

Official Journal

of the European Communities

ISSN 0378-6978

L 262

Volume 37

12 October 1994

English edition

Legislation

Contents

I Acts whose publication is obligatory

Commission Regulation (EC) No 2448/94 of 11 October 1994 altering the export refunds on white sugar and raw sugar exported in the natural state	1
Commission Regulation (EC) No 2449/94 of 11 October 1994 on the supply of flour intended for the people of Georgia, Armenia and Azerbaijan pursuant to Council Regulation (EC) No 1999/94	3
Commission Regulation (EC) No 2450/94 of 11 October 1994 closing an invitation to tender for the supply of cereals as food aid	7
Commission Regulation (EC) No 2451/94 of 11 October 1994 amending Regulation (EC) No 1079/94 increasing to 500 000 tonnes the quantity of bread-making wheat held by the Danish intervention agency for which a standing invitation to tender for export has been opened	8
Commission Regulation (EC) No 2452/94 of 11 October 1994 on the issue of import licences for high-quality fresh, chilled or frozen beef and veal	11
Commission Regulation (EC) No 2453/94 of 11 October 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal	12
Commission Regulation (EC) No 2454/94 of 11 October 1994 fixing the premiums to be added to the import levies on cereals, flour and malt	14
Commission Regulation (EC) No 2455/94 of 11 October 1994 fixing additional amounts for in the eggs sector products	16
Commission Regulation (EC) No 2456/94 of 11 October 1994 fixing additional amounts for poultrymeat products	18
Commission Regulation (EC) No 2457/94 of 11 October 1994 fixing the maximum export refund for white sugar for the 20th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94	20

Contents (continued)

Commission Regulation (EC) No 2458/94 of 10 October 1994 on the issuing of standing invitations to tender for the sale of common wheat of breadmaking quality held by the French and German intervention agencies for export to certain ACP countries in the 1994/95 marketing year	21
★ Commission Regulation (EC) No 2459/94 of 11 October 1994 establishing administration procedures for the first tranche of the 1995 quantitative quotas for certain products originating in the People's Republic of China ...	27

I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2448/94**of 11 October 1994****altering the export refunds on white sugar and raw sugar exported in the natural state**

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

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

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EC) No 2413/94 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2413/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁴⁾, as amended by Regulation (EC) No 3528/93 ⁽⁵⁾, 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 ⁽⁶⁾, as amended by Regulation (EC) No 547/94 ⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to Regulation (EC) No 2413/94 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 12 October 1994.

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

Done at Brussels, 11 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 258, 6. 10. 1994, p. 5.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁷⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 11 October 1994 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽³⁾
	— ECU/100 kg —
1701 11 90 100	32,17 ⁽¹⁾
1701 11 90 910	29,86 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	32,17 ⁽¹⁾
1701 12 90 910	29,86 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3497
	— ECU/100 kg —
1701 99 10 100	34,97
1701 99 10 910	34,96
1701 99 10 950	34,96
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3497

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

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

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

COMMISSION REGULATION (EC) No 2449/94

of 11 October 1994

on the supply of flour intended for the people of Georgia, Armenia and Azerbaijan pursuant to Council Regulation (EC) No 1999/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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 of 16 August 1994⁽²⁾, laying down detailed rules for the free supply of agricultural products held in intervention stocks to Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan pursuant to Council Regulation (EC) No 1999/94, provides that the tenders for the free supply of processed products shall relate to the quantity of basic product to be taken from intervention stocks as payment for the supply, and where applicable, as payment for the costs of processing, packaging and marking;

Whereas, it is appropriate to open a tendering procedure for the supply of 30 000 tonnes of common wheat flour;

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

A tendering procedure is hereby initiated for the supply costs of 30 000 tonnes (net) of common wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Articles 2 (1) and 2 (3) thereof.

Article 2

The supply shall include:

- (a) delivery of the product specified in Annex I, free on board, stowed on the boat in one of the following ports:

Lot No 1: 15 000 tonnes

- Rouen,
- Antwerp,
- Rotterdam;

Lot No 2: 15 000 tonnes

- Venice (Porto Marghera),
- Toulon;

- (b) the packaging and marking of the product in accordance with the instructions set out in Annex I.

The goods must be made available for loading on board ship at the following dates:

Lot No 1:

- 5 000 tonnes with effect from 14 November 1994,
- 5 000 tonnes with effect from 21 November 1994,
- 5 000 tonnes with effect from 28 November 1994.

Lot No 2:

- 5 000 tonnes with effect from 14 November 1994,
- 5 000 tonnes with effect from 21 November 1994,
- 5 000 tonnes with effect from 28 November 1994.

Article 3

- 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,
EAGGF-Guarantee,
Division VI/G.2 (Office 10/05),
120, rue de la Loi
B-1049 Brussels.

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

- 2. The offer of the tenderer shall indicate the quantity of common wheat, to be taken over from the intervention stocks referred to in Annex II, as payment for the supply, necessary to cover all costs of the supply as specified in Article 2 to the delivery stage laid down.

The offer shall be expressed in tonnes of common wheat (net weight) to be exchanged for a tonne of finished product (net weight).

- 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 of common wheat flour.

- 4. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 280 per tonne of common wheat flour, to be lodged in national currency.

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 213, 18. 8. 1994, p. 3.

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

Article 4

The take-over certificate referred to in Article 10 (1) (b) of Regulation (EC) No 2065/94 shall be established on the basis of the model in Annex III.

Article 5

By derogation from Article 11 (1) of Regulation (EC) No 2065/94 all of the controls referred to in the said paragraph shall be carried out by the intervention agency of the Member State in which the port of loading is situated.

Article 6

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, 11 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

1. *Product to be supplied*: common wheat flour
2. *Characteristics and quality of the goods*⁽¹⁾: see OJ No C 114, 29. 4. 1991 (under II.B (1) (a))
3. *Total quantity*: 30 000 tonnes
4. *Number of lots*: one lot of 15 000 tonnes to be delivered to one port only
5. *Packaging*⁽²⁾: in new mixed jute/polypropylene sacks containing 50 kg net. See OJ No C 114, 29. 4. 1991 (under II.B (2) (c))

These sacks will be packaged in new polypropylene 'Slinged/Big Bags', closed on top, at the rate of 20 sacks per 'Big Bag'. The 'Big Bags' will be sealed under the responsibility of the successful tenderer
6. *Marking*:
 - (a) European flag: see OJ No C 114, 29. 4. 1991 (Annexes I and II)
 - (b) the following inscription on each sack:

ПЩЕНИЧНАЯ МУКА - ПОСТАВКА ЕВРОПЕЙСКОГО СОЮЗА

in letters of at least 5 cm
7. *Stage of supply*: FOB stowed

⁽¹⁾ The successful tenderer shall deliver to the transporter 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.

⁽²⁾ Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.

ANNEX II

Places of storage	Quantity (in tonnes)
Finn Søholm Jørgensen Catrinebjerg Gods, Hal II Catrinebjergvej 3 DK-2630 Tåstrup	6 961,356
H.C. Handelscenter Venslev A/S Herlevgård, Lager 3 Lyngevej 16 DK-3400 Hillerød	5 485,940
Østsjælland Andel Brorupgård Kalundborgvej 155 DK-4200 Slagelse	4 325,240
DLG Lageret Vestre Kaj DK-4700 Næstved	8 124,480
DLG Trollesgave Stenskovvej 8 B DK-4700 Næstved	2 216,720
DLG Gammelsøvej 14 DK-4760 Vordingborg	4 403,490
Napus A/S Fovsletgård, Lager IV Fovsletgårdvej 3 DK-6580 Vamdrup	3 536,840
DLG Lageret, Nees afd. Ulfsundvej 35 DK-7570 Vemb	3 182,040
A/S KFK Ormstrup Gods Ormstrupvej 28 DK-8850 Bjerringbro	5 500,219
Overgård Gods Anker IV Overgårdsvej 28 DK-8970 Havndal	10 302,460
N.P. Andersen St. Sindholt, Lager 6 St. Sindholtvej 55 DK-9380 Vestbjerg	7 511,010

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

Address of the intervention agency :

DENMARK

Landbrugsministeriet,

EF-Direktoratet,

Nyropsgade 26,

DK-1602 København V.

Tel. : (45) 33 92 70 00 ; telefax : (45) 33 92 69 48.

ANNEX III

Take-over certificate

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

Product :		
Packaging :		
Number	of sacks :	
	of 'Big Bags' :	
Total quantity in tonnes net : gross :		
Place and date of take-over :		
Name of boat :		

Name/address of monitoring agency :

.....
.....

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

.....
.....

Observations or remarks :

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

Signature and stamp
of transporter

.....

COMMISSION REGULATION (EC) No 2450/94**of 11 October 1994****closing an invitation to tender for the supply of cereals as food aid**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

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

Whereas, by Regulation (EC) No 2258/94 ⁽³⁾, the Commission issued an invitation to tender for the supply of 22 326 tonnes of cereals as food aid; whereas the conditions of the supply, as regards lot D, should be reviewed and the invitation to tender for that lot should consequently be closed,

Article 1

For lot D of Annex I to Regulation (EC) No 2258/94 the invitation to tender is closed.

Article 2

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

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

Done at Brussels, 11 October 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 245, 20. 9. 1994, p. 11.

COMMISSION REGULATION (EC) No 2451/94

of 11 October 1994

amending Regulation (EC) No 1079/94 increasing to 500 000 tonnes the quantity of bread-making wheat held by the Danish intervention agency for which a standing invitation to tender for export has been opened

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Commission Regulation (EC) No 1866/94⁽²⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by the intervention agencies;

Whereas Commission Regulation (EC) No 1079/94⁽⁵⁾, as last amended by Regulation (EC) No 1689/94⁽⁶⁾, opened a standing invitation to tender for the export of 250 000 tonnes of bread-making wheat held by the Danish intervention agency; whereas, in the communication of 29 September 1994, Denmark informed the Commission of the intention of its intervention agency to increase by 250 000 tonnes the quantity for which a standing invitation to tender for export has been opened; whereas the total quantity of bread-making wheat held by the Danish intervention agency for which a standing invitation to tender for export has been opened should be increased to 500 000 tonnes;

Whereas this increase in the quantity put out to tender makes it necessary to alter the list of regions and quantities in store; whereas Annex I to Regulation (EC) No 1079/94 must therefore be amended;

Whereas special rules must be laid down to ensure that the operations are properly carried out and monitored;

Whereas to that end the Member States must provide for all additional measures compatible with the provisions in force to ensure that the operation takes place smoothly and that the Commission is kept informed;

Whereas the monitoring arrangements should accordingly be supplemented by the possibility of a sample being taken in the presence of both parties;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 of Regulation (EC) No 1079/94 is replaced by the following:

Article 1

The Danish intervention agency may, on the conditions laid down in Regulation (EEC) No 2131/93, open a standing invitation to tender for the export of bread-making wheat held by it.'

Article 2

Article 2 of Regulation (EC) No 1079/94 is replaced by the following:

Article 2

1. The invitation to tender shall cover a maximum of 500 000 tonnes of bread-making wheat to be exported to all third countries.
2. The regions in which the 500 000 tonnes of bread-making wheat are stored are stated in Annex I to this Regulation.'

Article 3

The following Article 5 is inserted:

Article 5

1. Before the lot awarded is removed, the intervention agency and the successful tenderer shall take a reference sample in accordance with the method laid down in Commission Regulation (EEC) No 689/92⁽⁷⁾ and shall analyse that sample.

- (a) Where the final results of the analysis of the sample indicate a difference between the quality of the bread-making wheat to be removed and the quality as described in the notice of invitation to tender, which nevertheless remains within a limit of up to:

- 2 kg/hl for the specific weight, which must not however be less than 72 kg/hl,
- one percentage point for the moisture content,
- 10 points for the Hagberg falling index,

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 120, 11. 5. 1994, p. 15.

⁽⁶⁾ OJ No L 179, 13. 7. 1994, p. 2.

- one percentage point for the protein content,
- half a percentage point for the impurities referred to in points B.2 and B.4 of the Annex to Regulation (EEC) No 689/92,
- half a percentage point for the impurities referred to in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains and ergot however remaining unchanged,

the following provisions shall apply:

- (i) the intervention agency shall, that same day, inform the Commission thereof in accordance with Annex III, as well as the storer and the successful tenderer;
- (ii) the successful tenderer may:
 - either agree to take over the lot with its characteristics as established,
 - or refuse to take over the lot in question. In that case the successful tenderer shall, that same day, inform the intervention agency and the Commission thereof in accordance with Annex IV.

Once these formalities have been completed, he shall be immediately released from all his obligations relating to the lot in question, including the securities.

The lot in question shall then be put up for sale again under a future invitation to tender at the quality established.

- (b) Where the final results of the analysis of the sample indicate that the quality is below the limits laid down in (a):
 - the intervention agency shall, that same day, inform the Commission thereof in accordance with Annex III, as well as the storer and the successful tenderer,
 - the successful tenderer shall give official notice, that same day, to the intervention agency of the impossibility of taking over the lot in question and shall inform the Commission thereof, that same day, in accordance with Annex IV. Once these formalities have been completed, he shall be immediately released from all his obligations relating to the lot in question, including the securities.

2. All risks and storage costs shall be borne by the successful tenderer from the time of removal.

(*) OJ No L 74, 20. 3. 1992, p. 18.'

Article 4

Annex I to Regulation (EC) No 1079/94 is replaced by the Annex hereto.

Article 5

The following Annex IV is hereby added to Regulation (EC) No 1079/94:

ANNEX IV

Communication of refusal of lots under the standing invitation to tender for the export of 500 000 tonnes of bread-making wheat held by the Danish intervention agency

(Article 5 (1) of Regulation (EC) No 1079/94)

- Name of successful tenderer:
- Date of award of contract:
- Date of refusal of lot by successful tenderer:

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			— Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not barley of unimpaired quality — Other'

Article 6

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, 11 October 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX**ANNEX I*

<i>(tonnes)</i>	
Place of storage	Quantity
Jylland	264 000
Fyn	30 000
Sjælland	130 000
Lolland-Falster	76 000

COMMISSION REGULATION (EC) No 2452/94**of 11 October 1994****on the issue of import licences for high-quality fresh, chilled or frozen beef and veal**

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

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

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

Whereas Article 1 (1) (d) of Regulation (EC) No 212/94 fixes the amount of high-quality fresh, chilled or frozen beef and veal originating in and imported from the

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

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

HAS ADOPTED THIS REGULATION :

Article 1

1. All applications for import licences from 1 until 5 October 1994 for high-quality fresh, chilled or frozen beef and veal as referred to in Article 1 (1) (d) of Regulation (EC) No 212/94 shall be met in full.

2. Applications for licences may be submitted, in accordance with Article 15 of Regulation (EEC) No 2377/80, during the first five days of November 1994 for 7 418 tonnes.

Article 2

This Regulation shall enter into force on 12 October 1994.

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

Done at Brussels, 11 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 22, 27. 1. 1994, p. 1.

⁽²⁾ OJ No L 27, 1. 2. 1994, p. 38.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 120, 11. 5. 1994, p. 30.

COMMISSION REGULATION (EC) No 2453/94**of 11 October 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 10

October 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 12 October 1994.

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

Done at Brussels, 11 October 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 11 October 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)	
CN code	Third countries ⁽⁸⁾
0709 90 60	92,47 ⁽²⁾ ⁽³⁾
0712 90 19	92,47 ⁽²⁾ ⁽³⁾
1001 10 00	17,99 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	56,56
1001 90 99	56,56 ⁽⁸⁾ ⁽¹¹⁾
1002 00 00	106,39 ⁽⁶⁾
1003 00 10	93,33
1003 00 90	93,33 ⁽⁸⁾
1004 00 00	91,89
1005 10 90	92,47 ⁽²⁾ ⁽³⁾
1005 90 00	92,47 ⁽²⁾ ⁽³⁾
1007 00 90	97,42 ⁽⁴⁾
1008 10 00	32,08 ⁽⁸⁾
1008 20 00	39,63 ⁽⁴⁾ ⁽⁸⁾
1008 30 00	2,91 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	2,91
1101 00 00	116,72 ⁽⁸⁾
1102 10 00	186,95
1103 11 10	62,68
1103 11 90	138,48
1107 10 11	111,56
1107 10 19	86,10
1107 10 91	177,01 ⁽¹⁰⁾
1107 10 99	135,01 ⁽⁸⁾
1107 20 00	155,54 ⁽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 2454/94**of 11 October 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 10

October 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 12 October 1994.

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

Done at Brussels, 11 October 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 11 October 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 10	1st period 11	2nd period 12	3rd period 1
0709 90 60	0	1,07	0	0
0712 90 19	0	1,07	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	14,15
1001 90 99	0	0	0	14,15
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	1,07	0	0
1005 90 00	0	1,07	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	19,81
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 10	1st period 11	2nd period 12	3rd period 1	4th period 2
1107 10 11	0	0	0	25,19	25,19
1107 10 19	0	0	0	18,82	18,82
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EC) No 2455/94**of 11 October 1994****fixing additional amounts for in the eggs sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 12 October 1994.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 152, 24. 6. 1993, p. 1.

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

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 24.

⁽⁵⁾ OJ No 59, 8. 4. 1965, p. 848/65.

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

⁽⁷⁾ OJ No 260, 27. 10. 1967, p. 24.

⁽⁸⁾ OJ No L 11, 16. 1. 1970, p. 1.

⁽⁹⁾ OJ No L 392, 31. 12. 1987, p. 29.

⁽¹⁰⁾ OJ No L 232, 12. 10. 1972, p. 3.

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

⁽¹²⁾ OJ No L 130, 31. 5. 1969, p. 4.

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

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

Done at Brussels, 11 October 1994.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 11 October 1994 fixing additional amounts for products in the eggs sector

CN code	Origin of imports (1)	Additional amount
		ECU/100 kg
0408 11 80	01	165,00
0408 91 80	02	120,00

(1) Origin :
01 United States of America and Canada,
02 United States of America.

COMMISSION REGULATION (EC) No 2456/94
of 11 October 1994
fixing additional amounts for poultrymeat products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2777/75 of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by the Regulation (EEC) No 1574/93 ⁽²⁾, and in particular Article 8 (4) thereof,

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

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

Whereas, pursuant to Commission Regulation (EEC) No 565/68 ⁽⁵⁾, as last amended by Regulation (EEC) No 3986/87 ⁽⁶⁾, the import levies on slaughtered fowls, ducks and geese originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2261/69 ⁽⁷⁾, as last amended by Regulation (EEC) No 3986/87, the import levies on slaughtered ducks and geese originating in and coming from Romania are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2474/70 ⁽⁸⁾, as amended by Regulation (EEC) No 3986/87,

the import levies on slaughtered turkeys originating in and coming from Poland are not increased by an additional amount;

Whereas, pursuant to Commission Regulation (EEC) No 2164/72 ⁽⁹⁾, as amended by Regulation (EEC) No 3987/87 ⁽¹⁰⁾, the import levies on slaughtered fowls and geese originating in and coming from Bulgaria are not increased by an additional amount;

Whereas Council Regulation (EC) No 774/94 ⁽¹¹⁾ has opened Community tariff quotas for certain agricultural products and fixed the levies to be applied on imports of those products; whereas Commission Regulation (EC) No 1431/94 ⁽¹²⁾, as amended by Regulation (EC) No 2389/94 ⁽¹³⁾, has established the detailed rules of the import regime for poultrymeat laid down in Regulation (EC) No 774/94;

Whereas the regular review of the information serving as a basis for the determination of average offer prices for poultrymeat products indicates that additional amounts corresponding to the figures shown in the Annex hereto should be fixed for the imports specified in that Annex;

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

HAS ADOPTED THIS REGULATION:

Article 1

The additional amounts provided for in Article 8 of Regulation (EEC) No 2777/75 shall be as set out in the Annex hereto for the products listed in Article 1 (1) of that Regulation which appear in the said Annex.

Article 2

This Regulation shall enter into force on 12 October 1994.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 152, 24. 6. 1993, p. 1.

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

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 24.

⁽⁵⁾ OJ No L 107, 8. 5. 1968, p. 7.

⁽⁶⁾ OJ No L 376, 31. 12. 1987, p. 7.

⁽⁷⁾ OJ No L 286, 14. 11. 1969, p. 24.

⁽⁸⁾ OJ No L 265, 8. 12. 1970, p. 13.

⁽⁹⁾ OJ No L 232, 12. 10. 1972, p. 3.

⁽¹⁰⁾ OJ No L 376, 31. 12. 1987, p. 20.

⁽¹¹⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽¹²⁾ OJ No L 156, 23. 6. 1994, p. 9.

⁽¹³⁾ OJ No L 255, 1. 10. 1994, p. 104.

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

Done at Brussels, 11 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 11 October 1994 fixing additional amounts for poultry meat products

<i>(ECU/100 kg)</i>		
CN code	Origin of imports ⁽¹⁾	Additional amount
0207 39 11	01	50,00
0207 41 10	01	50,00 ⁽²⁾
0207 10 11	02	30,00
0207 10 15	02	30,00
0207 21 10	02	30,00
0207 10 19	02	30,00
0207 21 90	02	30,00
0207 39 13	02	30,00
0207 41 11	02	30,00
0207 39 41	03	15,00
0207 42 41	03	15,00

⁽¹⁾ Origin :

- 01 Brazil, Thailand and China,
- 02 Slovenia,
- 03 Croatia.

⁽²⁾ The additional amounts are not applicable to imported products pursuant to Council Regulation (EC) No 774/94 (OJ No L 91, 8. 4. 1994, p. 1) and Commission Regulation (EC) No 1431/94 (OJ No L 156, 23. 6. 1994, p. 9).

COMMISSION REGULATION (EC) No 2457/94
of 11 October 1994

fixing the maximum export refund for white sugar for the 20th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94

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

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

Whereas Commission Regulation (EC) No 1021/94 of 29 April 1994 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1021/94, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 20th partial invitation to tender, the provisions set out in Article 1 should be adopted;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 20th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1021/94 the maximum amount of the export refund is fixed at ECU 37,476 per 100 kilograms.

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

Article 2

This Regulation shall enter into force on 12 October 1994.

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

Done at Brussels, 11 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 112, 3. 5. 1994, p. 13.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

COMMISSION REGULATION (EC) No 2458/94

of 10 October 1994

on the issuing of standing invitations to tender for the sale of common wheat of breadmaking quality held by the French and German intervention agencies for export to certain ACP countries in the 1994/95 marketing year

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 5 thereof,

Whereas Commission Regulation (EEC) No 2131/93⁽³⁾, as amended by Regulation (EC) No 120/94⁽⁴⁾, lays down the procedure and conditions for the disposal of cereals held by intervention agencies;

Whereas, with a view to supplying the markets of the ACP countries, favoured partners of the Community, significant quantities of common wheat are required; whereas these markets are usually supplied on the basis of annual contracts to ensure stable prices for the ACP countries over a long period; whereas it is therefore necessary to issue a specific invitation to tender to ensure that users in these countries have access to common wheat of breadmaking quality in the 1994/95 marketing year under conditions appropriate to the highly competitive situation on the world market;

Whereas the French and German intervention agencies hold significant stocks of common wheat of high breadmaking quality; whereas part of the wheat coming from the intervention stocks held by the aforementioned agencies should therefore be resold to the ACP countries so as to meet their quantitative and qualitative needs; whereas to avoid encroaching on the economic effects of the following marketing year, the common wheat successfully tendered for must be sent to the countries of destination by 31 August 1995 at the latest;

Whereas the specific nature of the operation and the accounting position of the common wheat in question require greater flexibility in the mechanisms and obligations governing the resale of intervention stocks and also require the exclusion of any refund or monthly increase; whereas special procedures must be laid down to ensure that the operations and their monitoring are properly effected; whereas to that end provision should be made for a security lodgment scheme which ensures that the aims are met while avoiding excessive costs for the operators; whereas derogations should accordingly be made to certain rules, in particular those laid down in Regulation (EEC) No 2131/93;

Whereas, in addition to the conditions laid down in Article 30 of Commission Regulation (EEC) No 3719/88⁽⁵⁾, as last amended by Regulation (EC) No 3519/93⁽⁶⁾, provision should be made for the release for consumption in the ACP State(s) laid down in the Regulation;

Whereas, where removal of the wheat is delayed by more than five days, or the release of one of the securities required is delayed, for reasons imputable to the intervention agency the Member State concerned will have to pay compensation;

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. Two standing invitations to tender are hereby issued for the 1994/95 marketing year for the export of:

- 500 000 tonnes of common wheat of breadmaking quality, held by the French intervention agency,
- 150 000 tonnes of common wheat of breadmaking quality, held by the German intervention agency.

2. The common wheat must be exported to an ACP State or to several States within one of the groups of ACP States listed in Annex I.

3. The regions in which the 500 000 tonnes of French and 150 000 tonnes of German common wheat of breadmaking quality are stored are listed in Annex II.

4. The intervention agencies concerned shall prepare a notice of invitation to tender indicating for each lot or, where appropriate, each part lot:

- the location,
- and at least the following features:
 - specific weight,
 - moisture content,
 - Hagberg falling number,
 - impurity contents and sprouted grains,
 - protein content.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 16.

5. They shall publish the notice of invitation to tender at least two days before the date set for the first partial invitation to tender.

Article 2

Subject to the provisions of this Regulation, the sales of common wheat of breadmaking quality referred to in Article 1 shall take place in accordance with the procedure and conditions laid down by Regulation (EEC) No 2131/93.

Article 3

1. The time limit for submitting tenders for the first partial invitations to tender shall be 9 p.m. (Brussels time) on Thursday 13 October 1994.

2. The time limit for submitting tenders for the second partial invitation to tender shall be 9 p.m. (Brussels time) on the following Thursday.

The time limit for the last partial invitation to tender shall be 27 October 1994.

3. Tenders must be submitted to the intervention agency in question.

Article 4

1. Tenders shall only be admissible if:

- the tenderer provides written proof from an official body in the country of destination or a company having its overseas subsidiary in the said country, that he has concluded for the quantity in question a commercial supply contract for common wheat of breadmaking quality for export to an ACP State or to several States within one of the groups of ACP States listed in Annex I. Such proof shall be lodged with the intervention agency at least two working days before the date of the first invitation to tender,
- they are accompanied by an application for an export licence for the destination in question.

The proof provided for in the first indent shall also indicate the quality provided for in the contract, the time limit for delivery and the price terms.

The Member State shall send the Commission a copy of the said proof forthwith, for information.

2. Tenders may not exceed the quantity laid down in the commercial contract submitted. Where on the basis of the said contract the tenderer simultaneously participates in invitations to tender in the two Member States

concerned, he shall be required to mention this in his bid.

When transmitting the tenders submitted, the Member States shall inform the Commission of the above, mentioning if necessary the names of the tenderers involved.

Article 5

1. No export refund shall be granted for exports carried out pursuant to this Regulation.

2. The validity of the export licences issued in accordance with this Regulation shall expire on 30 June 1995.

3. The licence obliges the operator to export to the ACP State or States for which the licence application was submitted. However, up to a limit of 10 % of the quantity for which the licence was issued, the operator may effect his contract at another destination on condition that it belongs to the same group of countries listed in Annex I.

4. The export licences shall be issued as soon as the successful tenderers have been selected.

5. Article 9 of Commission Regulation (EEC) No 3719/88⁽¹⁾ notwithstanding, the rights deriving from the licence referred to in this Article shall not be transferable.

Article 6

1. The successful tenderer shall notify the storer and the intervention agency in writing of his intention to remove the merchandise at least 10 days in advance.

2. Before the lot awarded is removed, the intervention agency and the successful tenderer shall take a reference sample in accordance with the method laid down in Commission Regulation (EEC) No 689/92⁽²⁾ and shall analyse that sample.

(a) Where the final results of the analysis of the sample indicate a difference between the quality of the bread-making wheat to be removed and the quality as described in the notice of invitation to tender, which nevertheless remains within a limit of up to:

- 2 kg/hl for the specific weight, which must not however be less than 72 kg/hl,
- one percentage point for the moisture content,
- 10 points for the Hagberg falling index,

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽²⁾ OJ No L 74, 20. 3. 1992, p. 18.

- one percentage point for the protein content,
- half a percentage point for the impurities referred to in points B.2 and B.4 of the Annex to Regulation (EEC) No 689/92,
- half a percentage point for the impurities referred to in point B.5 of the Annex to Regulation (EEC) No 689/92, the percentages admissible for noxious grains and ergot however remaining unchanged,

the following provisions shall apply:

- (i) the intervention agency shall, that same day, inform the Commission thereof in accordance with Annex III, as well as the storer and the successful tenderer;

- (ii) the successful tenderer may:

- either agree to take over the lot with its characteristics as established,
- or refuse to take over the lot in question. In that case the successful tenderer shall, that same day, inform the intervention agency and the Commission thereof in accordance with Annex IV.

Once these formalities have been completed, he shall be immediately released from all his obligations relating to the lot in question.

The lot in question shall then be put up for sale again under a future invitation to tender at the quality established.

- (b) Where the final results of the analysis of the sample indicate that the quality is below the limits laid down in (a):

- the intervention agency shall, that same day, inform the Commission thereof in accordance with Annex IV, as well as the storer and the successful tenderer,
- the successful tenderer shall give official notice, that same day, to the intervention agency of the impossibility of taking over the lot in question and shall inform the Commission thereof, that same day, in accordance with Annex IV. Once these formalities have been completed, he shall be immediately released from all his obligations relating to the lot in question.

3. Where the successful tenderer refuses the merchandise, as provided for in paragraph 2 above, the intervention agency shall supply him with another lot of intervention common wheat of the requisite quality, without extra charge, within eight days at the most.

4. If removal of the wheat is delayed by more than five days with relation to the date of acceptance of the lot to be removed by the successful tenderer for reasons imputable to the intervention agency, the Member State shall be responsible for the payment of compensation.

5. All risks shall be borne by the successful tenderer from the time of removal.

Article 7

The successful tenderer shall pay for the common wheat before removing it at the price indicated in the tender. The payment due for each of the lots to be removed shall be indivisible.

Article 8

1. The security lodged pursuant to Article 13 (4) of Regulation (EEC) No 2131/93 must be released once the export licences have been issued to the successful tenderers.

2. The obligation to export and import into one of the countries of destination listed in Annex I shall be covered by a security amounting to ECU 60 per tonne of which ECU 20 per tonne shall be lodged upon issue of the export licence, with the balance of ECU 40 being lodged before removal of the cereals.

Article 15 (2) of Commission Regulation (EEC) No 3002/92 ⁽¹⁾ notwithstanding:

- the amount of ECU 40 per tonne must be released within 20 working days of the date on which the successful tenderer supplies proof that the wheat removed has left the customs territory of the Community,
- the amount of ECU 20 per tonne must be released within 15 working days of the date on which the successful tenderer supplies proof of entry for consumption into the ACP State or States referred to in Article 5 (3). This proof shall be supplied in accordance with Articles 18 and 47 of Commission Regulation (EEC) No 3665/87 ⁽²⁾.

3. Except in duly substantiated exceptional cases, in particular the opening of an administrative enquiry, any release of the securities provided for in this Article after the time limits specified in this same Article shall confer an entitlement to compensation from the Member State amounting to 0,015 ECU/10 tonne for each day's delay.

This compensation shall not be charged to the EAGGF.

Article 9

Article 12 of Regulation (EEC) No 3002/92 notwithstanding, the documents relating to the sale of common wheat in accordance with this Regulation and in particular the export licence, 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 must bear the words:

- Trigo blando panificable de intervención sin derecho a restitución, destinado a (nombre del Estado o de los Estados ACP), Reglamento (CE) n° 2458/94,
- Bageegnet blød hvede fra intervention uden restitutionsydelse bestemt for (navnet på det eller de pågældende AVS-lande), forordning (EF) nr. 2458/94,

⁽¹⁾ OJ No L 301, 17. 10. 1992, p. 17.

⁽²⁾ OJ No L 351, 14. 12. 1987, p. 1.

- Interventions-Brotweichweizen ohne Ausfuhrerstattung, Bestimmung (Name des AKP-Staates oder der AKP-Staaten) — Verordnung (EG) Nr. 2458/94,
- μαλακός αρτοποιήσιμος σίτος παρέμβασης, που δεν παρέχει δικαίωμα επιστροφής, προοριζόμενος για (όνομα της χώρας ΑΚΕ ή των χωρών ΑΚΕ), κανονισμός (ΕΚ) αριθ. 2458/94,
- Intervention common wheat of breadmaking quality not eligible for refund, bound for (name of the ACP State or States), Regulation (EC) No 2458/94,
- Blé tendre d'intervention panifiable ne donnant pas droit à restitution, destiné à (nom de l'État ACP ou des États ACP), règlement (CE) n° 2458/94,
- Frumento tenero d'intervento panificabile non dante diritto a restituzione, destinato al (nome del paese o dei paesi ACP), regolamento (CE) n. 2458/94,
- Zachte broodtarwe uit interventie, zonder recht op restitutie, bestemd voor (naam van de ACS-Staat of de ACS-Staten), Verordening (EG) nr. 2458/94,

- Trigo brando panificável de intervenção que não dá direito a uma restituição, destinado a (nome do Estado ou dos Estados ACP), Regulamento (CE) n° 2458/94.

Article 10

1. The French and German intervention agencies shall inform the Commission of the tenders received within three hours of the expiry of the time limit for submitting tenders. The information must be sent in the form laid down in Annex III to one of the telex or fax numbers listed in Annex IV.

2. They shall inform the Commission on a monthly basis of the quantities of common wheat removed pursuant to this Regulation.

Article 11

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, 10 October 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***Groups of ACP States signatories to the Lomé Convention**

Group I	Group II	Group III	Group IV
Mauritania Mali Niger Senegal Burkina Faso Gambia Guinea-Bissau Guinea Cape Verde Sierra Leone Liberia Ivory Coast Ghana Togo	Chad Central African Republic Benin Cameroon Equatorial Guinea São Tomé and Príncipe Gabon Congo Zaire Rwanda Burundi	Seychelles Comoros Madagascar Mauritius	Angola Zambia Malawi Mozambique Namibia Botswana Zimbabwe Lesotho Swaziland

ANNEX II

<i>(tonnes)</i>	
Region of storage	Quantities
FRANCE :	
Orléans	400 000
Paris	40 000
Poitiers	60 000
GERMANY :	
Schleswig-Holstein/Niedersachsen/ Mecklenburg-Vorpommern/Sachsen/ Sachsen-Anhalt/Thüringen	149 934

ANNEX III

Standing invitation to tender for the export of 500 000 tonnes of common wheat of breadmaking quality held by the French intervention agency and 150 000 tonnes of common wheat of breadmaking quality held by the German intervention agency

(Regulation (EC) No 2458/94)

1	2	3	4	5	6	7
Registration number of the tenderer	Lot number	Quantity in tonnes	Offer price (ECU/tonne) (1)	Increases (+) Reductions (-) (ECU/tonne) p.m.	Commercial costs (ECU/tonne)	Destination
1						
2						
3						
etc.						

(1) This price includes the increases and reductions relating to the lot for which the tender is submitted.

ANNEX IV

The only telex and fax numbers in Brussels to be used are :

DG VI/C/1 :

- telex : 22037 AGREC B,
22070 AGREC B (Greek characters),
- fax : 295 25 15
296 10 97
296 20 05.

ANNEX V

Communication of refusal of lots under the standing invitation to tender for the export of 650 000 tonnes of bread-making wheat held by the French and German intervention agency

(Article 6 (2) of Regulation (EC) No 2458/94)

- Name of successful tenderer :
- Date of award of contract :
- Date of refusal of lot by successful tenderer :

Lot No	Quantity in tonnes	Address of silo	Reason for refusal to take over
			— Specific weight (kg/hl) — % sprouted grains — % miscellaneous impurities (Schwarzbesatz) — % of matter which is not wheat of unimpaired quality — Other

COMMISSION REGULATION (EC) No 2459/94**of 11 October 1994****establishing administration procedures for the first tranche of the 1995
quantitative quotas for certain products originating in the People's Republic of
China**

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 Article 2 (3) and (4), and Articles 13 and 24 thereof,

Whereas 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⁾, introduced annual quantitative quotas for certain products originating in the People's Republic of China listed in Annex II to that Regulation; whereas the provisions of Regulation (EC) No 520/94 establishing a Community procedure for administering quantitative quotas are applicable to those quotas;

Whereas the Commission accordingly adopted Regulation (EC) No 738/94 laying down general rules for the implementation of Regulation (EC) No 520/94⁽⁴⁾, whereas these provisions apply to the administration of the above quotas subject to the provisions of this Regulation;

Whereas certain characteristics of China's economy, the seasonal nature of some of the products and the time needed for transport mean that orders for products subject to quota are generally placed before the beginning of the quota year; whereas it is therefore important to ensure that administrative constraints do not impede the realization of the planned imports; whereas in order not to affect the continuity of trade flows, the arrangements for allocating and administering the 1995 quotas should accordingly be adopted before the start of the quota year;

Whereas it is also necessary, in laying down such measures, to look ahead to the accession to the European Union of new Member States under the Treaty concerning the accession of Norway, Austria, Finland and Sweden to the European Union⁽⁵⁾; whereas the need for continuity of trade applies equally to importers in the acceding States, who will be subject to the quotas from 1 January 1995;

Whereas proper means should be provided for, to allow the importers in the acceding States to have access to the 1995 quotas on the terms set for Community importers under Regulations (EC) No 520/94, (EC) No 738/94 and this Regulation, subject to such adjustments as are necessary to take account of the specific position of importers in the acceding States prior to 1 January 1995;

Whereas the Governments of Austria, Finland, Norway and Sweden have undertaken to adopt suitable measures to ensure compliance with the terms of the above Regulations, with particular reference to the rules for submission of import applications and supporting evidence, and to inform the Commission within the deadlines laid down by this Regulation of the relevant particulars of import applications received, with a view to the establishment of quantitative criteria for the allocation of quotas to importers;

Whereas compliance with the said rules will enable the Commission to determine the quantitative criteria for the allocation of the 1995 quotas, taking account of the participation of the importers in the acceding States, without prejudice to and on the date of entry into force of the Accession Treaty;

Whereas it is desirable to restrict the advance allocation of quotas, in accordance with Article 2 (1) of Regulation (EC) No 520/94, to an initial tranche representing 75 % by volume/value of the annual quotas set by Regulation (EC) No 519/94;

⁽¹⁾ OJ No L 66, 10. 3. 1994, p. 1.

⁽²⁾ OJ No L 67, 10. 3. 1994, p. 89.

⁽³⁾ OJ No L 198, 30. 7. 1994, p. 1.

⁽⁴⁾ OJ No L 87, 31. 3. 1994, p. 47.

⁽⁵⁾ OJ No C 241, 29. 8. 1994, p. 9.

Whereas the second tranche of the quotas will be allocated without delay in the light of adjustments made by the Council to reflect the trade patterns of the new Member States ;

Whereas after examination of the different administrative methods provided for by Regulation (EC) No 520/94, the method based on traditional trade flows should be adopted ; whereas under this method quotas tranches are divided into two portions, one of which is reserved for traditional importers and the other for other applicants ;

Whereas this method ensures a smooth transition between the previous system, which was marked by disparities between the Member States' import arrangements for the products concerned, and the uniform system resulting from the introduction of the Community quotas in question ;

Whereas this method takes account of the traditional import trade flows formed under the previous system ; whereas, however, the introduction of a Community system must ensure progressive access by non-traditional importers ; whereas the portion set aside for other applicants must make due allowance for the disparities in the above import arrangements in accordance with Article 6 (4) of Regulation (EC) No 520/94 ; whereas in the light of all these factors a balance must therefore be sought in determining the portion to be allocated to the two categories of importers ;

Whereas the 1991/92 reference period used for the apportionment of the 1994 quota should again be applied to the allocation of the share set aside for traditional importers, since it continues to reflect the normal trend of traditional trade flows established under the previous arrangements ;

Whereas, however, it is necessary to simplify the formalities to be fulfilled by traditional importers who already hold import licences issued when the 1994 quotas were allocated under 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 ⁽¹⁾ ; 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 is appropriate to provide for 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 in order to ensure that the quotas can be allocated and efficiently used any speculative applications should be excluded and it is furthermore necessary to allocate economically significant quantities ; whereas, to this end, the amount that any non-traditional importer may request should be restricted to a set volume/value ;

Whereas for the purpose of quota allocation, a time limit must be set for the submission of licence applications by traditional and other importers ;

Whereas with a view to optimum use of quotas, licence applications for imports of footwear under quotas which refer to several CN headings must specify the quantities required for each CN heading ;

Whereas the Member States must inform the Commission of the import licence applications received, in accordance with the procedure laid down in Article 8 of Regulation (EC) No 520/94 ; whereas the information about traditional importers' previous imports must be broken down by reference year and expressed in the same units as the quota in question ; whereas if the quota is set in ecus, the counter-value of the currency in which previous imports 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 ⁽²⁾ ;

Whereas in view of the special nature of transactions concerning the products subject to quota the period of validity of import licences should be set at nine months starting from 1 January 1995 ;

Whereas these measures are in accordance with the opinion of the Committee set up under Regulation (EC) No 520/94 including, for these purposes, representatives of the acceding States participating with observer status,

HAS ADOPTED THIS REGULATION :

Article 1

1. Pursuant to Article 2 (1) of Regulation (EC) No 520/94 the quantitative quotas listed in Annex II to Regulation (EC) No 519/94 shall be allocated for 1995 by tranches, the first of which shall be allocated to importers in accordance with this Regulation.

2. The volume/value of the first tranche of each quota is shown in Annex I.

⁽¹⁾ OJ No L 111, 30. 4. 1994, p. 100.

⁽²⁾ OJ No L 302, 19. 10. 1992, p. 1.

3. Regulation (EC) No 738/94 laying down certain rules for the implementation of Regulation (EC) No 520/94 shall be applicable subject to the provisions of this Regulation.

Article 2

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

2. The portions reserved respectively for traditional importers and other importers are shown in Annex II.

3. The portion set aside for non-traditional importers shall be allocated using the method based on allocation in proportion to quantities requested; the volume/value requested by a single importer may not exceed that shown in Annex III.

Article 3

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

Article 4

1. For the purposes of allocating the portion of each quota tranche set aside for traditional importers, 'traditional' importers shall mean importers who can show that they have imported goods in the calendar year 1991 and 1992.

2. The evidence referred to in Article 7 of Regulation (EC) No 520/94 shall relate to the release for free circulation during calendar years 1991 and 1992 of products originating in the People's Republic of China which are covered by the quota tranche for which the application is made.

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 competent

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 under Regulation (EC) No 1012/94 for the same products as those covered by the quota instalment may enclose a copy of their previous licences with their licence applications. In that case they shall indicate in their licence application the aggregate value of imports of the product in question in each of the years in the reference period.

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

Article 5

Member States shall inform the Commission no later than 7 November 1994 at 10 a.m., Brussels time, of the number and aggregate volume 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 4 (1) of this Regulation.

Article 6

1. On 11 November 1994 at the latest, the Commission shall adopt the quantitative criteria according to which importers' applications are to be met by the competent national authorities.

2. The Commission shall notify the acceding States of its decision.

Article 7

Import licences shall be valid for nine months, starting on 1 January 1995.

Article 8

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

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

Done at Brussels, 11 October 1994.

For the Commission

Leon BRITTAN

Member of the Commission

ANNEX I

Amount/value of the first tranche of the 1995 quotas

Product description	CN code	First tranche
Gloves	4203 29	ECU 71 898 750
Footwear falling within HS/CN codes	ex 6402 19 ⁽¹⁾ ex 6402 99 ⁽¹⁾	26 250 000 pairs
	ex 6403 19 ⁽¹⁾	2 062 500 pairs
	6403 51 6403 59	1 875 000 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	7 444 500 pairs
	ex 6404 11 ⁽¹⁾	12 637 500 pairs
	6404 19 10	21 789 000 pairs
Tableware, kitchenware of porcelain or china	6911 10	29 250 tonnes
Ceramic tableware or kitchenware	6912 00	22 275 tonnes
Glassware of a kind used for table	7013	8 250 tonnes
Car radios falling within HS/CN codes	8527 21	1 575 000 units
	8527 29	127 500 units
Toys falling within HS/CN codes	9503 41	ECU 150 598 500
	9503 49	ECU 62 888 250
	9503 90	ECU 381 012 000

(¹) Excluding footwear involving special technology : shoes which have a cif price per pair of not less than ECU 12 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

ANNEX II

Allocation of the first tranche of the quotas

Product description	CN code	Portion reserved for traditional importers	Portion reserved for other importers
Gloves	4203 29	ECU 61 113 937 (85 %)	ECU 10 784 813 (15 %)
Footwear falling within HS/CN codes	ex 6402 19 ⁽¹⁾ ex 6402 99 ⁽¹⁾	21 000 000 pairs (80 %)	5 250 000 pairs (20 %)
	ex 6403 19 ⁽¹⁾	1 650 000 pairs (80 %)	412 500 pairs (20 %)
	6403 51 6403 59	1 500 000 pairs (80 %)	375 000 pairs (20 %)
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	5 955 600 pairs (80 %)	1 488 900 pairs (20 %)
	ex 6404 11 ⁽¹⁾	10 110 000 pairs (80 %)	2 527 500 pairs (20 %)
	6404 19 10	17 431 200 pairs (80 %)	4 357 800 pairs (20 %)
Tableware, kitchenware of porcelain or china	6911 10	23 400 tonnes (80 %)	5 850 tonnes (20 %)
Ceramic tableware or kitchenware	6912 00	17 820 tonnes (80 %)	4 455 tonnes (20 %)
Glassware of a kind used for table, etc.	7013	6 600 tonnes (80 %)	1 650 tonnes (20 %)
Car radios falling within HS/CN codes	8527 21 8527 29	1 260 000 units 102 000 units (80 %)	315 000 units 25 500 units (20 %)
Toys falling within HS/CN codes	9503 41 9503 49 9503 90	ECU 112 948 875 ECU 47 166 187 ECU 285 759 000 (75 %)	ECU 37 649 625 ECU 15 722 063 ECU 95 253 000 (25 %)

⁽¹⁾ Excluding footwear involving special technology: shoes which have a cif price per pair of not less than ECU 12 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.

ANNEX III

Maximum quantity which may be requested by each importer other than traditional

Product description	CN code	Predetermined maximum quantity
Gloves	4203 29	ECU 30 000
Footwear falling within HS/CN codes	ex 6402 19 ⁽¹⁾ ex 6402 99 ⁽¹⁾	4 000 pairs
	ex 6403 19 ⁽¹⁾	4 000 pairs
	6403 51 6403 59	4 000 pairs
	ex 6403 91 ⁽¹⁾ ex 6403 99 ⁽¹⁾	4 000 pairs
	ex 6404 11 ⁽¹⁾	4 000 pairs
	6404 19 10	4 000 pairs
Tableware, kitchenware of porcelain or china	6911 10	4 tonnes
Ceramic tableware or kitchenware	6912 00	4 tonnes
Glassware of a kind used for table	7013	4 tonnes
Car radios falling within HS/CN codes	8527 21	4 000 units
	8527 29	4 000 units
Toys falling within HS/CN codes	9503 41	ECU 30 000
	9503 49	ECU 30 000
	9503 90	ECU 30 000

⁽¹⁾ Excluding footwear involving special technology : shoes which have a cif price per pair of not less than ECU 12 for use in sporting activities, with a single- or multi-layer moulded sole, not injected, manufactured from synthetic materials specially designed to absorb the impact of vertical or lateral movements and with technical features such as hermetic pads containing gas or fluid, mechanical components which absorb or neutralize impact or materials such as low-density polymers.