regions, between the Autonomous Regions and between Funchal and Porto Santo. The subsidy will be calculated by the Inspectorate-General for Finance and made available in monthly instalments, equivalent to number of residents, students and persons accompanying the Autonomous Regions' sporting teams actually carried to the mainland, multiplied by the difference between the normal tariff which TAP applies to other passengers and the tariffs which were set for the abovementioned passengers on those routes in accordance with Portuguese law (Article 2 of Decree-Law 311/91 of 17 August 1991);

- (b) moreover, the State may compensate TAP each year for the loss which the Inspectorate-General for Finance recognizes the company as having actually suffered on the routes served for non-commercial reasons (i.e. routes served for political reasons which an airline would not operate if it only took into account its commercial interests) determined by the Government. However, the Portuguese authorities have confirmed to the Commission that no such routes have been designated, other than the routes to the Autonomous Regions.

The Portuguese authorities have alleged that the direct flights to the Autonomous Regions carry only around 90 % of the Regions' traffic, since the remaining 10 % of the passengers use international flights which serve the Regions. If all the traffic used only direct flights, TAP would have to increase the number of such flights by the same proportion as the increase in traffic, since the load factor is already very high (75,8 % in 1990). These additional flights would lead to the same deficit as the direct flights, having the same load factor and the same deficit per passenger carried. For the Portuguese authorities this means that the deficit caused by passengers travelling only on the domestic leg (to and from the Autonomous Regions) of an international flight (e.g. Funchal — Lisbon — Rome) should also be taken into account in calculating the total deficit incurred by TAP.

On the basis of this assumption, the Portuguese Government has calculated this additional deficit by multiplying the number of passengers travelling on the national leg of these flights by the deficit for each passenger on the direct flight for the same route.

V

Article 92 (1) of the Treaty and Article 61 (1) of the EEA Agreement (hereinafter referred to as the Agreement) provide that any aid granted by a State or through State resources which distorts or threatens to distort competition shall, in so far as it affects trade, be incompatible with the common market and the Agreement.

In the present case the Commission has opened the Article 93 (2) procedure with regard to the new method chosen by the Portuguese Government because this method is not based on the deficit actually incurred by the airline, but on the difference between the tariff imposed by the Government and the normal tariff that TAP applies to the other passengers. The Commission considered that TAP could set the normal tariff at a very high level and thus make high profits because of the compensation, given the fact that most of the Regions' traffic is for the special category of passengers who benefit from promotional tariffs.

In the course of the Article 93 (2) procedure the Portuguese authorities showed that they have imposed a ceiling corresponding to 80 % of the average fare charged by TAP for European flights of similar distance. This limitation to TAP's tariff freedom should, in principle, preclude the possibility for the new method to involve over-compensation of the deficit actually incurred. The tariffs set by TAP for the European routes reflect its costs and the flights to the Autonomous Regions and European flights of similar distance should, in terms of fixed costs, have a similar cost structure (variable costs, such as landing charges, ground handling and maintenance fees should be lower for the flights from the mainland to the Autonomous Regions, which are domestic flights, than for the European ones). Therefore, the 80 % tariff ceiling should prevent TAP from setting its normal fares at a level higher than its costs. In this respect the Portuguese authorities have shown in detail that in 1992 and 1993 TAP's operating deficit for the routes to the Autonomous Regions was Esc 5 369 508 000 and 5 005 831 000, and that compensation based on the new method was Esc 5 230 671 000 and 4 909 545 000, respectively.

According to Council Regulation (EEC) No 2408/92⁽¹⁾ on market access, a public service obligation is any obligation imposed upon an air carrier to take, in respect of any route which it is licensed to operate by a Member State, all necessary measures to ensure the provision of a service satisfying fixed standards of continuity, regularity, capacity and pricing, which standards the air carrier would not assume if it were solely considering its commercial interest.

In the present case the Portuguese Government has an interest in maintaining adequate air services to the Autonomous Regions to promote their development and resolve some of the problems stemming from their geographical isolation. The Portuguese Government has, to this end, imposed tariff obligations with regard to these routes. It has directly entrusted the 'flag carrier' TAP with the operation of these routes and has decided to compensate the losses incurred as a result of the public service requirements. In order to minimize the costs of the service the Portuguese Government could have followed a public tender procedure and thus offered any European carrier the possibility of submitting a tender offer. The right to operate those routes could then have been awarded to the best tenderer, taking into account, *inter alia*, the cost of the compensation required. However, because Article 5 of Regulation (EEC) No 2408/92 guarantees, until the end of 1995, the exclusive concession of TAP for Madeira and because Regulation (EEC)

⁽¹⁾ OJ No L 240, 24. 8. 1992, p. 8.

No 2408/92 is not applicable to the Azores, the Portuguese Government is not obliged to apply the tender procedure provided for in Article 4 thereof to the traffic to the Autonomous Regions. In this context it should be noted, however, that the Portuguese Government committed itself to apply Article 4 to these Autonomous Regions as of 1 January 1996 at the latest.

In the light of the above, the Commission cannot share the Portuguese Government's opinion on the 'semi-contractual' nature of the arrangement with TAP. The tariff obligation imposed on TAP appears to be comparable to a legal requirement unilaterally established by the State and cannot be considered as a contractual obligation freely negotiated by two parties. The Portuguese Government did not follow an open-tender procedure for the selection of a carrier to operate the routes in question; consequently, it cannot be excluded that the amount of State resources actually paid to TAP might be higher than the amount payable after the award of a tender. Compensation in respect of public service obligations is considered by the Commission to constitute State aid within the meaning of Article 92 (1) of the Treaty (see Memorandum No 2 of 15 March 1984 on the development of Community air transport policy — COM(84) 72 final). Accordingly, the compensation has the character of an aid in favour of TAP.

The aid, by strengthening TAP's competitive position with regard to its competitors, distorts competition within the EEA, which, after the entry into force of the liberalization measures, is a market characterized by accrued competition. The aid affects trade because air transport is an industrial activity which by its nature involves trans-border operations.

The aid to TAP cannot be considered compatible with the common market pursuant to Article 92 (2) (a) of the Treaty and Article 61 (2) (a) of the Agreement. Under those provisions, which have not been invoked by the Portuguese authorities, aid of a social character granted to individual consumers is compatible with the common market, in so far as it is granted without discrimination related to the origin of the products. These Articles are not, however, applicable to the present case. Compensation for the deficit incurred by restricting access to the routes to the Autonomous Regions to TAP appears to be an aid measure on behalf of the carrier.

The aid under scrutiny is not an aid to promote the execution of an important project of common interest or to remedy a serious disturbance in the economy of a Member State pursuant to Article 92 (3) (b) of the Treaty and Article 61 (3) (b) of the Agreement.

The compensation of TAP's operating deficit does not represent a sectoral aid falling within Article 92 (3) (c) of the Treaty or Article 61 (3) (c) of the Agreement, because it is not aimed at assisting the air transport sector or overcoming any handicaps of the Portuguese airline.

Article 92 (3) (a) and (c) of the Treaty and Article 61 (3) (a) and (c) of the Agreement provide for exemption in respect of aid to promote or facilitate the development of certain regions.

Article 92 (3) (a) of the Treaty and 61 (3) (a) of the Agreement provide an exemption for aid for the benefit of regions suffering from problems of serious underdevelopment.

In Communication No 88/C 212/02 ⁽¹⁾, as amended by Communication No 90/C 163/05 ⁽²⁾, the Commission explained the method of application of Article 92 (3) (a) and (c) to regional aid. In applying Article 92 (3) (a) of the Treaty and Article 61 (3) (a) of the Agreement, the Commission assesses the relative level of development of different zones compared with the Community average. For the purposes of those provisions, the socio-economic situation is assessed by reference to *per capita* GDP (gross domestic product)/PPS (purchasing power standard) using the Community index for the region. In a second stage the relative level of regional development is compared with the Community average. Therefore, regions to be classified as falling within the scope of Article 92 (3) (a) of the Treaty and Article 61 (3) (a) of the Agreement are the level II regions (on the basis of NUTS) which have a GDP/PPS threshold of 75 % or lower, thus indicating an abnormally low standard of living and serious underemployment. By applying these indicators the whole Portuguese territory (Autonomous Regions included) is deemed a region falling within Article 92 (3) (a) of the Treaty and Article 61 (3) (a) of the Agreement. On the basis of the available data, none of the Portuguese regions has a GDP/PPS higher than 75 % (the Portuguese GDP/PPS in the 1986 to 1990 period was 54 % of the Community average).

In principle, the Commission is opposed to exempt operating aid in the air transport sector. However, until the liberalization measures provided for by Regulation (EEC) No 2408/92 (and in particular in Article 4 concerning public service obligations) are fully applicable, compensation for public service obligations may be accepted under Article 92 (3) (a) of the Treaty and Article 61 (3) (a) of the Agreement.

⁽¹⁾ OJ No C 212, 12. 8. 1988, p. 2.

⁽²⁾ OJ No C 163, 4. 7. 1990, p. 6.

Therefore compensation for the deficit incurred by TAP on the routes to the Autonomous Regions may benefit from the exemption laid down in Article 92 (3) (a) of the Treaty and Article 61 (3) (a) of the Agreement. The Commission has in fact expressly envisaged the possibility of granting an exemption pursuant to Article 92 (3) (a) to compensation for public service obligations, as promoting regional development (see Memorandum No 2, cited above). Given the degree of access to the market, the compensation of TAP's deficit is the only way to maintain life-line connections with the Autonomous Regions.

The compensation of TAP's deficit is an operating aid of regional character, being designed to overcome a permanent and structural disadvantage caused by the remote location of the Autonomous Regions.

In view of this situation it appears that, as long as the access to such routes is not entirely liberalized, the only way for the Portuguese Government to deal with the serious economic and social problems linked to the remoteness of the Autonomous Regions is to impose a public service obligation in respect of them, and to compensate the deficit incurred by TAP on those routes.

In the present case the Commission considers, on the basis of the elements provided by the Portuguese authorities, that the new method should not, in principle, lead to overcompensation of the deficit incurred by TAP on the routes to the Autonomous Regions. Therefore, the compensation may be considered as regional aid compatible with the common market and the Agreement, under Article 92 (3) (a) of the Treaty and Article 61 (3) (a) of the Agreement, subject to the condition that the compensation paid is not higher than the deficit incurred.

To that end, the Commission requires the Portuguese authorities to submit an annual report on the implementation of the aid scheme.

The Commission notes the Portuguese authorities' undertaking to apply Regulation (EEC) No 2408/92 to the routes in question as from 1 January 1996,

HAS ADOPTED THIS DECISION:

Article 1

The aid, notified by Portugal, to compensate the deficit incurred by TAP in fulfilling public service requirements on the routes to the Autonomous Regions of the Azores and Madeira is compatible with the common market and the EEA Agreement until 1 January 1996, as aid to promote the development of areas where the standard of living is abnormally low or where there is serious underemployment, provided that the aid granted does not exceed the deficit incurred on those routes.

Article 2

Portugal shall submit to the Commission an annual report on the implementation of the aid scheme.

Article 3

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 6 July 1994.

For the Commission

Marcelino OREJA

Member of the Commission

COMMISSION DECISION

of 6 October 1994

concerning the importation into the Community of fresh pigmeat, pigmeat products, live pigs, porcine semen and porcine embryos from Switzerland and amending Decisions 81/526/EEC, 91/449/EEC, 92/460/EEC and 93/199/EEC

(Text with EEA relevance)

(94/667/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries ⁽¹⁾, as last amended by Regulation (EEC) No 1601/92 ⁽²⁾, and in particular Articles 6, 11, 15, 16, 21a and 22 thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽³⁾, as last amended by Decision 92/438/EEC ⁽⁴⁾, and in particular Article 18 (7) thereof,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries ⁽⁵⁾, as last amended by Directive 92/118/EEC ⁽⁶⁾, and in particular Article 19 (7) thereof,

Whereas the animal health conditions and veterinary certification for imports of fresh meat from Switzerland were established by Commission Decision 81/526/EEC ⁽⁷⁾, as last amended by Decision 93/504/EEC ⁽⁸⁾;

Whereas the model for the veterinary certification for import of meat products from Switzerland was established by Commission Decision 91/449/EEC ⁽⁹⁾, as last amended by Decision 94/453/EC ⁽¹⁰⁾;

Whereas the animal health conditions and veterinary certification for imports of domestic animals of the

bovine and porcine species from Switzerland were established by Commission Decision 92/460/EEC ⁽¹¹⁾, as last amended by Decision 93/504/EEC;

Whereas the animal health conditions and model for the veterinary certification for the importation of porcine semen from third countries including Switzerland was established by Commission Decision 93/199/EEC ⁽¹²⁾, as last amended by Decision 94/453/EC;

Whereas as a result of outbreaks of classical swine fever the Commission adopted Decision 93/504/EEC concerning the importation into the Community of fresh pigmeat, pigmeat products, live pigs, porcine semen and porcine embryos which regionalized Switzerland in order to allow imports of domestic animals, semen and embryos of the porcine species, fresh meat and meat products from such animals from Switzerland with the exception of the municipalities Trubschachen, Trub, Langnau, Eggwil, Signau and Lauperswil in the canton of Berne and the municipalities Escholz matt and Marbach in the canton of Lucerne;

Whereas further epidemiological information has been received from the Swiss veterinary services in relation to these municipalities which demonstrates that the situation with regard to classical swine fever has significantly improved;

Whereas it is now possible to authorize imports of domestic animals, semen and embryos of the porcine species, fresh meat and meat products from such animals from the whole territory of Switzerland;

Whereas it is necessary to amend Decisions 81/526/EEC, 91/449/EEC, 92/460/EEC and 93/199/EEC, and revoke Decision 93/504/EEC accordingly;

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

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽⁴⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽⁵⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁶⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁷⁾ OJ No L 196, 18. 7. 1981, p. 19.

⁽⁸⁾ OJ No L 236, 21. 9. 1993, p. 16.

⁽⁹⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽¹⁰⁾ OJ No L 187, 22. 7. 1994, p. 11.

⁽¹¹⁾ OJ No L 261, 7. 12. 1992, p. 1.

⁽¹²⁾ OJ No L 86, 6. 4. 1993, p. 43.

HAS ADOPTED THIS DECISION:

Article 1

Annex A to Decision 81/526/EEC is hereby amended as follows:

1. the words in brackets after 'Exporting country: Switzerland' are deleted;
2. in Section IV, point 1 (a), the words in brackets after 'territory of Switzerland' are deleted.

Article 2

Decision 91/449/EEC is hereby amended as follows:

1. in Annex A, Part II, the words in brackets after 'Switzerland' are deleted;
2. in Annex D, Part II, 'Switzerland' is deleted.

Article 3

Decision 92/460/EEC is hereby amended as follows:

1. in Annexes C and D the words in brackets after 'Exporting country: Switzerland' are deleted;

2. In Annexes C and D, Section V, point 1, the words in brackets after 'Switzerland' are deleted.

Article 4

In Part 2 of the Annex to Decision 93/199/EEC the words in brackets after 'Switzerland' are deleted.

Article 5

Decision 93/504/EEC is hereby revoked.

Article 6

This Decision shall apply from the 10th day following notification to Member States.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 6 October 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION DECISION

of 6 October 1994

concerning the importation into the Community of fresh pigmeat, pigmeat products, live pigs and porcine embryos from Hungary and amending Decisions 82/8/EEC, 91/449/EEC and 92/322/EEC

(Text with EEA relevance)

(94/668/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries ⁽¹⁾, as last amended by Regulation (EEC) No 1601/92 ⁽²⁾, and in particular Articles 6, 11, 15, 16, 21a and 22 thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC ⁽³⁾, as last amended by Decision 92/438/EEC ⁽⁴⁾, and in particular Article 18 (7) thereof,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries ⁽⁵⁾, as last amended by Directive 92/118/EEC ⁽⁶⁾, and in particular Article 19 (7) thereof,

Whereas the animal health conditions and veterinary certification for imports of fresh meat from Hungary were established by Commission Decision 82/8/EEC ⁽⁷⁾, as last amended by Decision 93/398/EEC ⁽⁸⁾;

Whereas the model for the veterinary certification for import of meat products from Hungary was established by

Commission Decision 91/449/EEC ⁽⁹⁾, as last amended by Decision 94/453/EC ⁽¹⁰⁾;

Whereas the animal health conditions and veterinary certification for imports of domestic animals of the bovine and porcine species from Hungary were established by Commission Decision 92/322/EEC ⁽¹¹⁾, as last amended by Decision 93/469/EEC ⁽¹²⁾;

Whereas, as a result of outbreaks of classical swine fever, the Commission adopted Decision 93/398/EEC concerning the importation into the Community of fresh pigmeat, pigmeat products, live pigs, and porcine embryos from Hungary and amending Decisions 82/8/EEC, 91/449/EEC and 92/322/EEC which regionalized Hungary in order to allow imports of domestic animals and embryos of the porcine species, fresh meat and meat products from such animals from Hungary with the exception of the county of Szabolcs-Szatmar-Bereg, and wild boars and their products from Hungary with the exception of the counties of Bekes, Szabolcs-Szatmar-Bereg and Hajdu-Bihar;

Whereas further epidemiological information has been received from the Hungarian veterinary services in relation to the counties of Bekes, Hajdu-Bihar and Szabolcs-Szatmar-Bereg which demonstrates that the situation with regard to classical swine fever has improved in these counties;

Whereas it is now possible to authorize imports of domestic animals and embryos of the porcine species, fresh meat and meat products from such animals from the county of Szabolcs-Szatmar-Bereg and wild boars and their products from the counties of Bekes, Hajdu-Bihar and Szabolcs-Szatmar-Bereg in Hungary;

Whereas it is necessary to amend Decisions 82/8/EEC, 91/449/EEC, 92/322/EEC and revoke Decision 93/398/EEC accordingly;

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

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽⁴⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽⁵⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁶⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁷⁾ OJ No L 8, 13. 1. 1982, p. 9.

⁽⁸⁾ OJ No L 174, 17. 7. 1993, p. 39.

⁽⁹⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽¹⁰⁾ OJ No L 187, 22. 7. 1994, p. 11.

⁽¹¹⁾ OJ No L 177, 30. 6. 1992, p. 1.

⁽¹²⁾ OJ No L 218, 28. 8. 1993, p. 58.

HAS ADOPTED THIS DECISION :

Article 4

Article 1

Annex A to Decision 82/8/EEC is hereby amended as follows :

1. after 'Exporting country : Hungary', '(excluding in the case of fresh meat from swine, the county of SZABOLCS-SZATMAR-BEREG)' is deleted ;
2. in Section IV, point 1, after 'Hungary', '(excluding the county of SZABOLCS-SZATMAR-BEREG)' is deleted.

Article 2

In Annex A, Part II to Decision 91/449/EEC, after 'Hungary', '(excluding in the case of products derived from the meat of swine slaughtered after 1 May 1993, the county of SZABOLCS-SZATMAR-BEREG)' is deleted.

Article 3

Decision 92/322/EEC is hereby amended as follows :

1. in Annexes C and D, 'the county of SZABOLCS-SZATMAR-BEREG' is deleted ;
2. in Annexes C and D, Section V, paragraph 1, 'the county of SZABOLCS-SZATMAR-BEREG' is deleted.

Decision 93/398/EEC is hereby revoked.

Article 5

This Decision shall apply from the 10th day following notification to Member States.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 6 October 1994.

For the Commission

René STEICHEN

Member of the Commission
