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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 2648/94
of 31 October 1994
establishing unit values for the determination of the customs value of certain
perishable goods

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

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽²⁾, as last amended by Regulation (EC) No 2193/94 ⁽³⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation ;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 4 November 1994.

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

Done at Brussels, 31 October 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 235, 9. 9. 1994, p. 6.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51] 0701 90 59]	New potatoes	31,55	1 247	238,43	60,58	207,43	9 150	25,01	60 478	68,06	24,80
1.20	0702 00 10] 0702 00 90]	Tomatoes	77,45	3 053	580,51	148,40	508,16	22 871	61,39	151 846	166,35	60,66
1.30	0703 10 19	Onions (other than seed)	19,49	768	146,12	37,35	127,91	5 757	15,45	38 221	41,87	15,26
1.40	0703 20 00	Garlic	71,70	2 826	537,45	137,39	470,48	21 175	56,84	140 585	154,02	56,16
1.50	ex 0703 90 00	Leeks	55,11	2 191	416,83	106,38	362,51	15 522	43,90	105 358	119,58	42,20
1.60	ex 0704 10 10] ex 0704 10 90]	Cauliflowers	57,81	2 331	438,81	113,34	385,48	15 133	43,14	104 614	127,38	45,06
1.70	0704 20 00	Brussels sprouts	53,71	2 172	405,33	104,22	354,64	14 950	41,74	101 870	116,85	40,02
1.80	0704 90 10	White cabbages and red cabbages	17,14	681	129,98	33,09	113,00	4 877	13,79	31 888	37,18	13,32
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	79,26	3 206	598,09	153,78	523,30	22 060	61,59	150 316	172,41	59,05
1.100	ex 0704 90 90	Chinese cabbage	36,78	1 463	279,14	71,12	243,78	10 454	29,10	68 223	79,83	28,31
1.110	0705 11 10] 0705 11 90]	Cabbage lettuce (head lettuce)	156,73	6 190	1 180,85	301,00	1 027,29	45 896	124,48	302 761	337,16	123,10
1.120	ex 0705 29 00	Endives	21,82	877	162,70	42,58	143,89	5 690	17,51	39 262	47,92	17,72
1.130	ex 0706 10 00	Carrots	16,90	673	128,33	32,72	111,98	4 793	13,36	31 281	36,73	12,98
1.140	ex 0706 90 90	Radishes	60,46	2 405	458,53	116,76	398,62	17 204	48,65	112 485	131,17	47,01
1.150	0707 00 11] 0707 00 19]	Cucumbers	55,21	2 193	417,12	106,57	364,08	15 879	43,67	103 026	119,50	42,86
1.160	0708 10 10] 0708 10 90]	Peas (<i>Pisum sativum</i>)	370,28	14 597	2 775,39	709,51	2 429,53	109 349	293,52	725 973	795,35	290,03
1.170		Beans :										
1.170.1	0708 20 10] 0708 20 90]	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	114,94	4 531	861,50	220,23	754,14	33 942	91,11	225 347	246,88	90,02
1.170.2	0708 20 10] 0708 20 90]	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>)	111,96	4 422	843,58	215,02	733,88	32 787	88,92	216 287	240,86	87,94
1.180	ex 0708 90 00	Broad beans	92,83	3 894	734,40	189,09	645,42	21 793	71,04	142 837	212,96	66,61
1.190	0709 10 00	Globe artichokes	61,64	2 453	467,78	119,18	408,52	17 518	48,77	114 325	133,77	47,45
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	398,85	15 723	2 989,48	764,24	2 616,95	117 784	316,16	781 975	856,70	312,40
1.200.2	ex 0709 20 00	— other	244,53	9 639	1 832,81	468,55	1 604,42	72 212	193,83	479 419	525,23	191,53
1.210	0709 30 00	Aubergines (egg-plants)	97,59	3 854	735,26	187,41	639,65	28 577	77,51	188 515	209,93	76,65
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	80,83	3 211	610,71	156,02	533,05	23 248	63,94	150 841	174,96	62,75
1.230	0709 51 30	Chantarelles	963,14	37 968	7 218,96	1 845,49	6 319,37	284 424	763,48	1 888 301	2 068,75	754,38
1.240	0709 60 10	Sweet peppers	88,82	3 501	665,76	170,20	582,80	26 230	70,41	174 148	190,79	69,57
1.250	0709 90 50	Fennel	73,55	2 966	558,22	144,18	490,38	19 251	54,88	133 083	162,05	57,33
1.260	0709 90 70	Courgettes	29,03	1 156	220,33	56,18	192,26	8 230	22,94	53 707	63,06	22,28
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	65,05	2 564	487,56	124,64	426,81	19 209	51,56	127 535	139,72	50,95
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	83,78	3 378	639,04	164,08	560,82	21 691	62,54	145 547	184,60	66,87
2.20												
2.30	ex 0804 30 00	Pineapples, fresh	38,81	1 530	290,91	74,36	254,65	11 461	30,76	76 095	83,36	30,40
2.40	ex 0804 40 10] ex 0804 40 90]	Avocados, fresh	131,67	5 190	986,95	252,30	863,96	38 885	104,38	258 162	282,83	103,13

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50	ex 0804 50 00	Guavas and mangoes, fresh	142,66	5 623	1 069,28	273,35	936,03	42 129	113,08	279 698	306,42	111,74
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	25,96	1 024	196,32	49,77	170,18	7 580	20,80	50 244	55,80	20,52
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	28,95	1 141	217,05	55,48	190,00	8 552	22,95	56 777	62,20	22,68
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	33,39	1 316	250,33	63,99	219,14	9 863	26,47	65 482	71,74	26,16
2.70		Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	ex 0805 20 10	— Clementines	67,84	2 679	511,17	130,29	444,69	19 867	53,88	131 060	145,95	53,29
2.70.2	ex 0805 20 30	— Monreales and Satsumas	37,95	1 497	286,92	72,74	248,72	11 078	30,40	73 432	81,55	29,98
2.70.3	ex 0805 20 50	— Mandarins and wilkings	50,74	2 005	383,46	97,43	333,59	14 715	40,22	97 263	109,46	39,89
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	48,07	1 895	360,30	92,11	315,40	14 195	38,10	94 246	103,25	37,65
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	38,58	1 521	289,23	73,94	253,18	11 395	30,58	75 656	82,88	30,22
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	85,71	3 379	642,44	164,23	562,39	25 312	67,94	168 048	184,10	67,13
2.90		Grapefruit, fresh :										
2.90.1	ex 0805 40 00	— white	36,48	1 438	273,48	69,91	239,40	10 775	28,92	71 537	78,37	28,57
2.90.2	ex 0805 40 00	— pink	51,32	2 023	384,67	98,34	336,74	15 156	40,68	100 622	110,23	40,19
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	157,14	6 194	1 177,82	301,10	1 031,04	46 405	124,56	308 089	337,53	123,08
2.110	0807 10 10	Water-melons	16,63	657	125,34	31,95	109,04	4 871	13,21	32 138	35,78	13,06
2.120		Melons (other than water-melons) :										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro	47,27	1 863	354,33	90,58	310,18	13 960	37,47	92 686	101,54	37,02
2.120.2	ex 0807 10 90	— other	97,61	3 848	731,62	187,03	640,45	28 825	77,37	191 374	209,66	76,45
2.130	0808 10 31 0808 10 33 0808 10 39 0808 10 51 0808 10 53 0808 10 59 0808 10 81 0808 10 83 0808 10 89	Apples	43,41	1 711	325,41	83,19	284,86	12 821	34,41	85 121	93,25	34,00
2.140		Pears										
2.140.1	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Pears — Nashi (<i>Pyrus pyrifolia</i>)	258,55	10 192	1 937,91	495,41	1 696,42	76 353	204,95	506 911	555,35	202,51
2.140.2	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Other	93,09	3 670	697,79	178,38	610,83	27 492	73,79	182 525	199,96	72,92

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.150	0809 10 00	Apricots	85,68	3 388	645,25	164,61	562,73	24 882	68,38	163 247	184,64	67,57
2.160	0809 20 20 0809 20 40 0809 20 60 0809 20 80	Cherries	155,38	6 144	1 170,13	298,51	1 020,50	45 123	124,00	296 043	334,84	122,54
2.170	ex 0809 30 90	Peaches	109,70	4 324	822,29	210,21	719,82	32 397	86,96	215 091	235,64	85,93
2.180	ex 0809 30 10	Nectarines	207,11	8 235	1 565,19	400,15	1 372,35	59 102	163,75	382 787	449,15	159,80
2.190	0809 40 11 0809 40 19	Plums	100,91	3 978	756,40	193,36	662,14	29 801	79,99	197 855	216,76	79,04
2.200	0810 10 10 0810 10 90	Strawberries	298,21	11 756	2 235,21	571,41	1 956,66	88 066	236,39	584 675	640,54	233,58
2.205	0810 20 10	Raspberries	1 232,1	49 408	9 305,36	2 396,74	8 133,50	344 866	961,01	2 323 153	2 685,64	922,33
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	194,02	7 673	1 461,18	372,77	1 274,33	56 347	154,85	369 677	418,12	153,02
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	100,15	3 948	750,66	191,90	657,12	29 575	79,39	196 355	215,11	78,44
2.230	ex 0810 90 80	Pomegranates	73,37	2 892	549,93	140,58	481,40	21 667	58,16	143 849	157,59	57,46
2.240	ex 0810 90 80	Khakis (including Sharon fruit)	308,43	12 158	2 311,77	590,99	2 023,68	91 082	244,49	604 701	662,49	241,58
2.250	ex 0810 90 30	Lychees	509,03	20 106	3 835,16	977,58	3 336,42	149 060	404,29	983 301	1 095,02	399,82

COMMISSION REGULATION (EC) No 2649/94**of 31 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 2525/94⁽³⁾, as amended by Regulation (EC) No 2596/94⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2525/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁵⁾, as amended by Regulation (EC) No 3528/93⁽⁶⁾, are used to convert amounts expressed in third country currencies

and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾, as amended by Regulation (EC) No 547/94⁽⁸⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EC) No 2525/94 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 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 269, 20. 10. 1994, p. 7.

⁽⁴⁾ OJ No L 276, 27. 10. 1994, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 31 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	31,79 ⁽¹⁾
1701 11 90 910	30,11 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	31,79 ⁽¹⁾
1701 12 90 910	30,11 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3456
	— ECU/100 kg —
1701 99 10 100	34,56
1701 99 10 910	34,56
1701 99 10 950	34,56
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3456

⁽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 2650/94
of 31 October 1994
fixing the aid for cotton

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

Having regard to the Act of Accession of Greece, and in particular paragraphs 3 and 10 of Protocol 4 thereto, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto, and Commission Regulation (EEC) No 4006/87 ⁽¹⁾,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton ⁽²⁾, as last amended by Regulation (EEC) No 1554/93 ⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EC) No 2141/94 ⁽⁴⁾, as last amended by Regulation (EC) No 2467/94 ⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EC) No 2141/94 to

the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 52,310 per 100 kilograms.

2. However, the amount of the aid will be replaced with effect from 1 November 1994 to take account of the amendments to be made to the maximum guaranteed quantity system.

Article 2

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 228, 1. 9. 1994, p. 11.

⁽⁵⁾ OJ No L 263, 13. 10. 1994, p. 15.

COMMISSION REGULATION (EC) No 2651/94
of 31 October 1994
fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

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

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

Whereas, pursuant to Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1110/89⁽⁷⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers

and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

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

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

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

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

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 17.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 1.

⁽⁴⁾ OJ No L 68, 11. 3. 1994, p. 20.

⁽⁵⁾ OJ No L 215, 30. 7. 1992, p. 48.

⁽⁶⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁷⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁸⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 114.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾, as amended by Regulation (EC) No 3528/93 ⁽²⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽³⁾, as amended by Regulation (EC) No 547/94 ⁽⁴⁾;

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

Whereas, as the result of the applications of all these provisions to the offers and quotations which the

Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

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

Aid applicable from 1 November 1994 to dried fodder :

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates	Fodder otherwise dried
November 1994	61,183	36,503

Aid in case of advance fixing for the month of :

(ECU/tonne)

December 1994	60,572	35,892
January 1995	60,219	35,539
February 1995	59,951	35,271
March 1995	59,884	35,204

COMMISSION REGULATION (EC) No 2652/94**of 31 October 1994****fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾, and in particular Article 16 (5) thereof,

Whereas Article 16 a (1) of Regulation (EEC) No 1785/81 provides for a reduced rate levy to apply during the 1994/95 marketing year to Portuguese imports of certain quantities of raw sugar originating in specified third countries and for use by Portuguese refineries;

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

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

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

amended by Regulation (EC) No 3528/93 ⁽⁴⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁵⁾, as amended by Regulation (EC) No 547/94 ⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 22,82 per 100 kg.

Article 2

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 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 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁶⁾ OJ No L 69, 12. 3. 1994, p. 1.

COMMISSION REGULATION (EC) No 2653/94**of 31 October 1994****fixing the export refunds on syrups and certain other sugar products exported in the natural state**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1489/76 ⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar ⁽⁵⁾, as last amended by Regulation (EC) No 2529/94 ⁽⁶⁾;

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

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

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

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

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

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 269, 20. 10. 1994, p. 14.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾, as amended by Regulation (EC) No 3528/93 ⁽²⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽³⁾, as amended by Regulation (EC) No 547/94 ⁽⁴⁾;

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

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

Whereas Council Regulation (EEC) No 990/93 ⁽⁵⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro);

whereas this prohibition does not apply in certain 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

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

Article 2

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

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

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	34,56 ⁽²⁾ ⁽³⁾
1702 60 10 000	34,56 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 900	0,3456 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	34,56 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3456 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3456 ⁽¹⁾ ⁽³⁾
1702 90 90 800	0,3456 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	34,56 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3456 ⁽¹⁾ ⁽³⁾

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

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

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

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

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EC) No 2079/94 (OJ No L 215, 20. 8. 1994, p. 2).

COMMISSION REGULATION (EC) No 2654/94**of 31 October 1994****fixing the import levies on syrups and certain other products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾, and in particular Article 16 (8) thereof,

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

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

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

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

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

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

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 11 (1) of Council Regulation (EEC) No 1766/92⁽⁵⁾, as last amended by Regulation (EC) No 1866/94⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

Whereas as a consequence of the amendment of Article 1 (2) of Regulation (EEC) No 1785/81 and by virtue of Article 16 thereof, a levy is chargeable on imports of inuline syrup; whereas the levy is defined in paragraph 6 (a) of the said Article 16 as equal, per 100 kilograms of dry matter, to the levy fixed in accordance with paragraph 6 of that Article multiplied by a coefficient of 1,9;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽⁶⁾ OJ No L 197, 30. 7. 1994, p. 1.

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽²⁾, as amended by Regulation (EC) No 3528/93⁽³⁾, 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⁽⁴⁾, as amended by Regulation (EC) No 547/94⁽⁵⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

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

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4092	—
1702 20 90	0,4092	—
1702 30 10	—	50,59
1702 40 10	—	50,59
1702 60 10	—	50,59
1702 60 90 10 ⁽²⁾	—	96,12
1702 60 90 90 ⁽³⁾	0,4092	—
1702 90 30	—	50,59
1702 90 60	0,4092	—
1702 90 71	0,4092	—
1702 90 90 10 ⁽⁴⁾	—	96,12
1702 90 90 90 ⁽⁵⁾	0,4092	—
2106 90 30	—	50,59
2106 90 59	0,4092	—

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

⁽²⁾ Taric code : Inulin syrup. For the purposes of classification under this subheading, 'Inulin syrup' means the immediate product obtained by hydrolysis of inulin or oligofructoses.

⁽³⁾ Taric code : CN code 1702 60 90, other than inulin syrup.

⁽⁴⁾ Taric code : Inulin syrup. For the purposes of classification under this subheading, 'Inulin syrup' means the immediate product, other than that falling within subheading 1702 60 90, obtained by hydrolysis of inulin or oligofructoses, containing by weight in the dry state at least 10 % fructose in free form or as sucrose.

⁽⁵⁾ Taric code : CN code 1702 90 90, other than inulin syrup.

COMMISSION REGULATION (EC) No 2655/94
of 31 October 1994
altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Community,

Article 1

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 13 (4) thereof,

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

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 2359/94 ⁽³⁾, as last amended by Regulation (EC) No 2521/94 ⁽⁴⁾;

Article 2

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

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 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 255, 1. 10. 1994, p. 12.

⁽⁴⁾ OJ No L 268, 19. 10. 1994, p. 11.

ANNEX

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

(ECU/tonne)

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

(1) The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EC) No 2656/94**of 31 October 1994****fixing the import levies on compound feedingstuffs**

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 11 (3) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92; whereas Article 4 of Commission Regulation (EEC) No 1619/93 of 25 June 1993 on the arrangements applicable to cereal-based compound feedingstuffs⁽³⁾ provides that the incidence on the prime costs of those feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the sum of the amounts equal to the average levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products, maize and milk powder, considered to have been used in the manufacture of such compound feedingstuffs, the averages being adjusted on the basis of the threshold price for the basic products in question applicable during the month of importation;

Whereas the fixed component is laid down in Article 6 of Regulation (EEC) No 1619/93;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁴⁾, as last amended by Regulation (EC) No 235/94⁽⁵⁾;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁶⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the

conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992⁽⁷⁾; whereas Commission Regulation (EEC) No 1267/93⁽⁸⁾, lays down detailed rules for the application of the import arrangements for these products originating in Sweden;

Whereas equally account must be taken of Council Regulation (EC) No 3641/93 of 20 December 1993, on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Bulgaria, of the other part⁽⁹⁾; whereas Commission Regulation (EC) No 1550/94⁽¹⁰⁾, as amended by Regulation (EC) No 2221/94⁽¹¹⁾, for the importation of products falling within CN codes 2309 90 31 and 2309 90 41 originating in Bulgaria;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹²⁾, as amended by Regulation (EC) No 3528/93⁽¹³⁾, 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⁽¹⁴⁾, as amended by Regulation (EC) No 547/94⁽¹⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 1619/93 and subject to Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1994.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 30, 3. 2. 1994, p. 12.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽⁷⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽⁸⁾ OJ No L 129, 27. 5. 1993, p. 14.

⁽⁹⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽¹⁰⁾ OJ No L 166, 1. 7. 1994, p. 43.

⁽¹¹⁾ OJ No L 239, 14. 9. 1994, p. 6.

⁽¹²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹³⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽¹⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁵⁾ OJ No L 69, 12. 3. 1994, p. 1.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 31 October 1994 fixing the import levies on compound feedingstuffs

(ECU / tonne)

CN code	Levies ⁽¹⁾	
	ACP	Third countries (other than ACP)
2309 10 11	15,00	25,88 ⁽²⁾
2309 10 13	575,39	586,27 ⁽²⁾
2309 10 31	46,88	57,76 ⁽²⁾
2309 10 33	607,27	618,15 ⁽²⁾
2309 10 51	93,76	104,64 ⁽²⁾
2309 10 53	654,15	665,03 ⁽²⁾
2309 90 31	15,00	25,88 ⁽³⁾
2309 90 33	575,39	586,27
2309 90 41	46,88	57,76 ⁽³⁾
2309 90 43	607,27	618,15
2309 90 51	93,76	104,64
2309 90 53	654,15	665,03

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

⁽²⁾ The levy may be reduced in accordance with the Agreement between the Community and Sweden (OJ No L 109, 1. 5. 1993) and Regulation (EEC) No 1267/93 (OJ No L 129, 27. 5. 1993).

⁽³⁾ The levy may be reduced in accordance with the Agreement between the Community and Bulgaria (OJ No L 333, 31. 12. 1993, p. 16) and Regulation (EC) No 623/94 (OJ No L 78, 22. 3. 1994, p. 7).

COMMISSION REGULATION (EC) No 2657/94

of 31 October 1994

re-establishing the levying of customs duties applicable to products falling within CN code 3102 40, originating in Poland, to which the tariff ceilings set out in Council Regulation (EEC) No 3918/92 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3918/92 of 28 December 1992 opening and providing for the administration of Community tariff quotas and ceilings for certain agricultural and industrial products and establishing a reduced variable component for certain processed agricultural products originating in Hungary, Poland and the territory of the former Czech and Slovak Federal Republic (CSFR)⁽¹⁾, as last amended by Regulation (EC) No 342/94⁽²⁾, and in particular Article 6 thereof,

Whereas, pursuant to Article 1 of that Regulation, Hungary, Poland and the territory of the former Czech and Slovak Federal Republic (CSFR) shall benefit from preferential tariff arrangements, in particular the preferential tariff ceilings laid down in column 6 of Annex I to that Regulation; whereas, pursuant to Article 6, as soon as the ceilings have been reached, the Commission may adopt a regulation re-establishing the customs duties applicable to the third countries in question until the end of the calendar year;

Whereas that ceiling was reached by charges of imports of the products listed in the Annex, originating in Poland, to which the tariff preferences apply;

Whereas, it is appropriate to reintroduce the levying of customs duties for the products in question,

HAS ADOPTED THIS REGULATION:

Article 1

As from 4 November 1994, the levying of customs duties, suspended for 1994 pursuant to Regulation (EEC) No 3918/92, shall be reintroduced on imports into the Community of the products listed in the Annex, originating in Poland.

Article 2

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

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

Done at Brussels, 31 October 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 396, 31. 12. 1992, p. 12.

⁽²⁾ OJ No L 44, 17. 2. 1994, p. 1.

ANNEX

Order No	CN code	Description
21.0101	3102 40	— Mixtures of ammonium nitrate with calcium carbonate or other inorganic non-fertilizing substances :
	3102 40 10	— — With a nitrogen content not exceeding 28 % by weight
	3102 40 90	— — With a nitrogen content exceeding 28 % by weight

COMMISSION REGULATION (EC) No 2658/94**of 31 October 1994****amending Regulation (EEC) No 891/89 on special detailed rules for the application of the system of import and export licences for cereals and rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1866/94⁽²⁾ and in particular Article 9 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 1869/94⁽⁴⁾, and in particular Article 10 (2) thereof,

Whereas Article 12 of Commission Regulation (EEC) No 891/89⁽⁵⁾, as last amended by Regulation (EC) No 1755/94⁽⁶⁾, specifies the amounts of the security for import and export licences for cereals and rice;

Whereas by Regulation (EEC) No 1766/92 the institutional prices for durum wheat are aligned on those for the other cereals; whereas, therefore, the rate of the security laid down for import licences relating to products falling within CN code 1103 11 10 must be revised taking account of the processing coefficient specific to meal;

Whereas Regulation (EEC) No 891/89 should therefore be amended;

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 12 of Regulation (EEC) No 891/89 is hereby replaced by the following:

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽⁵⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁶⁾ OJ No L 183, 19. 7. 1994, p. 7.

Article 12

The amount of the security for licences for the products listed in Article 1 of Regulation (EEC) No 1766/92 and Article 1 of Regulation (EEC) No 1418/76 shall be as follows:

- (a) ECU 0,60 per tonne in the case of import and export licences in respect of which the import levy, export refund or export levy is not fixed in advance;
- (b) in the case of import licences with advance fixing of the levy:
 - ECU 16 per tonne for products falling within CN codes 0709 90 60, 0712 90 19, 1001 10 10, 1001 10 90, 1001 90 91, 1001 90 99, 1002 00 00, 1003 00, 1004 00, 1005 10 90, 1005 90 00, 1007 00 and 1008,
 - ECU 23 per tonne for products falling within CN code 1006 (excluding 1006 10 10),
 - ECU 4 per tonne for other products;
- (c) ECU 38 per tonne for products listed in Article 1 of Regulation (EEC) No 1418/76 in the case of export licences in respect of which the refund or levy is fixed in advance. For exports to ACP countries under a licence with a special period of validity in accordance with Article 11 of this Regulation, the security shall be ECU 18 per tonne;
- (d) ECU 25 per tonne for products falling within CN code 1103 11 10 in the case of export licences in respect of which the refund or levy is fixed in advance. For exports to ACP countries under a licence with a special period of validity in accordance with Article 11 of this Regulation, the security shall be ECU 18 per tonne;
- (e) ECU 23 per tonne for the other products listed in Article 1 (a), (b), (c) and (d) of Regulation (EEC) No 1766/92 with the exception of the products falling within CN code 1107 in the case of export licences in respect of which the refund or levy is fixed in advance. For exports to ACP countries under a licence with a special period of validity in accordance with Article 11 of this Regulation, the security shall be ECU 10 per tonne;

- (f) ECU 18 per tonne for products falling within CN code 1107 in the case of export licences in respect of which the export refund or levy is fixed in advance.

- ECU 28 per tonne in respect of licences issued from 1 January to 30 April,
- ECU 38 per tonne in respect of licences issued from 1 July to 31 December.'

Article 2

However, in respect of licences issued in accordance with Article 9 (2), the security shall be :

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

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2659/94

of 31 October 1994

on detailed rules for the granting of private storage aid for Grana padano, Parmigiano-Reggiano and Provolone cheeses

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 804/68 of 27 July 1968 on the common organization of the market in milk products⁽¹⁾, as last amended by Regulation (EC) No 1880/94⁽²⁾, and in particular Article 8 (4) thereof,

Whereas Regulation (EC) No 1880/94 repealed the intervention arrangements for Grana padano and Parmigiano-Reggiano cheeses; whereas, as a result, Commission Regulation (EEC) No 1107/68 of 27 July 1968 on detailed rules of application for intervention on the market in Grana padano and Parmigiano-Reggiano cheeses⁽³⁾, as last amended by Regulation (EC) No 1003/94⁽⁴⁾, should be amended;

Whereas, as a result of the large number of amendments made to Regulation (EEC) No 1107/68, and for the sake of clarity, that Regulation should be repealed and the provisions on the private storage scheme should be laid down in a new Regulation;

Whereas Commission Regulation (EEC) No 2496/78 of 26 October 1978 on detailed rules for the granting of private storage aid for Provolone cheese⁽⁵⁾, as last amended by Regulation (EC) No 1002/94⁽⁶⁾, should also be repealed and the provisions thereof intergrated into the new Regulation, in view of the fact that the legal bases are identical and the detailed rules of application are equivalent;

Whereas Article 1 (1) of Commission Regulation (EEC) No 1756/93 of 30 June 1993 fixing the operative events for the agricultural conversion rate applicable to milk and products⁽⁷⁾, as last amended by Regulation (EC) No 180/94⁽⁸⁾, lays down the conversion rate to be applied under the private storage aid measures in the milk sector;

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

Article 1

The grant of the private storage aid provided for in Article 8 of Regulation (EEC) No 804/68 shall be subject to the conditions laid down in this Regulation.

Article 2

Private storage contracts shall be concluded between the intervention agency designated by the Member State and a natural or legal person, hereinafter referred to as 'the contractor'.

Article 3

Conclusion of private storage contracts shall be subject to the following conditions :

- (a) the cheeses must be of the minimum age provided for in Article 8 (1) of Regulation (EEC) No 804/68 on the date when storage under the contract commences and must not have been the subject of a previous storage contract;
- (b) each lot of cheeses covered by the contract must weight at least two tonnes;
- (c) the cheeses must be of sound and fair marketable quality and be indelibly stamped with :
 - a mark issued by the agency appointed by the Member State,
 - the number of the undertaking which has manufactured them,
 - the month of manufacture, which may be in code,
 - a special storage mark put on the cheeses when they are taken into storage in order to distinguish them from those not covered by a storage contract;
- (d) the storer must undertake :
 - not, during the term of the contract, to alter the composition of the lot which is the subject of the contract without prior authorization from the intervention agency. If the condition concerning the minimum quantity fixed for each lot continues to be met, the intervention agency may authorize an alteration which is limited to the removal or replacement of cheeses which are found to have deteriorated to such an extent that they can no longer be stored.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 21.

⁽³⁾ OJ No L 184, 29. 7. 1968, p. 29.

⁽⁴⁾ OJ No L 111, 30. 4. 1994, p. 77.

⁽⁵⁾ OJ No L 300, 27. 10. 1978, p. 24.

⁽⁶⁾ OJ No L 111, 30. 4. 1994, p. 76.

⁽⁷⁾ OJ No L 161, 2. 7. 1993, p. 48.

⁽⁸⁾ OJ No L 24, 29. 1. 1994, p. 38.

In the event of release from store of certain quantities :

- (i) if the aforesaid quantities are replaced with the authorization of the intervention agency, the contract is deemed not to have undergone any alternation ;
- (ii) if the aforesaid quantities are not replaced, the contract is deemed to have been concluded *ab initio* for the quantity permanently retained.

Any supervisory costs arising from an alternation shall be met by the storer,

- to keep stock records and to transmit every week to the intervention agency details of entries and withdrawals during the previous week,
- to allow the competent bodies to make checks at any time on compliance with obligations under the contract.

Article 4

The storage contract shall be concluded :

- (a) in writing and shall specify the date when storage under contract commences, the quantity of cheeses covered by the contract and the amount of aid ;
- (b) after completion of the storage operations for the lot of cheese covered by the contract, but no later than 40 days after the date on which storage under contract commences.

Article 5

1. The aid may be granted only for a period exceeding 60 days but not exceeding :

- 180 days in the case of Grano padano,
- 255 days in the case of Parmigiano-Reggiano,
- 150 days in the case of Provolone.

2. The first day of the period of storage under contract shall be the day following that on which the lot of cheeses covered by the contract is placed under the control of the competent body.

3. Removal operations may commence on the day following the last day of the period of storage under contract.

4. Notwithstanding the first indent of Article 3 (d), when the period of 60 days referred to in paragraph 1 has elapsed, the contractor may remove from storage all or part of the lot under contract. The minimum quantity that may be removed shall be 500 kilograms.

However, the Member State may increase this quantity to two tonnes.

Article 6

1. The amount of private storage aid for cheese shall be as follows :

- (a) ECU 100 per tonne for the fixed costs ;
 - (b) ECU 0,35 per tonne per day of storage under contract for the warehousing costs ;
 - (c) an amount for the financial costs, in ecus per tonne per day of storage under contract, as follows :
 - 1,10 in the case of Grana padano,
 - 1,20 in the case of Parmigiano-Reggiano,
 - 0,80 in the case of Provolone.
2. The amount of aid in ecus applicable in respect of the storage contract shall be that applicable on the first day of storage under the contract.
 3. The aid shall be paid within 90 days of the last day of storage for which there is entitlement to aid.

Article 7

1. The Member State shall ensure that the conditions granting entitlement to payment of the aid are fulfilled.

2. The contractor shall make available to the national authorities responsible for verifying execution of the measure any documentation permitting the following particulars of products placed in private storage to be verified :

- (a) ownership at the time of entry into storage ;
- (b) the origin and date of production of the cheeses ;
- (c) the date of entry into storage ;
- (d) presence in the store ;
- (e) the date of removal from storage.

3. The contractor or, where applicable, the operator of the storeroom shall keep stock records available at the storeroom, covering :

- (a) identification, by contract number, of the products placed in private storage ;
- (b) the dates of entry into and removal from storage ;
- (c) the number of cheeses and their weight, indicated per lot ;
- (d) the location of the products in the storeroom.

4. Products stored must be easily identifiable and must be identified individually by contract.

5. On entry into storage, the competent body shall conduct checks in particular to ensure that products stored are eligible for the aid and to prevent any substitution of products during storage under contract, without prejudice to the application of Article 3 (d).

6. The national authorities responsible for checks shall undertake :

- (a) an unannounced check to see that the products are present in the storeroom. The sample concerned must be representative and must correspond to at least 10 % of the overall quantity under contract for a private storage aid measure. Such checks must include,

in addition to an examination of the records referred to in paragraph 3, a physical check of the weight and nature of the product and its identification. Such physical checks must relate to at least 5 % of the quantity subjected to the unannounced check ;

(b) a check to see that the products are present at the end of the storage period under contract.

7. Checks conducted pursuant to paragraphs 5 and 6 must be the subject of a report stating :

- the date of the check,
- its duration,
- the operations conducted.

The report must be signed by the official responsible and countersigned by the contractor or, where applicable, by the storeroom operator.

8. In the case of irregularities affecting at least 5 % of the quantities of products subjected to the checks, the latter shall be extended to a larger sample to be determined by the competent body.

The Member State shall notify such cases to the Commission within four weeks.

9. The Member State may provide for the costs of the checks to be charged wholly or in part to the contractor.

Article 8

Regulations (EEC) No 1107/68 and (EEC) No 2496/78 are hereby repealed. However, they shall continue to apply to contracts concluded prior to the entry into force of this Regulation.

Article 9

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

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2660/94**of 31 October 1994****amending Regulation (EC) No 675/94 laying down detailed rules for the application of Council Regulations (EC) No 3640/93 and (EC) No 3670/93 as regards the special arrangements for imports of maize and sorghum into Spain and of maize into Portugal**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3640/93 of 17 December 1993 on special arrangements for imports of maize and sorghum into Spain for the year 1993 ⁽¹⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EC) No 1799/94 of 18 July 1994 on special arrangements for imports of maize and sorghum into Spain for the year 1994 ⁽²⁾, and in particular Article 8 thereof,

Having regard to Council Regulation (EC) No 3670/93 of 22 December 1993 on special arrangements for imports of maize into Portugal ⁽³⁾, and in particular Article 7 thereof,

Whereas, pursuant to the agreements between the European Economic Community and the United States of America within the GATT framework, the Community has undertaken, as from the 1993/94 marketing year, to open a reduced-tariff quota for imports into Portugal of 500 000 tonnes of maize and, in respect of each of the years 1993 and 1994, to import into Spain a minimum quantity per annum of 2 000 000 tonnes of maize and 300 000 tonnes of sorghum, minus the quantities of certain grain substitutes imported into that country;

Whereas Commission Regulation (EC) No 675/94 ⁽⁴⁾ lays down the rules governing the administration of those special arrangements; whereas, with regard to the special arrangements for imports of maize and sorghum into Spain, those rules apply exclusively to the quota opened for 1993 by Council Regulation (EC) No 3640/93; whereas, by Regulation (EC) No 1799/94, the Council introduced special arrangements for imports of maize and sorghum into Spain for 1994, by retaining the measure provided for in Regulation (EC) No 3640/93; whereas, as a result, the detailed rules for the application of the arrangements provided for in Regulation (EC) No 3640/93 can also be applied to the arrangements introduced by Regulation (EC) No 1799/94; whereas, to that end, Regulation (EC) No 675/94 should be amended;

Whereas the margin of reduction relating to the quantities which can be imported covered by licences issued under the arrangements, which is fixed at 0 % in Article 7 (2) of Regulation (EC) No 675/94, has proved insufficient; whereas, therefore, that margin should be increased;

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

Regulation (EC) No 675/94 is hereby amended as follows:

1. The title is replaced by the following:

‘Commission Regulation (EC) No 675/94 of 25 March 1994 laying down detailed rules for the application of Council Regulations (EC) No 3640/93, (EC) No 1799/94 and (EC) No 3670/93 as regards the special arrangements for imports of maize and sorghum into Spain and of maize into Portugal.’

2. Article 1 is replaced by the following:

‘Article 1

The import levy reduction provided for in Article 3 of Regulations (EC) No 3640/93 and (EC) No 1799/94 and in Article 2 of Regulation (EC) No 3670/93 shall be granted on importation into Spain of maize falling within CN code 1005 90 00 and sorghum falling within CN code 1007 00 90 and on importation into Portugal of maize falling within CN code 1005 90 00, covered by licences issued by the Spanish and Portuguese authorities as provided for in this Regulation.’

3. The second subparagraph of Article 3 (1) is replaced by the following:

‘Where it is decided to fix a maximum import levy reduction, any tender(s) for an amount equal to or less than the maximum reduction shall be accepted. However, where the maximum reduction fixed under the tendering procedure for a given week leads to the acceptance of quantities exceeding the quantities remaining for importation in accordance with the provisions of the special arrangements for imports of maize and sorghum into Spain and of maize into

⁽¹⁾ OJ No L 333, 31. 12. 1993, p. 13.

⁽²⁾ OJ No L 189, 23. 7. 1994, p. 17.

⁽³⁾ OJ No L 338, 31. 12. 1993, p. 35.

⁽⁴⁾ OJ No L 83, 26. 3. 1994, p. 26.

Portugal, the tenderer having lodged the tender corresponding to the accepted maximum reduction shall be awarded a quantity equal to the difference between the quantities applied for in the other accepted tenders and the quantity available. Where the maximum reduction fixed corresponds to several tenders, the quantity to be awarded shall be shared between the tenderers in proportion to the respective quantities for which they have tendered.'

4. The second subparagraph of Article 6 (1) is replaced by the following :

'Should the applications made in respect of a week be for quantities exceeding those still available for import in accordance with the provisions of the special arrangements for imports of maize and sorghum into Spain and of maize into Portugal, the quantities for which licences are issued shall be the quantities indicated in the applications, reduced by a uniform percentage. The security for the quantities not covered by a licence shall be released immediately.'

5. Article 7 (2) is replaced by the following :

'2. In section 8 of the import licence, a cross must be marked against the word 'yes'. Notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation shall not be greater than that specified in sections 17 and 18 of the import licence. The figure 0 must be entered in section 19 of the licence.'

6. The second indent to Article 8 (1) (b) is replaced by the following :

'— that the countervailing duty provided for by the special import arrangements has been paid, or'.

7. The first subparagraph of Article 10 (1) is replaced by the following :

'Where the provisions of the special arrangements relating to the purchase of the product to be imported on the world market are applied, the Spanish or Portuguese intervention agency shall arrange for the product to be bought on the world market by the award of a supply contract under a tendering procedure. The supply shall consist in the purchase of the product on the world market and the delivery, not unloaded, to warehouses designated by the abovementioned intervention agency for placing under the customs warehousing procedure provided for in Council Regulation (EEC) No 2503/88 (*).

(*) OJ No L 225, 15. 8. 1988, p. 1.'

Article 2

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

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2661/94

of 31 October 1994

amending Regulation (EEC) No 2026/92 on detailed rules for the application of the specific supply measures for Madeira as regards olive oil and establishing the forecast supply balance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93 ⁽²⁾, and in particular Article 10 thereof,

Whereas Commission Regulation (EEC) No 2026/92 ⁽³⁾, as last amended by Regulation (EC) No 3292/93 ⁽⁴⁾, fixes the forecast supply balance for olive oil for Madeira for the period 1 November 1993 to 31 October 1994; whereas, in order to permit supplies of olive oil to be made to Madeira during the 1994/95 marketing year, a forecast supply balance must be established for the period 1 November 1994 to 31 October 1995;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2026/92 is hereby amended as follows:

1. In the first subparagraph of Article 1 (1), '1 November 1993 to 31 October 1994' is replaced by '1 November 1994 to 31 October 1995'.
2. The Annex is replaced by the Annex hereto.

Article 2

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

It shall apply from 1 November 1994.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 207, 23. 7. 1992, p. 18.

⁽⁴⁾ OJ No L 296, 1. 12. 1993, p. 39.

*ANNEX***Forecast supply balance for olive oil for Madeira for the period 1 November 1994 to 31 October 1995**

<i>(in tonnes)</i>		
Code	Description	Quantity
1509 10 90 100	Virgin olive oil in immediate containers holding no more than 5 litres	100
1509 10 90 900	Virgin olive oil in immediate containers holding more than 5 litres	—
1509 90 00 100	Olive oil ('Riviera') in immediate containers holding no more than 5 litres	650
1509 90 00 900	Olive oil ('Riviera') in immediate containers holding more than 5 litres	—
1510 00 90 100	Olive-residue oil in immediate containers holding no more than 5 litres	—
1510 00 90 900	Olive-residue oil in immediate containers holding more than 5 litres	—
Total		750

COMMISSION REGULATION (EC) No 2662/94

of 31 October 1994

amending Regulation (EEC) No 2025/92 on detailed rules for the application of the specific supply measures for the Canary Islands as regards olive oil and establishing the forecast supply balance

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
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 10 thereof,

Whereas Commission Regulation (EEC) No 2025/92 of 22 July 1992 on detailed rules for the application of the specific supply measures for the Canary Islands as regards olive oil and establishing the forecast supply balance ⁽³⁾, as last amended by Regulation (EC) No 3293/93 ⁽⁴⁾, fixes the forecast supply balance for olive oil for the Canary Islands for the period 1 November 1993 to 31 October 1994;

Whereas, pending the conclusions to be drawn from examination of the information provided by the competent authorities and to ensure the continuity of the specific supply measures, the balance laid down in Article 2 of Regulation (EEC) No 1601/92 should be adopted for one month only, on the basis of the quantities determined for the 1993/94 marketing year;

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

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 2025/92 is hereby amended as follows:

1. In the first subparagraph of Article 1 (1), '1 November 1993 to 31 October 1994' is replaced by '1 November 1994 to 30 November 1994'.
2. The Annex is replaced by the Annex hereto.

Article 2

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

It shall apply from 1 November 1994.

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

Done at Brussels, 31 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 207, 23. 7. 1992, p. 15.

⁽⁴⁾ OJ No L 296, 1. 12. 1993, p. 40.

*ANNEX***Forecast supply balance for olive oil for the Canary Islands for the period 1 November 1994 to 30 November 1994**

<i>(in tonnes)</i>		
Code	Description	Quantity
1509 10 90 100	Virgin olive oil in immediate containers holding no more than 5 litres	50
1509 10 90 900	Virgin olive oil in immediate containers holding more than 5 litres	50
1509 90 00 100	Olive oil (Riviera) in immediate containers holding no more than 5 litres	933
1509 90 00 900	Olive oil (Riviera) in immediate containers holding more than 5 litres	125
1510 00 90 100	Olive-residue oil in immediate containers holding no more than 5 litres	29
1510 00 90 900	Olive-residue oil in immediate containers holding more than 5 litres	13
Total		1 200

COMMISSION REGULATION (EC) No 2663/94**of 31 October 1994****fixing for the 1994/95 marketing year the reference prices for cabbage lettuce**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

Whereas cabbage lettuce is produced in such quantities in the Community that reference prices should be fixed for it;

Whereas cabbage lettuce harvested during a given crop year is marketed from July to June of the following year; whereas the quantities imported from 1 July to 31 October and in June are so small that there is no need to fix reference prices for these months; whereas reference prices should be fixed only for the period 1 November up to and including 31 May of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

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

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this

amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the reference prices for cabbage lettuce (CN codes 0705 11 10 and 90), expressed in ecus per 100 kilograms net of packed products of Class I, of all sizes, shall be as follows:

- | | |
|--|--------|
| — from 1 November to 31 December 1994: | 70,82, |
| — from 1 January to 28 February 1995: | 76,11, |
| — from 1 March to 31 May 1995: | 82,90. |

Article 2

This Regulation shall enter into force on 1 November 1995.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2664/94

of 31 October 1994

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

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

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

Whereas artichokes harvested during a given crop year are marketed from October to September of the following year; whereas the quantities harvested in the months July to October are so small that there is no need to fix reference prices for these months; whereas reference prices should be fixed only for the period 1 November up to and including 30 June of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

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

Whereas the resulting figure may nevertheless not exceed the arithmetic mean of producer prices in each Member State plus transport costs for the current year, after this

amount has been increased by the rise in production costs less productivity growth; whereas the reference price may, however, not be lower than in the preceding marketing year;

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the reference prices for artichokes (CN code 0709 10 00), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

- | | |
|--|--------|
| — from 1 November to 31 December 1994: | 89,99, |
| — from 1 January to 30 April 1995: | 79,35, |
| — May 1995: | 74,95, |
| — June 1995: | 63,95. |

Article 2

This Regulation shall enter into force on 1 November 1994.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2665/94

of 31 October 1994

fixing for the 1993/94 marketing year the reference price for mandarins,
including tangerines and satsumas, wilkings and other similar citrus hybrids,
with the exception of clementines

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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

Whereas Article 23 (1) of Regulation (EEC) No 1035/72 provides that reference prices for the whole Community are to be fixed each year before the beginning of the marketing year;

Whereas the importance of mandarin production in the Community is such that a reference price must be fixed for that product, such price to be operative also for tangerines, satsumas, wilkings and other similar citrus hybrids, with the exception of clementines;

Whereas the period during which mandarins harvested during a given crop year are marketed extends from October to 15 May of the following year; whereas the quantity put on the market during October and from 1 March to 15 May of the following year represents only a small percentage of that marketed over the whole marketing year; whereas the reference price should therefore be fixed only for the period running from 1 November to the last day of February of the following year;

Whereas Article 23 (2) (b) of Regulation (EEC) No 1035/72 stipulates that reference prices are to be fixed at the same level as for the preceding marketing year, adjusted, after deducting the standard cost of transporting Community products between production areas and Community consumption centres in the preceding year, by:

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

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

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

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year, the reference price for fresh mandarins including tangerines and satsumas, wilkings and other similar citrus hybrids, with the exception of clementines (CN codes ex 0805 20 30, ex 0805 20 50, ex 0805 20 70 and ex 0805 20 90), expressed in ecus per 100 kilograms net of packed products quality class I, of all sizes, shall be:

from 1 November 1994 to 28 February 1995: 27,64.

Article 2

This Regulation shall enter into force on 1 November 1994.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2666/94

of 31 October 1994

on varying entry prices for certain fruit and vegetables originating in
Mediterranean third countries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3488/89 of 21 November 1989 laying down the method of decision for certain provisions laid down for agricultural products in the framework of Mediterranean agreements⁽¹⁾, and in particular Article 2 thereof,

Whereas, in accordance with the agreements concluded with various Mediterranean third countries, the Community may decide that the entry prices for certain fruit and vegetables originating in such countries should vary, taking account of the annual reviews of trade flows by product and country pursuant to Council Regulation (EEC) No 451/89 of 20 February 1989 concerning the procedure to be applied to certain agricultural products originating in various Mediterranean third countries⁽²⁾;

Whereas an examination of the outlook for export flows from Mediterranean third countries in the light of the overall trend on the Community market points to the need for the entry prices for oranges, clementines, mandarins and other similar citrus hybrids, lemons and tomatoes to vary;

Whereas the variation in the entry price must, for each product concerned, relate to the amount to be deducted as customs duties from the representative prices recorded in the Community for the calculation of the entry price referred to in Article 24 of Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽³⁾, as last amended by Regulation (EEC) No 3669/93⁽⁴⁾; whereas, depending on the product and origin, reductions, as appropriate, of two-thirds or five-sixths during trading periods will enable the desired objective to be attained; whereas such reductions must apply within the quantitative limits determined, in accordance with the Mediterranean agreements;

Whereas this variation in the entry prices is to apply in respect of specific quantities which must be entered in the accounts during the periods laid down in the agree-

ments; whereas such entry in the accounts must take place through the statistical monitoring introduced for the administration of quotas;

Whereas the Commission must inform the Member States as soon as the quantities laid down in the Mediterranean agreements and quoted in this Regulation have been reached;

Whereas, as a result of the agriculture agreement concluded in the Uruguay Round negotiations, the variation in entry prices should not be applied until that agreement enters into force;

Whereas, however, the elements relating to the periods covered by entry in the accounts should be retained in the Annex to the extent that, pursuant to this regulation, their only purpose is to define the period of application of the variation in entry prices;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the purpose of calculating the entry prices referred to in Article 24 (3) of Regulation (EEC) No 1035/72 for products originating in the Mediterranean countries mentioned in the Annex hereto, the amount to be deducted as customs duties from the recorded representative prices shall be reduced by the percentage indicated in the Annex during the periods and subject to the maximum quantities specified therein.

Article 2

1. Deductions shall be made from the specified quantities when products are presented to the customs authorities for release for free circulation, accompanied by a movement certificate.

Goods may be deducted from the specified quantity only if the movement certificate is submitted before the date on which these preferential arrangements cease to apply.

The extent to which a specified quantity is used up shall be determined at Community level on the basis of the imports deducted from it as specified in the first and second subparagraphs.

⁽¹⁾ OJ No L 340, 23. 11. 1989, p. 2.

⁽²⁾ OJ No L 52, 24. 2. 1989, p. 7.

⁽³⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽⁴⁾ OJ No L 338, 31. 12. 1993, p. 26.

Member States shall inform the Commission, at the intervals and within the time limits specified in paragraph 2, of imports effected in accordance with the rules set out above.

2. With respect to imports effected, Member States shall send the Commission statements of the deducted quantities every 10 days, to be forwarded within five days from the end of each 10-day period.

3. As soon as the quantities specified in the Annex have been reached, the Commission shall inform the

Member States of the date from which these preferential arrangements shall cease to apply.

Article 3

Member States and the Commission shall cooperate closely with a view to implementing this Regulation and in particular, where the need arises, to coordinating the system for administering the tariff quotas.

Article 4

This Regulation shall enter into force on 1 November 1993.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

VARIATION IN ENTRY PRICES

Product		Mediterranean third country	Quantity specified in agreements (tonnes)	Overall period covered by entry in accounts	Period of application of variation	Amount to be deducted
CN code	Description					
ex 0805 10	Oranges, fresh or chilled	Israel	293 000	1. 7. 1994 to 30. 6. 1995	1. 12. 1994 to 31. 5. 1995	Five-sixths
		Morocco	265 000			
		Tunisia	28 000	1. 1. 1995 to 31. 12. 1995	1. 1. 1995 to 31. 5. 1995	Five-sixths
		Egypt	7 000			
		Cyprus	67 000			
ex 0805 20	Mandarins and other similar citrus hybrids, fresh or chilled, excluding clemen- tines	Morocco	Morocco 110 000 Israel 14 200	1. 7. 1994 to 30. 6. 1995	1. 11. 1994 to end of February 1995	Five-sixths
		Israel			1. 12. 1994 to end of February 1995	
ex 0805 20	Clementines, fresh or chilled	Morocco Israel				Five-sixths
ex 0805 30 10	Lemons, fresh or chilled	Cyprus	15 000	1. 1. 1995 to 31. 5. 1995	1. 1. 1995 to 31. 5. 1995	Five-sixths
		Turkey	12 000			
		Israel	6 400			
0702 00	Tomatoes, fresh or chilled	Morocco	86 000	15. 11. 1994 to 31. 5. 1994	15. 11. 1994 to 20. 12. 1994	Five-sixths

COMMISSION REGULATION (EC) No 2667/94**of 31 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 2446/94⁽³⁾ as amended by Regulation (EC) No 2509/94⁽⁴⁾, the Commission issued an invitation to tender for the supply of 73 850 tonnes of cereals as food aid; whereas the conditions of the supply, as regards lot A, should be reviewed and the invitation to tender for that lot should consequently be closed,*Article 1*

For lot A of the Annex to Regulation (EC) No 2446/94 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, 31 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 261, 11. 10. 1994, p. 6.⁽⁴⁾ OJ No L 267, 18. 10. 1994, p. 5.

COMMISSION REGULATION (EC) No 2668/94**of 31 October 1994****authorizing the Italian intervention agency to put up for sale by tender 148 000 tonnes of durum wheat for export in the form of durum wheat meal to Algeria**

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 intervention agencies;

Whereas prices for durum wheat on the Community's internal market and on the world market are very high; whereas the Community's durum wheat meal industry must continue to be able to export in order to keep up normal trade flows to Algeria; whereas, therefore, provision should be made for intervention stocks to be used to supply the Community export meal industry during the period 1 November 1994 to 31 January 1995 at competitive prices;

Whereas the above situation requires the measure to be implemented as a matter of urgency;

Whereas a conversion rate should be set to determine the quantity of durum wheat meal to be exported on the basis of the durum wheat used;

Whereas the specific nature of the operation requires greater flexibility in the mechanisms and obligations governing the resale of intervention stocks and the exclusion of any refund or monthly increase; whereas special procedures must be laid down to ensure that the operations are properly carried out and monitored; whereas to that end provision should be made for a system of securities to ensure that the aims of the measure are achieved without placing excessive burdens on operators; whereas derogations should accordingly be made from certain rules, in particular those laid down in Regulation (EEC) No 2131/93;

Whereas, to ensure that the operation is carried out smoothly and to avoid any disturbance of the market, it should be stipulated that securities may be released only after presentation of proof of arrival;

Whereas, where removal of the durum wheat is delayed by more than five days or the release of one of the required securities is delayed for reasons imputable to the intervention agency, Italy should pay compensation;

Whereas the Member States are to take all additional measures compatible with the provisions in force to ensure that the scheme operates smoothly and that the Commission is kept informed;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Italian intervention agency is hereby authorized to issue an invitation to tender for the sale on the Community market of 148 000 tonnes of durum wheat in accordance with Article 4 of Regulation (EEC) No 2131/93.

2. A maximum of 100 000 tonnes of durum wheat meal for human consumption must be exported to Algeria, equal to the quantity of durum wheat awarded divided by the coefficient referred to in Article 6. The competent Italian authorities shall ensure that the quantity of 100 000 tonnes of meal is not exceeded.

3. The regions in which the 148 000 tonnes of durum wheat are stored are listed in Annex I.

4. The Italian intervention agency 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:

— the maximum percentage of wholly or partially mitadine grains,

— the specific weight,

— the moisture 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.

- the Hagberg falling number,
- the impurity, mottled grain and sprouted grain contents,
- the protein content.

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

Article 2

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

Article 3

1. The time limit for submitting tenders for the first partial invitation to tender shall be 1 p.m. (Brussels time) on Wednesday, 9 November 1994.

2. The time limit for submitting tenders for the subsequent partial invitations to tender shall be 1 p.m. (Brussels time) each Wednesday.

The time limit for the last partial invitation to tender shall be 21 December 1994.

3. Tenders must be submitted to the Italian intervention agency.

Article 4

1. Interested parties shall submit a tender to the competent Italian authorities either in writing against an acknowledgment of receipt or by telex, telegram or fax.

2. The tender shall indicate :

- the reference of the invitation to tender,
- the name, full address and telex or fax number of the tenderer,
- the quantity of durum wheat to be exported in the form of meal,
- the proposed purchasing price per tonne of durum wheat in ecus.

3. Tenders shall be valid only if they are accompanied by :

- an application for an export licence for Algeria for durum wheat meal falling within Product code 1103 11 10 200,
- proof that the tenderer has lodged a security of ECU 5 per tonne.

4. Tenders not submitted in accordance with paragraphs 1, 2 and 3 or which contain conditions other than those laid down in the invitation to tender shall be invalid.

5. Tenders may not be withdrawn.

Article 5

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

2. Customs export formalities for durum wheat meal equivalent to that which would be obtained from the cereals awarded must be completed within 45 days of the date of the award and not later than 31 January 1995.

3. Export licences issued under this invitation to tender must bear the following entry in Section 22 :

‘Invitation to tender opened by Regulation (EC) No 2668/94 — Tender dated ...’.

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

Article 6

For the determination of the quantity of durum wheat meal to be exported, the quantity of durum wheat awarded shall be delivered by a coefficient of 1,48.

Article 7

1. The Italian intervention agency shall inform the Commission of the tenders received within two hours of the expiry of the time limit for the submission of tenders. The information must be sent in the form laid down in Annex II to one of the telex or fax numbers listed in Annex III.

Where no tenders are received, the Italian agency shall inform the Commission within the time limit laid down in subparagraph 1.

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

Article 8

1. On the basis of the tenders submitted and notified, the Commission shall decide, in accordance with the procedure laid down for in Article 23 of Council Regulation (EEC) No 1766/92 :

- either to fix a minimum selling price,
- or not to proceed with the invitation to tender.

2. Where a minimum selling price is fixed, the contract shall be awarded to the tenderer or tenderers submitting offers at or above that minimum price.

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1.

3. The competent Italian authority shall inform all tenderers in writing of the result of their tender as soon as the Commission has adopted the decision referred to in paragraph 1.

Article 9

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

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⁽¹⁾ and shall analyse that sample.

(a) Where the final results of the analysis of the sample indicate a again difference between the quality of the durum 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 kh/hl for the specific weight, which must not however be less than 76 kg/hl,
- one percentage point for the moisture content,
- 10 points for the Hagberg falling index,
- 10 percentage points for the grains which have lost their vitreous aspect,
- two percentage points for the content of broken grains, without, however, exceeding 9 %,
- one percentage point for the protein content,
- half a percentage point for the impurities referred to in points B.2, B.3 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 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.

3. Where the successful tenderer refuses the merchandise, as provided for in paragraph 2 above, the Italian intervention agency shall supply him with another lot of intervention durum wheat of the requisite quality, at no extra charge, within eight days.

4. If removal of the durum 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 10

The successful tenderer shall pay for the durum 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 11

1. The security lodged pursuant to Article 13 (4) of Regulation (EEC) No 2131/93 must be released for the corresponding quantities of durum wheat for which the tender has not been accepted.

2. The obligation to export from the Community and import into Algeria shall be covered by a security amounting to ECU 50 per tonne of durum wheat of which ECU 25 per tonne shall be lodged upon issue of the licence for the export of meal for the corresponding quantity of durum wheat and the balance of ECU 25 per tonne before removal of the cereals.

Notwithstanding Article 15 (2) of Commission Regulation (EEC) No 3002/92⁽²⁾, the amount of ECU 50 per tonne of durum wheat corresponding to the processed meal must be released within 15 working days of the date on which the successful tenderer submits proof that the meal has arrived in Algeria.

⁽¹⁾ OJ No L 74, 20. 3. 1992, p. 18.

⁽²⁾ OJ No L 301, 17. 10. 1992, p. 17.

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 herein shall confer an entitlement to compensation from Italy amounting to ECU 0,015 per 10 tonnes of meal for each day's delay. Such compensation shall not be charged to the European Agricultural Guidance and Guarantee Fund (EAGGF).

4. The primary requirement within the meaning of Article 20 of Commission Regulation (EEC) No 2220/85 ⁽¹⁾ shall be payment of the purchase price for the durum wheat and export of the durum wheat meal within the time limit laid down under cover of the export licence referred to in Article 4 (3).

Article 12

1. Notwithstanding Article 12 of Regulation (EEC) No 3002/92, the export licence for the durum wheat meal must bear the words :

- Sémola de trigo duro de intervención sin derecho a restitución, destinada a Argelia — Reglamento (CE) n° 2668/94,
- Groft mel fra intervention uden restitutionsydelse bestemt for Algeriet — Forordning (EF) nr. 2668/94,
- Feinhartweizengrieß ohne Ausfuhrerstattung, Bestimmung Algerien — Verordnung (EG) Nr. 2668/94,
- Σιμιγδάλι σκληρού σίτου που δεν παρέχει δικαίωμα επιστροφής προοριζόμενο για την Αλγερία — Κανονισμός (ΕΚ) αριθ. 2668/94,
- Semolina of durum wheat not eligible for refund, bound for Algeria — Regulation (EC) No 2668/94,

- Semoule de blé dur d'intervention ne donnant pas droit à restitution, destinée à l'Algérie — Règlement (CE) n° 2668/94,
- Semolini di frumento duro non dante diritto a restituzione, destinato all'Algeria — Regolamento (CE) n. 2668/94,
- Griesmeel zonder recht op restitutie, bestemd voor Algerije — Verordening (EG) nr. 2668/94,
- Sêmolâs de trigo duro que não dá direito a uma restituição, destinado à Argélia — Regulamento (CE) n° 2668/94.

2. The use of one of the customs warehousing or free zone schemes is prohibited.

Article 13

The Italian intervention agency shall take all necessary steps to ensure compliance with the provisions of this Regulation. It shall inform the Commission weekly, within the Management Committee for Cereals, of the progress of the invitation to tender.

Article 14

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

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

*ANNEX I***Regions of storage**

<i>(tonnes)</i>	
Region of storage	Quantities
Verona	7 421
Vicenza	1 699
Rovigo	4 000
Ravenna	1 619
Ancona	19
Macerata	9 090
La Spezia	6 232
Livorno	1 043
Grosseto	1 490
Viterbo	4 985
Napoli	2 997
Potenza	1 744
Foggia	30 538
Crotone	69 088
Catania	4 165
Caltanissetta	1 870

ANNEX II

Standing invitation to tender for 148 000 tonnes of durum wheat held by the Italian intervention agency for export in the form of durum wheat meal to Algeria

1	2	3	4	5	6	7
Registration number of the tender	Lot No	Quantity in tonnes	Offer price (ECU/tonne) ⁽¹⁾	Increases (+) and reductions (−) (ECU/tonne) p.m.	Place of processing	Port of export
1						
2						
3						
etc.						

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

ANNEX III

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

DG IV/C/1 (for the attention of Mr Thibault/Mr Brus):

— telex : 22037 AGREC B
22070 AGREC B (Greek characters)

— fax : 295 25 15
296 10 97
296 20 05

*ANNEX IV***Communication of refusal of lots under the standing invitation to tender for the export of 148 000 tonnes of durum wheat in the form of durum heat meal held by the Italian intervention agency**

Article 9 (2) of Regulation (EC) No 2668/94

- 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
			— % mitadine grains — Specific weight (kg/hl) — Hagberg — % proteins (in dry matter) — % miscellaneous impurities (Schwarzbesatz) — % grains affected with fusariosis and/or mottled grains — % broken grains — % of matter which is not durum wheat of unimpaired quality — Other

COMMISSION REGULATION (EC) No 2669/94
of 31 October 1994
fixing the agricultural conversion rates

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

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽¹⁾, as last amended by Regulation (EC) No 3528/93 ⁽²⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 2268/94 ⁽³⁾;

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

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

Whereas, as a consequence of the exchange rates recorded during the reference period 21 to 31 October 1994, it is necessary on the one hand to fix the limits referred to in paragraphs 1 and 3 of Article 4a of Regulation (EEC) No 3813/92 at + 3,438 and - 1,562 and on the other hand to fix a new agricultural conversion rate for the Greek drachma;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

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

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

or

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

Article 3

Regulation (EC) No 2268/94 is hereby repealed.

Article 4

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 246, 21. 9. 1994, p. 15.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 69, 12. 3. 1994, p. 1.

*ANNEX I***Agricultural conversion rates**

ECU 1 =	49,3070	Belgian and Luxembourg francs
	9,34812	Danish kroner
	2,35418	German marks
	352,829	Greek drachmas
	192,319	Spanish pesetas
	7,98191	French francs
	0,976426	Irish punt
	2 339,97	Italian lire
	2,65256	Dutch guilders
	239,331	Portuguese escudos
	0,953575	Pound sterling

*ANNEX II***Agricultural conversion rates fixed in advance and adjusted**

Table A			Table B		
ECU 1 =	47,4106	Belgian and Luxembourg francs	ECU 1 =	51,3615	Belgian and Luxembourg francs
	8,98858	Danish kroner		9,73763	Danish kroner
	2,26363	German marks		2,45227	German marks
	339,259	Greek drachmas		367,530	Greek drachmas
	184,922	Spanish pesetas		200,332	Spanish pesetas
	7,67491	French francs		8,31449	French francs
	0,938871	Irish punt		1,01711	Irish punt
	2 249,97	Italian lire		2 437,47	Italian lire
	2,55054	Dutch guilders		2,76308	Dutch guilders
	230,126	Portuguese escudos		249,303	Portuguese escudos
	0,916899	Pound sterling		0,993307	Pound sterling

COMMISSION REGULATION (EC) No 2670/94**of 31 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 28

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 1 November 1994.

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

Done at Brussels, 31 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 31 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	94,66 ⁽²⁾ ⁽³⁾
0712 90 19	94,66 ⁽²⁾ ⁽³⁾
1001 10 00	8,52 ⁽¹⁾ ⁽²⁾ ⁽¹¹⁾
1001 90 91	63,51
1001 90 99	63,51 ⁽⁹⁾ ⁽¹¹⁾
1002 00 00	109,54 ⁽⁶⁾
1003 00 10	92,41
1003 00 90	92,41 ⁽⁹⁾
1004 00 00	96,62
1005 10 90	94,66 ⁽²⁾ ⁽³⁾
1005 90 00	94,66 ⁽²⁾ ⁽³⁾
1007 00 90	97,30 ⁽⁴⁾
1008 10 00	37,30 ⁽⁹⁾
1008 20 00	42,76 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	8,50 ⁽³⁾
1008 90 10	⁽⁷⁾
1008 90 90	8,50
1101 00 00	126,89 ⁽⁹⁾
1102 10 00	191,33
1103 11 10	49,58
1103 11 90	148,80
1107 10 11	123,93
1107 10 19	95,35
1107 10 91	175,37 ⁽¹⁰⁾
1107 10 99	133,79 ⁽⁹⁾
1107 20 00	154,12 ⁽¹⁰⁾

⁽¹⁾ Where durum wheat originating in Morocco is transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽²⁾ In accordance with Regulation (EEC) No 715/90 the levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽³⁾ Where maize originating in the ACP is imported into the Community the levy is reduced by ECU 1,81/tonne.

⁽⁴⁾ Where millet and sorghum originating in the ACP is imported into the Community the levy is applied in accordance with Regulation (EEC) No 715/90.

⁽⁵⁾ Where durum wheat and canary seed produced in Turkey are transported directly from that country to the Community, the levy is reduced by ECU 0,60/tonne.

⁽⁶⁾ The import levy charged on rye produced in Turkey and transported directly from that country to the Community is laid down in Council Regulation (EEC) No 1180/77 (OJ No L 142, 9. 6. 1977, p. 10), as last amended by Regulation (EEC) No 1902/92 (OJ No L 192, 11. 7. 1992, p. 3), and Commission Regulation (EEC) No 2622/71 (OJ No L 271, 10. 12. 1971, p. 22), as amended by Regulation (EEC) No 560/91 (OJ No L 62, 8. 3. 1991, p. 26).

⁽⁷⁾ The levy applicable to rye shall be charged on imports of the product falling within CN code 1008 90 10 (triticale).

⁽⁸⁾ No levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽⁹⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with Regulation (EC) No 121/94 or (EC) No 335/94 have been presented, are subject to the levies set out in the Annex to that Regulation.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

⁽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 2671/94**of 31 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 28

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 1 November 1994.

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

Done at Brussels, 31 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 31 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 11	1st period 12	2nd period 1	3rd period 2
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	8,44	6,52
1001 90 99	0	0	8,44	6,52
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	10,93	9,12
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 11	1st period 12	2nd period 1	3rd period 2	4th period 3
1107 10 11	0	0	15,02	11,61	11,61
1107 10 19	0	0	11,23	8,67	8,67
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 2672/94

of 31 October 1994

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EC) No 1866/94⁽²⁾, and in particular Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 1869/94⁽⁴⁾, and in particular Article 12 (4) thereof,

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

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EC) No 2646/94⁽⁷⁾;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne

of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74⁽⁸⁾, as last amended by Regulation (EEC) No 1740/78⁽⁹⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Commission Regulation (EEC) No 1620/93⁽¹⁰⁾ as fixed in the Annex to Regulation (EC) No 2646/94 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁷⁾ OJ No L 280, 29. 10. 1994, p. 77.

⁽⁸⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽⁹⁾ OJ No L 202, 26. 7. 1978, p. 8.

⁽¹⁰⁾ OJ No L 155, 26. 6. 1993, p. 29.

ANNEX

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

(ECU / tonne)

CN code	Import levies (7)	
	ACP	Third countries (other than ACP)
1103 21 00	114,14	120,18
1104 19 10	114,14	120,18
1104 29 11	84,34	87,36
1104 29 31	101,46	104,48
1104 29 91	64,68	67,70
1104 30 10	47,56	53,60
1108 11 00	139,50	160,05
1109 00 00	253,64	434,98

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

COMMISSION REGULATION (EC) No 2673/94
of 31 October 1994
fixing the import levies on white sugar and raw sugar

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽³⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EC) No 1957/94⁽⁵⁾, as last amended by Regulation (EC) No 2618/94⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1957/94 to the information known to the Commission that the levies

at present in force should be altered to the amounts set out in the Annex hereto;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 28 October 1994, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 November 1994.

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

Done at Brussels, 31 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 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. 88.

⁽⁶⁾ OJ No L 279, 28. 10. 1994, p. 25.

ANNEX

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

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	33,17 ⁽¹⁾
1701 11 90	33,17 ⁽¹⁾
1701 12 10	33,17 ⁽¹⁾
1701 12 90	33,17 ⁽¹⁾
1701 91 00	39,82
1701 99 10	39,82
1701 99 90	39,82 ⁽²⁾

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

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

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

II

(Acts whose publication is not obligatory)

COUNCIL

COUNCIL DECISION

of 24 October 1994

on the extension of the legal protection of topographies of semiconductor products to persons from Canada

(94/700/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 87/54/EEC of 16 December 1986 on the legal protection of topographies of semiconductor products ⁽¹⁾, and in particular Article 3 (7) thereof,

Having regard to the proposal from the Commission,

Whereas the right to legal protection of topographies of semiconductor products in the Community applies to persons qualifying for protection pursuant to Article 3 (1) to (5) of Directive 87/54/EEC;

Whereas this right can be extended by Council decision to persons who do not benefit from protection pursuant to the said provisions;

Whereas the extension of the protection in question should, as far as possible, be decided by the Community as a whole;

Whereas protection has previously been granted on conditions of reciprocity to persons from certain countries and territories outside the Community, in some cases on a

permanent basis in Decision 90/510/EEC ⁽²⁾, and in others on an interim basis in Decision 93/16/EEC ⁽³⁾;

Whereas Canada has regulations according suitable protection to designers of topographies and has announced that it plans to extend their applications, from 1 November 1994, to Community nationals and to natural and legal persons that have a real and effective establishment there for the purpose of designing topographies or manufacturing integrated circuits;

Whereas the Agreement on trade-related aspects of intellectual property rights, which forms part of the result of the Uruguay Round of multilateral trade negotiations embodied in the Marrakesh Final Act of 15 April 1994, requires Members to grant protection to integrated-circuit topographies in compliance with its own provisions and with those of the Treaty on Intellectual Property in Respect of Integrated Circuits to which it refers;

Whereas the Agreement, together with that establishing the World Trade Organization, will enter into force on 1 January 1995 or as soon as possible after that date; whereas the developed countries which are Members of the Agreement establishing the World Trade Organization will have one year following the entry into force of that Agreement in which to implement the Agreement on trade related aspects of intellectual property rights;

⁽²⁾ OJ No L 285, 17. 10. 1990, p. 29. Decision as amended by Decision 93/17/EEC (OJ No L 11, 19. 1. 1993, p. 22).

⁽³⁾ OJ No L 11, 19. 1. 1993, p. 20. Decision as amended by Decision 93/520/EEC (OJ No L 246, 2. 10. 1993, p. 31) which grants interim protection to persons from the United States of America (until 31. 12. 1993) and from certain territories (until 31. 12. 1994), and Decision 94/373/EC (OJ No L 170, 5. 7. 1994, p. 34), which extends until 1 July 1995 the protection in respect of the United States of America.

⁽¹⁾ OJ No L 24, 27. 1. 1987, p. 36.

Whereas, in view of the undertakings given by the Canadian authorities, the right to protection pursuant to Directive 87/54/EEC should be extended, from 1 November 1994 until the implementation of the Agreement on trade related aspects of intellectual property rights, to natural persons, companies and other legal persons from Canada,

HAS ADOPTED THIS DECISION :

Article 1

Member States shall extend the legal protection provided for pursuant to Directive 87/54/EEC as follows :

- (a) natural persons who are nationals of Canada or who have their habitual residence in the territory of Canada shall be treated as if they were nationals of a Member State ;

- (b) companies and other legal persons of Canada which have a real and effective industrial or commercial establishment in that country shall be treated as if they had a real and effective industrial or commercial establishment in the territory of a Member State.

Article 2

This Decision shall apply from 1 November 1994.

Article 3

This Decision is addressed to the Member States.

Done at Luxembourg, 24 October 1994.

For the Council

The President

J. BORCHERT

COUNCIL DECISION
of 24 October 1994
appointing an alternate member of the Committee of the Regions
(94/701/EC)

THE COUNCIL OF THE EUROPEAN UNION,

HAS DECIDED AS FOLLOWS:

Having regard to the Treaty establishing the European Community, and in particular Article 198a thereof,

Having regard to the Council Decision 94/65/EC of 26 January 1994 appointing the members and alternate members of the Committee of the Regions for the period 26 January 1994 to 25 January 1998 ⁽¹⁾,

Whereas a seat of alternate member on the Committee has become vacant following the resignation of Mr Isidoro Sanchez Garcia, which was brought to the Council's attention on 27 July 1994;

Having regard to the proposal from the Spanish Government,

Sole Article

Mr José Miguel Gonzalez Hernandez is hereby appointed an alternate member of the Committee of the Regions in place of Mr Isidoro Sanchez Garcia for the remainder of the latter's term of office, which expires on 25 January 1998.

Done at Luxembourg, 24 October 1994.

For the Council

The President

J. BORCHERT

⁽¹⁾ OJ No L 31, 4. 2. 1994, p. 29.

COMMISSION

COMMISSION DECISION

of 31 October 1994

amending for the second time Decision 94/621/EC on protective measures with regard to certain live animals and animal products originating in or coming from Albania

(Text with EEA relevance)

(94/702/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 ⁽¹⁾, as last amended by Decision 92/438/EEC ⁽²⁾, and in particular Article 18 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 ⁽³⁾, as last amended by Directive 92/118/EEC ⁽⁴⁾, and in particular Article 19 thereof,

Whereas cases of cholera have been recorded in Albania ;

Whereas the presence of cholera in Albania is liable to represent a serious danger to public health ;

Whereas the Commission, by means of Decision 94/621/EC ⁽⁵⁾, as amended by Decision 94/671/EC ⁽⁶⁾, has adopted the necessary measures ;

Whereas it is necessary in view of the evolution of the situation to prolong the measures put into force ; whereas it must be possible during this period to evaluate the measures taken by the authorities of Albania, in particular by the organization of a visit on the spot ;

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

HAS ADOPTED THIS DECISION :

Article 1

Article 3 of Decision 94/621/EC, the date of '31 October 1994' is replaced by '15 January 1995'.

Article 2

Member States shall alter the measures they apply to imports in order to bring them into line with this Decision. They shall inform the Commission thereof.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 31 October 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽²⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽³⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁴⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁵⁾ OJ No L 246, 21. 9. 1994, p. 25.

⁽⁶⁾ OJ No L 265, 15. 10. 1994, p. 62.

COMMISSION DECISION**of 31 October 1994****extending Decision 94/622/EC adopting measures for the import of fruit and vegetables originating in or consigned from Albania****(Text with EEA relevance)****(94/703/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to the Council Directive 93/43/EEC of 14 June 1993 on the hygiene of foodstuffs, and in particular Article 10 thereof⁽¹⁾,

Whereas, Commission Decision 94/622/EC of 20 September 1994, adopting measures for the import of fruit and vegetables originating in or consigned from Albania⁽²⁾ expires on 31 October 1994;

Whereas, the presence of cholera in Albania continues to constitute a serious threat to public health in the Community, it is necessary to prolong protective measures at Community level concerning certain fruit and vegetables likely to present a risk of contamination,

Article 1

Article 4 of Commission Decision 94/622/EC replaced by the following text:

'Article 4

This decision is applicable until 15 January 1995.'

Article 2

This decision is addressed to the Member States.

Done at Brussels, 31 October 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 175, 19. 7. 1993, p. 1.

⁽²⁾ OJ No L 246, 21. 9. 1994, p. 26.