

Official Journal

of the European Communities

ISSN 0378-6978

L 286

Volume 37

5 November 1994

English edition

Legislation

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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2686/94
of 31 October 1994
establishing a special system of assistance to traditional ACP suppliers of
bananas

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130w thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee ⁽²⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty ⁽³⁾,

Whereas Protocol 5 on bananas to the fourth ACP-EEC Convention provides that, in respect of its banana exports to the Community markets, no ACP State shall be placed, as regards access to its traditional markets and its advantages on those markets, in a less favourable situation than in the past or at present;

Whereas national market organizations have hitherto granted traditional ACP suppliers of bananas an outlet for their production on their traditional markets and enabled them to obtain from these markets an adequate income;

Whereas the common organization of the market in bananas established by Regulation (EEC) No 404/93 ⁽⁴⁾ sets the framework for continuing, on the Community market, the advantages enjoyed by traditional ACP suppliers, in accordance with the Community's commitment set out above;

Whereas risks exist nevertheless that the introduction of a new market organization and the need to adapt to it could jeopardize the continuing viability of ACP suppliers;

Whereas particular efforts will be needed to adapt to the new market conditions in order to take advantage of the opportunities offered;

Whereas the structure and the nature of the new market and the marketing efforts necessary to maintain a presence on this market represent new elements some of which neither the traditional ACP suppliers nor the operators handling this produce could reasonably foresee;

Whereas technical and financial assistance, additional to that provided for in the fourth ACP-EEC Convention, should therefore be provided to carry out programmes designed to assist producers to adapt to new market conditions and in particular to improve quality, to improve marketing and to improve competitiveness;

Whereas the new conditions prevailing on the market may result in temporary market disturbances, particularly in the sectors of the Community market traditionally supplied by the ACP States;

Whereas such disturbances could seriously affect the income of the ACP States from the market and therefore the continued viability of the production in question;

Whereas financial assistance should therefore be provided to permit the ACP States to remain on the market, until such time as the market stabilizes and a satisfactory economic return from the market can be received;

Whereas income support should be complementary to transfers under the export earnings stabilization system (Stabex) triggered by the same set of circumstances;

Whereas it is therefore appropriate to align calculation of income support with the calculation of Stabex transfers;

Whereas income support is granted each year for the preceding year and therefore this Regulation should apply as from 1 July 1993, the date Regulation (EEC) No 404/93 takes effect,

⁽¹⁾ OJ No C 344, 29. 12. 1992, p. 9.

⁽²⁾ OJ No C 108, 19. 4. 1993, p. 39.

⁽³⁾ Opinion of the European Parliament of 12 March 1993 (OJ No C 115, 26. 4. 1993, p. 266), Council common position of 11 July 1994 (OJ No C 232, 20. 8. 1994) and Decision of the European Parliament of 28 September 1994 (OJ No C 305, 31. 10. 1994).

⁽⁴⁾ OJ No L 47, 25. 2. 1993, p. 1. Regulation as amended by Commission Regulation (EC) No 3518/93 (OJ No L 320, 22. 12. 1993, p. 15).

HAS ADOPTED THIS REGULATION :

Article 1

A special system of assistance to traditional ACP suppliers of bananas is hereby established. This assistance may consist of technical and financial assistance and/or of income support.

Article 2

For the purposes of this Regulation :

- 'traditional ACP suppliers' means the ACP States listed in the Annex,
- 'bananas' means fresh or dried bananas covered by CN code 0803, excepting plantains.

TITLE I

Technical and financial assistance

Article 3

1. Technical and financial assistance shall be provided to traditional ACP suppliers with a view to helping them adapt to the new market conditions following the establishment of a common organization of the market in bananas.

2. This technical and financial assistance shall be provided to contribute to the carrying-out of programmes in the banana sector to achieve one or more of the following objectives :

- to improve quality,
- to adapt production, distribution or marketing methods to meet the quality standards provided for in Article 2 of Regulation (EEC) No 404/93,
- to establish producers' organizations which have as an objective the improvement of the marketing and competitiveness of their products,
- to develop a production and/or marketing strategy to meet the requirements of the market in the Community in the light of the common organization of the market in bananas,
- to assist with training, market intelligence, the development of environmentally sound production methods, improving the distribution infrastructure, improving trade and financial services to banana producers and/or improving competitiveness.

3. Assistance may be given to programmes having similar objectives which are currently financed under the fourth ACP-EEC Convention or by the public authorities of the Member States parties to that Convention where such assistance would result in more rapid completion of the programme.

Article 4

The Commission shall decide on the eligibility of the programme and the level of assistance after consultation with the traditional ACP supplier concerned. It shall also take into account the consistency of the envisaged programme with the general development objectives of the ACP State concerned and its impact on regional cooperation with other banana producers, in particular the Community producers.

TITLE II

Income support

Article 5

1. Within the limits indicated in Article 15 (1) of Regulation (EEC) No 404/93, traditional ACP suppliers shall be eligible for income support.

2. Income support shall be paid where the reduction in income derived from exportation to the Community of bananas complying with the common standards is directly related to conditions prevailing on the market subsequent to the establishment of the common organization of the market in bananas.

Article 6

1. Income support shall be individually calculated for each traditional ACP supplier on the basis of the quantities exported to the Community during the year of application and the difference between the reference price and the actual price.

2. The reference price shall be the average price per tonne of bananas produced in the ACP State concerned and exported to the Community during the six calendar years preceding the entry into force of this Regulation, less the two years with the highest and the lowest figures.

The actual price shall be the average price per tonne of bananas produced in the ACP State concerned and exported to the Community during the envisaged year of application.

3. The statistics needed for the calculation of income support shall be those drawn up and published on Community imports by the Statistical Office of the European Communities.

4. Before 1 July of each year, the Commission shall determine the income support for the previous year after consultation with the ACP State concerned.

5. Exceptionally, and in particular during the first year of application of this Regulation, advances may be paid where there is a significant reduction in production income compared to that of the previous year or for any given year.

The need for and the level of such advances shall be determined by the Commission after consultation with the ACP State concerned.

TITLE III

General provisions

Article 7

1. Financial commitments made under Title I shall be in addition to any funds available for ACP States pursuant to the provisions of the fourth ACP-EEC Convention.

2. Financial commitments made under Title II shall be complementary to funds available under the system guaranteeing the stabilization of export earnings provided for in Articles 186 *et seq.* of the fourth ACP-EEC Convention. Title II therefore only entitles to payments of income support as far as transfers, made for identical quantities in accordance with Articles 186 *et seq.* of the fourth ACP-EEC Convention, do not entirely offset the effects of price decreases on the income of traditional ACP suppliers.

3. Payments of income support shall be used, in accordance with a framework of mutual obligations to be agreed between the traditional ACP supplier concerned and the Commission in each case, for the benefit of producers adversely affected by the loss of income and be used to enhance the economic viability of production.

4. (a) Where application of Title II gives rise to a transfer basis, the ACP State concerned shall, in the month following receipt of the notification referred to in Article 6 (4), send the Commission a substantial analysis of the sector recording the loss of earnings, the causes of the loss, the policies pursued by the authorities and the projects, programmes or operations to which the resources are to be allocated in accordance with the objectives set out in paragraph 3 hereof.

(b) Projects, programmes or operations to which the recipient ACP States undertake to allocate the transferred resources shall be examined jointly by the Commission and the ACP State concerned.

(c) Resources shall be used to support immediate operations to sustain the economic viability of production, or adjustment operations designed to restructure production and export activities, within the framework of any consistent reform policy in the banana sector.

Article 8

1. The granting of assistance as defined in Article 1 shall be subject to the designation by the ACP State

concerned of a representative organization entitled to act and to receive payments on its behalf within the framework of this Regulation.

2. The representative organizations shall present the following characteristics :

(a) be composed entirely or mainly of producers of bananas in one or more traditional ACP suppliers ;

(b) pursue at least two of the following objectives :

- improvement of the quality of the produce,
- improvement of the quality of the distribution and marketing network,
- improvement of the returns to producers,
- improvement of the role of producers in the organization of the banana market.

3. The representative organization designated in accordance with paragraph 2 must be notified to the Commission.

Article 9

As far as necessary, detailed rules for the application of this Regulation shall be determined by the Commission in accordance with the procedure laid down in Article 10.

Article 10

The Commission shall be assisted by a committee of an advisory nature composed of the representatives of the Member States and chaired by the representative of the Commission.

The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes ; in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

Article 11

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

It shall apply with effect from 1 July 1993. It shall expire on 28 February 1996.

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

Done at Luxembourg, 31 October 1994.

For the Council

The President

K. KINKEL

ANNEX

LIST PROVIDED FOR IN THE FIRST INDENT OF ARTICLE 2

Traditional ACP suppliers of bananas

Belize
Cameroon
Cape Verde
Côte d'Ivoire
Dominica
Grenada
Jamaica
Madagascar
Saint Lucia
Saint Vincent and the Grenadines
Somalia
Suriname

COUNCIL REGULATION (EC) No 2687/94**of 31 October 1994****on Community financial contributions to the International Fund for Ireland**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission ⁽¹⁾,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas the Joint Declaration of the Taoiseach Albert Reynolds and Prime Minister John Major of 14 December 1993 provides a framework for a peace process in this part of the European Union ;

Whereas the Commission in its statements of 16 December 1993 and 31 August 1994 expressed the wish to give practical support to this process and in its statement of 21 September 1994 proposed an increase in the Community contribution to the International Fund for Ireland ;

Whereas the Council in its statement of 20 December 1993 declares that the ending of the bitter conflict in Northern Ireland would bring many social and economic benefits to the region, the Member States concerned and the European Union as a whole and in its statement of 4 October 1994 welcomed the progress made and reaffirmed the need to ensure that the peace process was made irreversible ;

Whereas Article 10 (a) of the Anglo-Irish Agreement of 15 November 1985 provides that the two governments shall cooperate to promote the economic and social development of those areas of both parts of Ireland which have suffered most severely from the consequences of the instability of recent years, and shall consider the possibility of securing international support for this work ;

Whereas, in order to contribute to the work envisaged in Article 10 (a) of the Anglo-Irish Agreement, the International Fund for Ireland was established to promote economic and social advance and to encourage contact, dialogue and reconciliation between nationalists and unionists throughout Ireland ;

Whereas the governments of the United Kingdom and Ireland in 1988 invited the Community to contribute to the International Fund for Ireland ;

Whereas ECU 15 millions per annum has been provided from the Community budget since 1989 to support projects of the International Fund for Ireland which have a genuine additional impact in the areas concerned ;

Whereas the programmes of the International Fund for Ireland encourage cross-border and cross-community cooperation and thereby promote dialogue and reconciliation between nationalists and unionists ;

Whereas the International Fund for Ireland has since its establishment provided support to some 3 000 projects ;

Whereas the International Fund for Ireland encourages those in the most deprived areas to participate in and take responsibility for the economic regeneration of their own areas ;

Whereas the International Fund for Ireland is an example of successful Anglo-Irish cooperation in advancing economic and social progress and in promoting reconciliation on a cross-border and cross-community basis ;

Whereas a framework for continued Community support for the International Fund for Ireland should be established ;

Whereas such support should take the form of financial contributions for a period of three years and be reassessed in due course ;

Whereas the amount deemed necessary for the Community contribution to the International Fund for Ireland is ECU 20 million for each of the years 1995, 1996 and 1997 expressed in current prices ;

Whereas this support will contribute to reinforcing the solidarity between the Member States and between their peoples ;

Whereas the Treaty does not, for the adoption of this Regulation, provide powers other than those in Article 235,

HAS ADOPTED THIS REGULATION :

Article 1

An annual contribution shall be made to the International Fund for Ireland, hereinafter called 'the Fund', for each of the years 1995, 1996, 1997. The amount of this contribution shall be established as part of the annual budgetary procedure.

⁽¹⁾ OJ No C 89, 26. 3. 1994, p. 6.

⁽²⁾ Opinion delivered on 27 September 1994 (OJ No C 305, 31. 10. 1994).

Article 2

The contribution shall be used by the Fund in priority for projects of a cross-border or cross-community nature, in accordance with the Agreement establishing the International Fund for Ireland.

The contribution shall be used in such a way that it has a genuine additional impact on the areas concerned and should not therefore be used as a substitute for other public and private expenditure.

A Commission representative shall be enabled to continue to assist as an observer at the Board meetings of the Fund.

Article 3

The Commission shall administer the contribution mentioned in Article 1.

The Commission shall submit an annual report to the budgetary authority covering the following matters, *inter alia*:

- a survey of the Fund's activities,
- a list of projects which have received aid,
- an assessment of the nature and impact of the interventions, with particular regard to the objectives of the Fund and the criteria laid down in the first and second paragraphs of Article 2,

- an Annex containing the results of the verifications and spot checks carried out by the Commission representative or his agents.

Article 4

The annual contribution shall be paid over in two parts in accordance with the following provisions:

- an advance of 80 % shall be paid over after signature by the chairman of the Board of the Fund of the Commission's standard undertaking relating to grants and after having made the undertaking to use the contribution in accordance with Article 2, and, as far as contributions for 1996 and 1997 are concerned, after receipt and acceptance by the Commission of the beneficiary's annual activity report and audited accounts in respect of the previous assessment,
- the remaining 20 % shall be paid over after receipt and acceptance by the Commission of the beneficiary's annual activity report and audited accounts.

Article 5

Before the end of 1996, the Commission shall draw up an evaluation report for the European Parliament and the Council assessing the need for continuing contributions beyond 1997.

Article 6

This Regulation shall enter into force on 1 January 1995, and shall remain in force until 31 December 1997.

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

Done at Luxembourg, 31 October 1994.

For the Council

The President

K. KINKEL

COMMISSION REGULATION (EC) No 2688/94

of 4 November 1994

fixing for the 1994/95 marketing year the reference prices for broad-leaved
(Batavian) endives

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 broad-leaved (Batavian) endives (*Cichorium endivia* L. var. *latifolia*) are produced in such quantities in the Community that reference prices should be fixed for them;

Whereas endives harvested during a given crop year are marketed from July to June of the following year; whereas the quantities imported from 1 July to 14 November and from 1 April to 30 June of the following year are so small that there is no need to fix reference prices for these periods; whereas reference prices should be fixed only for the period 15 November up to and including 31 March 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 broad-leaved (Batavian) endives (CN code ex 0705 29 00), expressed in ecus per 100 kilograms net of packed products of class I, of all sizes, shall be as follows:

- | | |
|--|--------|
| — from 15 November 1994 to
31 January 1995: | 58,79, |
| — from 1 February to
31 March 1995: | 63,44. |

Article 2

This Regulation shall enter into force on 15 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, 4 November 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 2689/94

of 4 November 1994

laying down certain additional detailed rules for the application of the supplementary trade mechanism (STM) between Spain and the Community as constituted at 31 December 1985 as regards certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Spain and Portugal,

Having regard to Council Regulation (EEC) No 3210/89 of 23 October 1989 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables⁽¹⁾, as amended by Regulation (EEC) No 3818/92⁽²⁾, and in particular Article 9 thereof,

Whereas Commission Regulation (EEC) No 816/89⁽³⁾, as amended by Regulation (EEC) No 3831/92⁽⁴⁾, establishes the list of products subject to the supplementary trade mechanism in the fresh fruit and vegetables sector from 1 January 1990; whereas tomatoes, artichokes and melons are included on the list;

Whereas Commission Regulation (EEC) No 3944/89⁽⁵⁾, as last amended by Regulation (EEC) No 3308/91⁽⁶⁾, lays down detailed rules for applying the supplementary trade mechanism, hereinafter called the 'STM', to fresh fruit and vegetables;

Whereas Commission Regulation (EC) No 2265/94⁽⁷⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 6 November 1994 for the above products; whereas, in view of expected exports from Spain to the rest of the Community, with the exception of Portugal, and of the Community market, a period I should be fixed up to 31 December 1994 for the products in question, in accordance with the Annex;

Whereas it should be recalled that the provisions of Regulation (EEC) No 3944/89 on statistical monitoring and the various communications from the Member States apply in order to ensure that the STM operates;

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 tomatoes, artichokes and melons falling within the CN codes set out in the Annex, the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in the Annex hereto.

Article 2

For consignments from Spain to the rest of the Community market with the exception of Portugal of the products listed in Article 1, the provisions of Regulation (EEC) No 3944/89 shall apply.

However, the notification referred to in Article 2 (2) of the said Regulation shall be made each Tuesday at the latest for the quantities consigned during the preceding week.

The communications referred to in the first paragraph of Article 9 of Regulation (EEC) No 3944/89 shall be made once a month by the fifth of each month at the latest for information referring to the previous month; where appropriate, this communication shall bear the word 'nil'.

Article 3

This Regulation shall enter into force on 7 November 1994.

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

Done at Brussels, 4 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 15.

⁽³⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 47.

⁽⁵⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁶⁾ OJ No L 313, 14. 11. 1991, p. 13.

⁽⁷⁾ OJ No L 246, 21. 9. 1994, p. 4.

*ANNEX***Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89**

(Period 7 November to 31 December 1994)

Description	CN code	Period
Tomatoes	0702 00 10	I
Artichokes	0709 10 00	I
Melons	0807 10 90	I

COMMISSION REGULATION (EC) No 2690/94**of 4 November 1994****amending Regulation (EEC) No 1609/88 as regards the latest date by which butter must have been taken into storage in order to be sold under Regulations (EEC) No 3143/85 and (EEC) No 570/88**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 1880/94 ⁽²⁾, and in particular Article 6 (7) thereof,

Having regard to Council Regulation (EEC) No 985/68 of 15 July 1968 laying down general rules for intervention on the market in butter and cream ⁽³⁾, as last amended by Regulation (EEC) No 2045/91 ⁽⁴⁾, and in particular Article 7a thereof,

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 3143/85 of 11 November 1985 on the sale at reduced prices of intervention butter intended for direct consumption in the form of concentrated butter ⁽⁵⁾, as last amended by Regulation (EC) No 1970/94 ⁽⁶⁾, the butter put up for sale must have been taken into storage before a date to be determined; whereas the same applies to butter sold under the arrangements laid down in Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for cream, butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other food stuffs ⁽⁷⁾, as last amended by Regulation (EC) No 3049/93 ⁽⁸⁾;

Whereas, in view of butter stocks and quantities available, the dates in Article 1 of Commission Regulation (EEC)

No 1609/88 ⁽⁹⁾, setting the latest time of entry into storage for butter sold under Regulation (EEC) No 3143/85 and (EEC) No 570/88, as last amended by Regulation (EC) No 2432/94 ⁽¹⁰⁾, should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1609/88, the first and second subparagraphs are hereby replaced by the following:

'The butter referred to in Article 1 (1) of Regulation (EEC) No 3143/85 must have been taken into storage before 1 January 1993.

The butter referred to in Article 1 of Regulation (EEC) No 570/88 must have been taken into storage before 1 January 1993.'

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, 4 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 21.

⁽³⁾ OJ No L 169, 18. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 187, 13. 7. 1991, p. 1.

⁽⁵⁾ OJ No L 298, 12. 11. 1985, p. 9.

⁽⁶⁾ OJ No L 198, 30. 7. 1994, p. 112.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 273, 5. 11. 1993, p. 7.

⁽⁹⁾ OJ No L 143, 10. 6. 1988, p. 23.

⁽¹⁰⁾ OJ No L 259, 7. 10. 1994, p. 15.

COMMISSION REGULATION (EC) No 2691/94

of 4 November 1994

amending Regulation (EC) No 2120/94 and increasing to 859 357 tonnes the amount of cereals held by the French intervention agency for which a standing invitation to tender for resale on the internal market has been opened

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by 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 procedures and conditions governing the offer for sale of cereals held by intervention agencies;

Whereas Commission Regulation (EC) No 2120/94 ⁽⁵⁾, as amended by Regulation (EC) No 2496/94 ⁽⁶⁾, opened a standing invitation to tender for the resale on the internal market of 614 357 tonnes of cereals held by the French intervention agency;

Whereas in the present situation on the market the quantity of cereals held by the French intervention agency put up for sale on the internal market of the Community should be increased to 859 357 tonnes;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EC) No 2120/94 '100 000 tonnes of barley' is replaced by '195 000 tonnes of barley' and '250 000 tonnes of maize' is replaced by '400 000 tonnes of maize'.

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, 4 November 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 191, 31. 7. 1993, p. 76.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 1.

⁽⁵⁾ OJ No L 224, 30. 8. 1994, p. 10.

⁽⁶⁾ OJ No L 265, 15. 10. 1994, p. 41.

COMMISSION REGULATION (EC) No 2692/94

of 4 November 1994

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

Whereas, following the taking of a number of decisions on the allocation of food aid, the Commission has allocated to certain recipients 448 tonnes of tomato concentrate ;

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

Article 1

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

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

Article 2

The communication⁽⁶⁾, regarding the labelling and marking of the packaging shall not be applicable to tenders submitted.

Article 3

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

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

Done at Brussels, 4 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

⁽⁶⁾ OJ No C 298, 26. 10. 1994, p. 9.

ANNEX

LOTS A, B, C, D and E

1. **Operation Nos** ⁽¹⁾: 926/94 (Lot A); 927/94 (Lot B); 928/94 (Lot C); 929/94 (Lot D) and 930/94 (lot E)
2. **Programme**: 1994
3. **Recipient** ⁽²⁾: UNRWA Headquarters, Supply Division, Vienna International Centre, PO Box 700, A-1400 Vienna (telex 135310 UNRWA A, telefax (1) 230 75 29)
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officer
 - A and E: Ashdod: West Bank, PO Box 19149, Jerusalem (tel. 972 (2) 89 05 55; telex 26194 UNRWA IL; telefax 972 (2) 81 65 64)
 - B: Latakia: PO Box 4313, Damascus, SAR (tel. 963 (11) 66 02 17; telex 412006 UNRWA SY; telefax 963 (11) 33 27 513)
 - C: Beirut: PO Box 947, Beirut, Lebanon (tel.: 86 31 50; telex: 21430 /20177 UNRWA LE; telefax 1 (212) 478 10 55 (satellite))
 - D: Amman: PO Box 484, Amman, Jordan (tel. 962 (6) 74 19 14/77 22 26; telex 23402 UNRWA JFO JO; telefax 962 (6) 74 63 61)
5. **Place or country of destination** ⁽³⁾:
 - Lots A and E: Israel (A: West Bank; E: Gaza)
 - Lot B: Syria
 - Lot C: Lebanon
 - Lot D: Jordan
6. **Product to be mobilized**: tomato concentrate
7. **Characteristics and quality of the goods** ⁽³⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under VIA (1))
8. **Total quantity**: 448 tonnes
9. **Number of lots**: five: (Lot A: 80 tonnes; Lot B: 64 tonnes; Lot C: 80 tonnes; Lot D: 80 tonnes; Lot E: 144 tonnes)
10. **Packaging and marking** ⁽⁴⁾ ⁽⁷⁾ ⁽⁸⁾ ⁽⁹⁾:
 - OJ No C 114, 29. 4. 1991, p. 1 (under VIA (2) and VIA (3))
 - Markings in English
 - Supplementary markings on the packaging: 'UNRWA — Expiry date:.....'
11. **Method of mobilization**: the Community market
12. **Stage of supply**: Lots A, B and E: free at port of landing — landed
Lots C and D: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Lots A and E: Ashdod; Lot B: Latakia
16. **Address of the warehouse and, if appropriate, port of landing**:
 - Lot C: UNRWA Warehouse in Beirut, Lebanon
 - Lot D: UNRWA Warehouse in Amman, Jordan
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 19 — 31. 12. 1994
18. **Deadline for the supply**: Lots A, B and E: 22. 1. 1995
Lots C and D: 29. 1. 1995
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 21. 11. 1994

21. In the case of a second invitation to tender :

- (a) deadline for the submission of tenders : 12 noon on (Brussels time) on 5.12.1994
- (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 2 — 15.1.1995
- (c) deadline for the supply: Lots A, B and E : 5.2.1995
Lots C and D : 12.2.1995

22. Amount of tendering security : ECU 15 per tonne

23. Amount of delivery security : 10 % of the amount of the tender in ecus

24. Address for submission of tenders and tendering securities⁽¹⁾ : Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi 200, B-1049 Bruxelles (telex 22037 AGREC B ; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97)

25. Refund payable on application by the successful tenderer⁽⁴⁾ : —

Notes :

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

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

— sanitary certificate.

Lot B : The health certificate and the certificate of origin must be signed and stamped by a Syrian consulate, including a statement that consular fees and charges have been paid.

- ⁽⁴⁾ Point (g) of Article 7 (3) of Regulation (EEC) No 2200/87 shall not be applicable to tenders submitted.
- ⁽⁵⁾ Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- ⁽⁶⁾ Lots A, C, D and E :

Consignment to be stowed in 20-foot containers.

Lots A and E : The contracted shipping terms shall be considered full liners terms (liner in/liner out) free at port of landing container yard and are understood to cover 15 days — Saturdays, Sundays and official public and religious holidays excluded — free of container detention charges at the port of discharge taken from the day/time of the arrival of the vessel. The 15 days free of container detention charges should be clearly marked on the bill of lading. Bona fide detention charges levied in respect of container detention(s) in excess of the said 15 days as detailed above will be borne by UNRWA. UNRWA shall not pay/not be charged any container deposit fees.

After take over of the goods at the delivery stage, the recipient will bear all costs of shifting the containers for destuffing outside the port area and of returning them to the container yard.

Ashdod : consignment to be stowed in 20-foot containers not more than 17 tonnes each, net.

- ⁽⁷⁾ Lots A, B, C and E : The date of expiry shall correspond to the date of manufacture plus two years.
Lot D : The date of expiry shall correspond to the date of manufacture plus one year.

⁽⁸⁾ Notwithstanding OJ No C 114, point VIA (3) (c) is replaced by the following : 'the words "European Community".'

⁽⁹⁾ The communication 94/C 273/01 (OJ No C 273, 30. 9. 1994, p. 1) regarding the labelling and marking of the packaging shall not be applicable to tenders submitted.

COMMISSION REGULATION (EC) No 2693/94**of 4 November 1994****on the transport for the free supply to Georgia, Armenia and Azerbaijan of common wheat flour, olive oil and butter pursuant to Council Regulation (EC) No 1999/94**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan ⁽¹⁾, and in particular Article 4 (2) thereof,Whereas, Commission Regulation (EC) No 2065/94 ⁽²⁾, established the detailed rules applicable to the free supply of agricultural products provided for by Regulation (EC) No 1999/94; whereas, it is appropriate to open a tendering procedure for the supply of 10 000 tonnes of common wheat flour, 3 000 tonnes of olive oil and 5 000 tonnes of butter intended for Georgia, Armenia and Azerbaijan;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products as a single action, by which the whole of the supply should be awarded to a single tenderer;

Whereas the relevant Management Committee has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby initiated for the supply costs of:

- 3 000 tonnes (net) of olive oil (on pallets with 4 casks of 200 litres each),
- 5 000 tonnes (net) of butter,
- 10 000 tonnes (net) of common wheat flour (Big Bags of 1,60 m × 1,20 m × 0,80 m),

as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Article 2 thereof.

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.⁽²⁾ OJ No L 213, 18. 8. 1994, p. 3.

2. The supply costs shall relate to the take-over at the stage laid down in paragraph 3 and transport by the appropriate means to the places of destination and within the time limits indicated in Annex I.

3. (a) The flour (delivery stage FOB, stowed on the boat) intended for Azerbaijan, will be made available for loading in one of the ports of Toulon, Port La Nouvelle or Venice (Porto Marghera) with effect from 18 December 1994.

The port will be definitively designated at the time of the award of the supply.

(b) 3 000 tonnes of olive oil (delivery stage FOB, stowed on the boat) will be made available in the port of Athens (Piraeus) of which:

— 1 000 tonnes with effect from 28 November 1994, intended for Georgia,

— 2 000 tonnes with effect from 28 November 1994, intended for Armenia.

(c) 5 000 tonnes of butter (delivery stage — loading bays of the intervention stores laid down in Annex VI) intended for Georgia, available immediately.

Article 2

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

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

The closing date for the lodgement of tenders shall be 14 November 1994 at 17.00 hours (Brussels time).

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

By way of derogation from Article 6 (1) (d) (1) of Regulation (EC) No 2065/94 the offer must specify the total amounts in ecu required for the total supply (net weight), and the amount in ecu per tonne (gross weight) offered for each destination, from each of the ports in accordance with Annex IV.

Tenderers, where appropriate, shall take account of the unloading and transit prices to Armenia and Azerbaijan, fixed by agreement between the authorities in question, referred to in Annex V.

3. Point (c) of Article 12 (1) of Regulation (EC) No 2065/94 is not applicable.

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

5. By way of derogation from Article 8 of Regulation (EC) No 2065/94 the supply security must be lodged three working days before the take-over for each loading.

6. The security referred to in Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 2 300 per tonne of olive oil, ECU 2 800 per tonne of butter and ECU 280 per tonne of flour. These securities are to be lodged in national currency.

7. The securities referred to in paragraphs 4 and 6 shall be lodged in favour of the Commission of the European Communities.

Article 3

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

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2065/94, the intervention agency of the Member State in which the port of take-over is situated shall deliver a certificate certifying the total removal of the quantities for each destination, upon completion of that operation.

Article 5

This Regulation shall enter into force on the 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, 4 November 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***Georgia :**

- 1 000 tonnes of olive oil, port of loading Athens (Piraeus)
- 5 000 tonnes of butter, intervention stores laid down in Annex VI

Delivery stage :

Poti or Batumi (Goods unloaded)

Final delivery date at the port :

- 21 December 1994 for the olive oil
- 8 January 1995 for the butter

Armenia :

2 000 tonnes of olive oil — port of loading Athens (Piraeus)

Delivery stage :

Airum via the ports of Poti or Batumi (Goods not unloaded)

Final delivery date at the port :

21 December 1994

Azerbaijan :

10 000 tonnes of common wheat flour — port of loading to be designated at the time of award of the supply

Delivery stage :

Pbieuk-Kesik via the ports of Poti or Batumi (Goods not unloaded)

Final delivery date at the port :

14 January 1995

ANNEX II

(a) Place of take-over in Georgia

1. Port of Poti or Batumi. Goods unloaded.
2. Authority entitled to deliver the take-over certificate :

Ministry of Trade
38007 Tblisi
42 al. Kazbegiav
Mr Zankaliani (Minister of Trade)
(Tel. (78832) 38 96 67).

(b) Place of take-over in Armenia :

1. Airum. Goods not unloaded.
The quantitative and qualitative controls will be carried out at the time of sealing the rail-wagons at Poti or Batumi. The take-over certificate will be issued on arrival at the abovementioned station after verification of the integrity of the seals and the number of wagons.
2. Authority entitled to deliver the take-over certificate :

Ministry of Food and Provision
375010 Yerevan
Dom Pravitelstva
Ploshad Respubliki 1
Mr. Stephanian, Deputy Minister
(Tel. (7-8852) 52 03 21).

(c) Place of take-over in Azerbaijan :

1. Pbieuk-Kesik. Goods not unloaded.

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

The wagons which are not in order will be refused by the authorities of Azerbaijan and the unloading charges at Poti or Batumi and the transit charges on Georgian territory will not be paid to the Georgian authorities. They will be deducted from the amount to be paid to the successful tenderer.

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

Gossudarstvenaya Companija Chleboproductov
370033 BAKU
Ul. Usif Zaade No. 13
Mr. F.R. Mustafaev — President
(Tel. (7-8922) 66 74 51 / 66 38 20).

ANNEX III

PART A

Regulation (EC) No 2693/94

FLOUR

Take-over certificate at the port of Poti/Batumi

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

acting on behalf of

certify that the following goods have been taken over :

Product :	Flour
Packaging :	Big-Bag
Total quantity in tonnes (net) : (gross) :	
Number of Big-Bags	
Place and date of take-over :	
Name of boat :	
Name and address of transport company :	

Name/address of monitoring agency :

.....

.....

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

.....

.....

Observations or remarks :
.....
.....
.....
.....

Signature and stamp
of the Georgian authorities

.....

Signature or stamp
of the authorities

.....

PART B

Regulation (EC) No 2693/94

FLOUR

Take-over certificate on the arrival of the rail-wagons

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

acting on behalf of

certify that the goods indicated below have been taken over :

Type of product : common wheat flour

Place and date of take-over :

Numbers of rail-wagons		Numbers of seals		
Departure	Arrival (signature)	Departure	Arrival signature or remarks (¹)	Quantities (¹)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

(¹) If at the arrival at the frontier point the seals are not in order, instead of the signature, 'refused' should be inserted, and the quantities contained in this wagon should be carried forward to the quantities column.

Name and address of the transport company :

Name and address of the monitoring agency :

Observations and remarks :
.....

Representative of monitoring agency Name, signature and stamp	Name, signature and stamp of the beneficiary
.....	
.....	

*ANNEX IV***PRESENTATION OF THE OFFER**

Departure ports for the flour	Total Price (ECU) all products and destinations (Net weight)	Unitary price — ECU/tonne (Gross weight)			
		Georgia		Armenia	Azerbaijan
		Butter	Olive oil		
Toulon					
Port la Nouvelle		ditto	ditto	ditto	
Venice (Porto Marghera)		ditto	ditto	ditto	

ANNEX V

Transit prices on Georgian territory

ARMENIA

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
Grain		Poti	Batumi	
— grab	US \$ 4	US \$ 14	US \$ 16	US \$ 120
— vacuvator	US \$ 5,5			
General cargo in covered wagons	US \$ 6	US \$ 14	US \$ 16	US \$ 120
Thermos wagons	US \$ 6	US \$ 30	US \$ 34	US \$ 120

AZERBAIJAN

Products	Discharging cost (per tonne)	Transport cost including security of the cargo (per tonne)		Administration cost (per lot)
Grain		Poti	Batumi	
— grab	US \$ 4	US \$ 14,1	US \$ 15,5	US \$ 120
— vacuvator	US \$ 5,5			
General cargo in covered wagons	US \$ 6	US \$ 14,1	US \$ 15,5	US \$ 120 \$
Thermos wagons	US \$ 6	US \$ 29,8	US \$ 32,8	US \$ 120

GEORGIA

Produkts	Grain-grab	Grain-vacuvator	General cargo in civered wagons
Discharging cost (per tonne)	US \$ 3	US \$ 3,5	US \$ 5

ANNEX VI

<i>(in tonnes)</i>	
Places of storage	Quantity
Asturias Fridalsa (Frigoríficos de Alimentacion SA) C/Peña Salón, nº 39, Poligno de Silvota 33192 Llanera tel. (985) 26 27 42	1 000
Frioastur SA Roces s/n - Apartado 427 Gijon (tel. (985) 38 48 00, 38 45 11 ; Fax : (985) 14 12 23)	2 000
Cantabria Frigoríficos del depósito franco del puerto de Santander SA Depósito Franco del Puerto, E-39009 Santander (Tel. (942) 21 38 50, 21 38 54, 21 38 58 ; Fax : (942) 22 08 65)	2 000
Address of the intervention agency SENPA Beneficencia 8 E-28004 Madrid (Tel. (34 1) 3 47 65 00 ; Fax : (34 1) 5 21 98 32, 5 22 43 87)	

COMMISSION REGULATION (EC) No 2694/94

of 4 November 1994

on the transport for the free supply to Tajikistan and Kyrgyzstan of common wheat flour pursuant to Council Regulation (EC) No 1999/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan⁽¹⁾, and in particular Article 4 (2) thereof,

Whereas, Commission Regulation (EC) No 2065/94⁽²⁾, established the detailed rules applicable to the free supply of agricultural products not available from intervention stocks but belonging to the same group of products provided for by Regulation (EC) No 1999/94; whereas, it is appropriate to open a tendering procedure for the supply of 20 000 tonnes of common wheat flour intended for Tajikistan and Kyrgyzstan;

Whereas, in view of the present difficulties in these republics and the specific problems of forwarding aid to these regions, it is appropriate to organize the supply of the abovementioned products as a single action, by which the whole of the supply should be awarded to a single tenderer;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. A tendering procedure is hereby initiated for the supply costs of 20 000 tonnes (net) of common wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Article 2 thereof.

2. The supply costs shall relate to the take-over of the flour FOB, stowed on the boat, in two of the ports mentioned in paragraph 3, and transport by the appropriate means to the places of destination and within the time limits indicated in Annex I.

The successful tenderer must ensure that the entire railway transport is effected in indivisible 'block trains'.

3. The flour will be made available for loading in the following manner:

- (a) 10 000 tonnes at one of the ports of Rouen, Antwerp or Rotterdam of which:
 - 5 000 tonnes with effect from 28 November 1994,
 - 5 000 tonnes with effect from 5 December 1994;
- (b) 10 000 tonnes at one of the ports of Rouen, Antwerp, Rotterdam, Toulon, Port La Nouvelle or Venice (Porto Marghera) of which:
 - 5 000 tonnes with effect from 28 November 1994,
 - 5 000 tonnes with effect from 5 December 1994;

The ports will be definitively designated at the time of the award of the supply.

Article 2

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

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

The closing date for the lodgement of tenders shall be 14 November 1994 at 17.00 hours (Brussels time).

2. The offer shall relate to the supply of the total of the quantities referred to in Article 1 (1) and (3).

By way of derogation from Article 6 (1) (d) (1) of Regulation (EC) No 2065/94 the offer must specify the total amounts in ecu required for the total supply (net weight), and the amount in ecu per tonne (gross weight) offered for each destination, from each group of ports in accordance with Annex IV.

3. Point (c) of Article 12 (1) of Regulation (EC) No 2065/94 is not applicable.

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

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 213, 18. 8. 1994, p. 3.

5. By way of derogation from Article 8 of Regulation (EC) No 2065/94 the supply security must be lodged three working days before the take-over for each loading.

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

7. The securities referred to in paragraphs 4 and 6 shall be lodged in favour of the Commission of the European Communities.

Article 3

The take-over certificate referred to in Article 10 (1) (a) of Regulation (EC) No 2065/94 shall be established at the

places and by the authorities referred to in Annex II, on the basis of the model in Annex III.

Article 4

For the payment provided for at Article 13 of Regulation (EC) No 2065/94, the intervention agency of the Member State in which the port of take-over is situated shall deliver, upon completion of that operation, a certificate certifying the total removal of the quantities for each destination.

Article 5

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

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

Done at Brussels, 4 November 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

LOT

Tajikistan :

5 000 tonnes of common wheat flour (packed on pallets of one tonne, shrink wrapped and strapped) from the ports of Rouen, Antwerp or Rotterdam

Delibery stage :

Goods not unloaded at the frontier points

Final delivery date at the frontier points :

- Sari-Assia : 2 500 tonnes on 30 December 1994
- Amussang (via Termes) : 2 500 tonnes on 6 January 1995

5 000 tonnes of common wheat flour (packed on pallets of one tonne, shrink wrapped and strapped) from the ports of Rouen, Antwerp, Rotterdam, Toulon, Port La Nouvelle or Venice (Porto Marghera)

Delivery stage :

Goods not unloaded at the frontier points

Final delivery date at the frontier points :

- Bekabad : 2 500 tonnes on 30 December 1994
- Sari-Assia : 2 500 tonnes on 6 January 1995

Kyrgyzstan :

5 000 tonnes of common wheat flour (packed on pallets of one tonne, shrink wrapped and strapped) from the ports of Rouen, Antwerp or Rotterdam

Delivery stage :

Goods not unloaded at the frontier points

Final delivery date at the frontier points :

- Kara-Su : 2 500 tonnes on 30 December 1994
- Lugovaya : 2 500 tonnes on 6 January 1995

5 000 tonnes of common wheat flour (packed on pallets of one tonne, shrink wrapped and strapped) from the ports of Rouen, Antwerp, Rotterdam, Toulon, Port La Nouvelle or Venice (Porto Marghera)

Delivery stage :

Goods not unloaded at the frontier points

Final delivery date at the frontier points :

- Kara-Su : 2 500 tonnes on 30 December 1994
 - Lugovaya : 2 500 tonnes on 6 January 1995
-

ANNEX II

(a) Place of take-over in Tajikistan

1. Frontier points of Sari-Assia, Amusang and Bekabad goods *not unloaded*.

However, for the wagons of which the seals affixed by the representatives of the Commission are not intact at the designated frontier points, the take-over certificates may not be issued until after unloading and the quantitative and qualitative control of the goods to be effected at the first station inside the country at which unloading is possible.

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

Ministry of Trade and Material Resources
of the Republic of Tajikistan
Dunshanbe
Ul' Bohtar No 37

(b) Place of take-over in Kyrgyzstan :

- 1 Kara-Su and Lugovaya. Goods not unloaded.

However, for the wagons of which the seals affixed by the representatives of the Commission are not intact at the designated frontier points, the take-over certificates may not be issued until after unloading and the quantitative and qualitative control of the goods to be effected at the first station inside the country at which unloading is possible.

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

Humanitarian Aid Commission
72003 Bishkek
Dom Pravitelstva

ANNEX III

Regulation (EC) No 2694/94

FLOUR

Take-over certificate on the arrival of the rail-wagons

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

acting on behalf of

certify that the goods indicated below have been taken over :

Type of product : common wheat flour

Place and date of take-over :

Wagon numbers			Seal numbers		
Departure	Quantities	Arrival (signature)	Departure	Arrival signature or remarks ⁽¹⁾	Quantities ⁽²⁾
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

⁽¹⁾ If on arrival, the seals are not in order, instead of the signature insert 'to be checked'.
⁽²⁾ To be completed only for the wagons which have been the subject of a check, inserting the weight found.

Name and address of the transport company :

Name and address of the monitoring agency :

Observations and remarks :
.....

Representative of monitoring agency
Name, signature and stamp

.....
.....

Name, signature and stamp of the beneficiary

.....
.....

*ANNEX IV***PRESENTATION OF THE OFFER**

- (a) Price on the basis that all of the flour (20 000 tonnes) is available in one of the three North Sea ports :

Total price : ECU for a net weight of 20 000 tonnes.

Unitary prices :

- to Tajikistan ECU /tonne (gross weight),
- to Kyrgyzstan ECU /tonne (gross weight).

- (b) Price on the basis that 10 000 tonnes of flour is available in one of the three North Sea ports and that 10 000 tonnes of flour is available in one of the three Mediterranean ports

Total prices : ECU for a net weight of 20 000 tonnes.

Unitary prices :

- to Tajikistan — Northern ports ECU..... /tonne (gross weight),
 - to Tajikistan — Mediterranean ports ECU /tonne (gross weight),
 - to Kyrgyzstan — Northern ports ECU /tonne (gross weight),
 - to Kyrgyzstan — Mediterranean ports ECU /tonne (gross weight).
-

COMMISSION REGULATION (EC) No 2695/94
of 4 November 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 2650/94 ⁽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 52,813 per 100 kilograms.
2. However, the amount of the aid will be replaced with effect from 5 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 5 November 1994.

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

Done at Brussels, 4 November 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 284, 1. 11. 1994, p. 7.

COMMISSION REGULATION (EC) No 2696/94
of 4 November 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 2682/94 ⁽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 3 November 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 5 November 1994.

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

Done at Brussels, 4 November 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 285, 4. 11. 1994, p. 20.

ANNEX

to the Commission Regulation of 4 November 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	32,49 ⁽¹⁾
1701 11 90	32,49 ⁽¹⁾
1701 12 10	32,49 ⁽¹⁾
1701 12 90	32,49 ⁽¹⁾
1701 91 00	38,89
1701 99 10	38,89
1701 99 90	38,89 ⁽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.

COMMISSION REGULATION (EC) No 2697/94**of 4 November 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 3

November 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 5 November 1994.

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

Done at Brussels, 4 November 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 4 November 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

	(ECU/tonne)
CN code	Third countries ^(*)
0709 90 60	94,66 ⁽²⁾ ⁽³⁾
0712 90 19	94,66 ⁽²⁾ ⁽³⁾
1001 10 00	8,52 ⁽¹⁾ ⁽²⁾ ⁽¹¹⁾
1001 90 91	60,89
1001 90 99	60,89 ⁽²⁾ ⁽¹¹⁾
1002 00 00	109,54 ⁽⁶⁾
1003 00 10	92,41
1003 00 90	92,41 ⁽²⁾
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	35,62 ⁽²⁾
1008 20 00	36,68 ⁽⁴⁾ ⁽²⁾
1008 30 00	8,50 ⁽²⁾
1008 90 10	(7)
1008 90 90	8,50
1101 00 00	123,22 ⁽²⁾
1102 10 00	191,33
1103 11 10	46,22
1103 11 90	145,13
1107 10 11	119,26
1107 10 19	91,86
1107 10 91	175,37 ⁽¹⁰⁾
1107 10 99	133,79 ⁽²⁾
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 2698/94**of 4 November 1994****fixing the import levies on rice and broken rice**

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1869/94 ⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 2147/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2636/94 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION :

Article 1

The import levies to be charged on the products listed in Article 1 (1) (a) and (b) of Regulation (EEC) No 1418/76 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 5 November 1994.

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

Done at Brussels, 4 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 228, 1. 9. 1994, p. 23.

⁽⁶⁾ OJ No L 280, 29. 10. 1994, p. 52.

ANNEX

to the Commission Regulation of 4 November 1994 fixing the import levies on rice and broken rice

(ECU / tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽³⁾) (⁽⁴⁾)	Third countries (except ACP) (⁽⁵⁾)
1006 10 21	—	147,17	301,55
1006 10 23	—	149,51	306,23
1006 10 25	—	149,51	306,23
1006 10 27	229,67	149,51	306,23
1006 10 92	—	147,17	301,55
1006 10 94	—	149,51	306,23
1006 10 96	—	149,51	306,23
1006 10 98	229,67	149,51	306,23
1006 20 11	—	184,87	376,94
1006 20 13	—	187,79	382,79
1006 20 15	—	187,79	382,79
1006 20 17	287,09	187,79	382,79
1006 20 92	—	184,87	376,94
1006 20 94	—	187,79	382,79
1006 20 96	—	187,79	382,79
1006 20 98	287,09	187,79	382,79
1006 30 21	—	229,50	482,85
1006 30 23	—	272,80	569,38
1006 30 25	—	272,80	569,38
1006 30 27	427,04	272,80	569,38
1006 30 42	—	229,50	482,85
1006 30 44	—	272,80	569,38
1006 30 46	—	272,80	569,38
1006 30 48	427,04	272,80	569,38
1006 30 61	—	244,76	514,23
1006 30 63	—	292,83	610,37
1006 30 65	—	292,83	610,37
1006 30 67	457,78	292,83	610,37
1006 30 92	—	244,76	514,23
1006 30 94	—	292,83	610,37
1006 30 96	—	292,83	610,37
1006 30 98	457,78	292,83	610,37
1006 40 00	—	54,32	114,65

(⁽¹⁾) Subject to the application of the provisions of Articles 12 and 13 of Regulation (EEC) No 715/90.

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

(⁽³⁾) The import levy on rice entering the overseas department of Réunion is specified in Article 11a of Regulation (EEC) No 1418/76.

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulations (EEC) No 3491/90 and (EEC) No 862/91.

(⁽⁵⁾) The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

(⁽⁶⁾) No import levy applies to products originating in the OCT pursuant to Article 101 (1) of Decision 91/482/EEC, subject to the provisions of Decision 93/127/EEC.

COMMISSION REGULATION (EC) No 2699/94

of 4 November 1994

fixing, for October 1994, the specific agricultural conversion rate for the amount of the reimbursement of storage costs 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⁾,

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⁾,

Having regard to Commission Regulation (EEC) No 1713/93 of 30 June 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector⁽⁵⁾, as amended by Regulation (EEC) No 2627/93⁽⁶⁾, and in particular Article 1 (3) thereof,

Whereas Article 1 (2) of Regulation (EEC) No 1713/93 provides that the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 is to be converted into national currency using a specific agricultural conversion rate equal to the average, calculated *pro rata temporis*, of the agricultural conversion rates applicable during the month of storage ;

whereas that specific rate must be fixed each month for the previous month ;

Whereas application of these provisions will lead to the fixing, for October, of the specific agricultural conversion rate for the amount of the reimbursement of storage costs in the various national currencies as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION :

Article 1

The specific agricultural conversion rate to be used to convert the amount of the reimbursement of storage costs referred to in Article 8 of Regulation (EEC) No 1785/81 into each of the national currencies for October 1994 shall be as indicated in the Annex hereto.

Article 2

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

It shall apply with effect from 1 October 1994.

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

Done at Brussels, 4 November 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 159, 1. 7. 1993, p. 94.

⁽⁶⁾ OJ No L 240, 25. 9. 1993, p. 19.

ANNEX

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

Agricultural conversion rates		
ECU 1 =	49,3070	Belgian and Luxembourg francs
	9,34812	Danish kroner
	2,35418	German marks
	7,98191	French francs
	0,976426	Irish punt
	2,65256	Dutch guilders
	349,469	Greek drachmas
	192,319	Spanish pesetas
	2 339,97	Italian lire
	239,331	Portuguese escudos
	0,953575	Pound sterling

II

(Acts whose publication is not obligatory)

COUNCIL

Notice concerning the entry into force of the framework Agreement for cooperation between the European Economic Community and the Eastern Republic of Uruguay ⁽¹⁾

The exchange of instruments notifying completion of the procedures necessary for the entry into force of this Agreement, signed on 4 November 1991, took place in Brussels on 14 October 1994. The Agreement will accordingly enter into force, pursuant to Article 25 thereof, on 1 November 1994.

⁽¹⁾ OJ No L 94, 8. 4. 1992, p. 1.

CORRIGENDA

Corrigendum to Commission Decision No 2186/94/ECSC of 7 September 1994 amending Decision No 2-52 determining the mode of assessment and collection of the levies provided for in Articles 49 and 50 of the Treaty

(Official Journal of the European Communities No L 234 of 8 September 1994)

The publication of the text of a draft Decision under the title 'Decision No 2186/94/ECSC amending Decision No 2-52 determining the mode of assessment and collection of the levies provided for in Articles 49 and 50 of the Treaty' is to be regarded as null and void.
