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I

*(Acts whose publication is obligatory)***COMMISSION REGULATION (EC) No 1896/94****of 28 July 1994****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 3179/93⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 1900/92⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 1901/92⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 1902/92⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

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⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 25 and 26 July 1994 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

imported product, such amount to be fixed at a standard rate ; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

HAS ADOPTED THIS REGULATION :

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 3

This Regulation shall enter into force on 29 July 1994.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽³⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

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

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : ECU 0,60 per 100 kg ;

(b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽³⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

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

COMMISSION REGULATION (EC) No 1897/94

of 27 July 1994

laying down detailed rules, for the application of Council Regulation (EC) No 774/94, as regards import licences for brans, sharps and other residues

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 774/94 of 29 March 1994 opening and providing for the administration of certain Community tariff quotas for high-quality beef, and for pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues⁽¹⁾, and in particular Article 7 (c) thereof,

Whereas the annual quota opened by Regulation (EC) No 774/94 relates, *inter alia*, to a total quantity of 475 000 tonnes of brans, sharps and other residues of wheat and cereals other than maize and rice falling within CN codes 2302 30 10, 2302 30 90, 2302 40 10, and 2302 40 90, for which the Common Customs Tariff duty is set in Article 6 (2) of the said Regulation;

Whereas importation of these products must be subject to the presentation of an import licence; whereas it is necessary to lay down the conditions for the issue of such licences;

Whereas preferential arrangements for the importation of brans, sharps and other residues are laid down in Council Regulations (EEC) Nos 1513/76⁽²⁾, (EEC) No 1519/76⁽³⁾, (EEC) No 1526/76⁽⁴⁾, (EEC) No 1251/77⁽⁵⁾ and (EEC) No 715/90⁽⁶⁾, as last amended by Regulation (EC) No 235/94⁽⁷⁾; whereas these arrangements involve abatement of the import levy applicable to those products; whereas cumulation of this advantage and the reduced tariff provided for in this Regulation is likely to create disturbances on the Community market; whereas such cumulation should be prohibited so that imports are not affected;

Whereas the detailed rules laid down in this Regulation must replace those laid down in Commission Regulation (EEC) No 1193/88 of 29 April 1988 laying down detailed rules for the application of the special arrangements for imports of bran, sharps and other residues, whether or not in the form of pellets, derived from the sifting, milling or other working of cereals other than maize and rice covered by CN codes 2302 30 and 2302 40⁽⁸⁾; as amended by Regulation (EEC) No 84/89⁽⁹⁾; whereas that Regulation should therefore be repealed;

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. The importation of 475 000 tonnes of brans, sharps and other residues of wheat and cereals other than maize and rice falling within CN codes 2302 30 10, 2302 30 90, 2302 40 10 and 2302 40 90 and qualifying for a reduced customs tariff as provided for in Article 6 of Regulation (EC) No 774/94 shall be subject to an import licence issued in accordance with this Regulation.
2. In connection with the quota the preferential arrangements provided for in Regulations (EEC) No 1513/76, (EEC) No 1519/76, (EEC) No 1526/76, (EEC) No 1251/77 and (EEC) No 715/90 shall not apply.
3. Commission Regulations (EEC) No 3719/88⁽¹⁰⁾ and (EEC) No 891/89⁽¹¹⁾ shall apply save in so far as this Regulation states to the contrary.

Article 2

1. Applications for import licences in connection with the annual Community tariff quota provided for in Article 1 (1) shall be lodged with the competent authorities of any Member State on the first Monday of each month up to 1 p.m., Brussels time, or, if that day is not a working day, on the first following working day.
2. An application for an import licence may not relate to a quantity greater than the available balance of the quota.
3. Member States shall forward the information concerning applications for import licences to the Commission by telex or fax not later than 6 p.m., Brussels time, on the day specified in paragraph 1. This information must be forwarded separately from that relating to other applications for import licences for products falling within CN codes ex 2302 30 and ex 2302 40, in accordance with the model set out in Annex I and to the number given in Annex II.

⁽¹⁾ OJ No L 91, 8. 4. 1994, p. 1.

⁽²⁾ OJ No L 169, 28. 6. 1976, p. 22.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 40.

⁽⁴⁾ OJ No L 169, 28. 6. 1976, p. 56.

⁽⁵⁾ OJ No L 146, 14. 6. 1977, p. 11.

⁽⁶⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁷⁾ OJ No L 30, 3. 2. 1994, p. 12.

⁽⁸⁾ OJ No L 111, 30. 4. 1988, p. 87.

⁽⁹⁾ OJ No L 13, 17. 1. 1989, p. 13.

⁽¹⁰⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽¹¹⁾ OJ No L 94, 7. 4. 1989, p. 13.

4. If the quantity for which import licence applications have been lodged exceeds the available balance of the annual quota, the Commission shall, not later than the third working day following the lodging of applications, fix a single coefficient for reducing the quantities applied for. A licence application may be withdrawn within one working day following the day on which the reduction coefficient is fixed.

5. Member States shall forward the information concerning import licences actually issued to the Commission by telex or fax as soon as possible. This information must be forwarded to the number given in Annex II and in accordance with the model set out in Annex I.

6. Without prejudice to paragraph 4, licences shall be issued on the fifth working day following the day on which the application is lodged.

Notwithstanding Article 21 (1) of Commission Regulation (EEC) No 3183/80⁽¹⁾, the period of validity of licences shall be calculated from the date of actual issue.

7. The Commission shall inform the Member States of the available balance of the quota after deducting the quantities for which licences have been issued.

Article 3

1. Notwithstanding Article 8 of Regulation (EEC) No 891/89, licences issued under this Regulation shall be valid until the end of the third month following that of issue.

However, licences shall not be valid beyond 31 December each year.

2. Notwithstanding Article 9 of Regulation (EEC) No 3719/88, rights deriving from the import licence shall not be transferable.

Article 4

The import licence application and the licence shall be completed as follows:

- sections 7 and 8 respectively shall give the product's country of provenance and country of origin,
- in sections 7 and 8, the word 'yes' must be marked with a cross,
- in section 9, the word 'yes' must be marked with a cross,
- notwithstanding Article 8 (4) of Regulation (EEC) No 3719/88, the quantity released for free circulation must not be greater than that indicated, in sections 17 and 18 of the import licence. The figure 0 shall therefore be entered in section 19 of the licence,

— section 20 must contain one of the following:

- *Salvado, moyuelos, otros residuos de trigo y otros cereales distintos del maíz y del arroz* [Reglamento (CE) n° 774/94 del Consejo],
- *Klid og andre restprodukter af hvede og andre kornsorter bortset fra majs og ris* [Rådets forordning (EF) nr. 774/94],
- *Kleie und andere Rückstände von Weizen und anderem Getreide als Mais und Reis* (Verordnung (EG) Nr. 774/94 des Rates),
- *Πίτυρα εν γένει και άλλα υπολείμματα σόργου και άλλων σιτηρών εκτός από το καλαμπόκι και το ρύζι* (κανονισμός (ΕΚ) αριθ. 774/94 του Συμβουλίου),
- *Brans, sharps and other residues of wheat and cereals other than maize and rice* [Council Regulation (EC) No 774/94],
- *Sons, remoulages et autres résidus de froment et d'autres céréales que le maïs et le riz* [règlement (CE) n° 774/94 du Conseil],
- *Crusche, staccature e altri residui di frumento di altri cereali diversi dal granturco e dal riso* [regolamento (CE) n. 774/94 del Consiglio],
- *Zemelen, slijpsel en andere resten van tarwe en van andere granen dan maïs en rijst* [Verordening (EG) nr. 774/94 van de Raad],
- *Sêmeas, farelos e outros resíduos de trigo e outros cereais que não o milho e o trigo* [Reglamento (CE) n° 774/94 do Conselho].

— section 24 must contain one of the following:

- *Exacción reguladora variable cero. Derecho del arancel aduanero común reducido. Contingente abierto por el Reglamento (CE) n° 774/94 del Consejo,*
- *Variabel nulafgift. Nedsat sats i den fælles toldtarif. Kontingent åbnet i henhold til Rådets forordning (EF) nr. 774/94,*
- *Veränderliche Abschöpfung Null. Verringerter Satz des Gemeinsamen Zolltarifs. Mit der Verordnung (EG) Nr. 774/94 des Rates eröffnetes Kontingent,*
- *Μεταβλητά εισφορά 0. Μειωμένος δασμός του κοινού δασμολογίου. Άνοιγμα ποσόστωσης από τον κανονισμό (ΕΚ) αριθ. 774/94 του Συμβουλίου,*
- *Variable levy zero. Common Customs Tariff duty reduced. Quota opened by Council Regulation (EC) No 774/94,*
- *Prélèvement variable zéro. Droit du tarif douanier commun réduit. Contingent ouvert par le règlement (CE) n° 774/94 du Conseil,*
- *Prelievo variabile zero. Dazio della tariffa doganale comune ridotto. Contingente aperto a norma del regolamento (CE) n. 774/94 del Consiglio,*

⁽¹⁾ OJ No L 338, 13. 12. 1980, p. 1.

- Variabele heffing 0. Verlaagd recht van het gemeenschappelijk douanetarief. Contingent geopend bij Verordening (EG) nr. 774/94 van de Raad,

Article 5

Regulation (EEC) No 1193/88 is repealed.

- Direito nivelador 0. Direito da Pauta Aduaneira Comum reduzido. Contingente aberto pelo Regulamento (CE) n.º 774/94 do Conselho.

Article 6

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

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

Done at Brussels, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***Imports of brans, sharps and other residues. Regulation (EC) No 774/94**

(Regulation (EC) No 1897/94)

(Quantity, in tonnes)

1	2	3	4	5
Applicant No	CN code 2302 30 10	CN code 2302 30 90	CN code 2302 40 10	CN code 2302 40 90
1				
2				
3				
etc.				
Total				
Total				

ANNEX II

The only numbers to use to call Brussels are (DG VI-C-1):

- telex : 22037 AGREC B
22070 AGREC B (Greek characters)
 - telefax : — 295 01 32
— 296 10 97
— 295 25 15.
-

COMMISSION REGULATION (EC) No 1898/94

of 27 July 1994

fixing for the 1994/95 marketing year the minimum price to be paid to producers for peaches and the amount of production aid for peaches in syrup and/or natural fruit juice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Commission Regulation (EC) No 549/94 ⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

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

Whereas Council Regulation (EEC) No 1206/90 ⁽⁵⁾, as amended by Regulation (EEC) No 2202/90 ⁽⁶⁾, lays down general rules for the system of production aid for processed fruit and vegetables;

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of: firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetables sector, and thirdly, the need to ensure the normal marketing of fresh products for the various uses, including supply of the processing industry;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers and the difference between the cost of the raw material in the Community and in the major competing third countries;

Whereas Article 4 of Regulation (EEC) No 1206/90 provides for the establishment of a system of monetary

adjustment with the aim of correcting production aid by the impact, on the minimum price minus the aid, of the differences between the agricultural conversion rate and the average of the market exchange rates during a period to be determined; whereas, in view of the current market situation and in order to ensure normal competition with third countries, such a system of adjustment should be implemented by applying a coefficient to the aid;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year:

(a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for peaches;

and

(b) the production aid referred to in Article 5 of the same Regulation for peaches in syrup and/or natural fruit juice,

shall be as set out in Annex I.

Article 2

1. A coefficient equal to the impact on the cost price of the difference between the average market exchange rate and the agricultural conversion rate applicable at the beginning of the marketing year shall be applied to production aid.

2. For the application of paragraph 1:

— 'cost price' means the minimum price payable to the producer less the aid,

— 'average market exchange rate' means the average of the rates of the ecu published in the *Official Journal of the European Communities*, C series, during the first quarter of the year during which the marketing year in question starts, multiplied by the correction factor referred to in Article 1 (c) of Regulation (EEC) No 3813/92.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 69, 12. 3. 1994, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 4.

3. The coefficients calculated in accordance with paragraph 1 shall be as set out in Annex II.

Article 3

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production

aid that the minimum price payable to the producer has been paid.

Article 4

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, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***Minimum price to be paid to producers**

Product	ECU/100 kg net, ex producer
Peaches intended for the manufactures of peaches in syrup and/or natural fruit juice	23,832

Production aid

Product	ECU/100 kg net
Peaches in syrup and/or natural fruit juice	7,174

*ANNEX II***The coefficients referred to in Article 2 (3) for the 1994/95 marketing year**

Bfrs	1.0383
Dkr	1.0429
DM	1.0127
Dr	1.0447
Pta	1.0090
FF	1.0067
£ Irl	1.0472
Lit	0.9825
Fl	1.0204
Esc	1.0091
£	1.0366

COMMISSION REGULATION (EC) No 1899/94

of 27 July 1994

fixing for the 1994/95 marketing year the minimum price to be paid to producers for Williams and Rocha pears and the amount of production aid for such pears in syrup and/or natural fruit juice

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 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 549/94⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

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

Whereas Council Regulation (EEC) No 1206/90⁽⁵⁾, as amended by Regulation (EEC) No 2202/90⁽⁶⁾, lays down general rules for the system of production aid for processed fruit and vegetables;

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetables sector, and thirdly, the need to ensure the normal marketing of fresh products for the various uses, including supply of the processing industry;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers and the difference between the cost of the raw material in the Community and in the major competing third countries;

Whereas Article 4 of Regulation (EEC) No 1206/90 provides for the establishment of a system of monetary adjustment with the aim of correcting production aid by the impact, on the minimum price minus the aid, of the differences between the agricultural conversion rate and the average of the market exchange rates during a period to be determined; whereas, in view of the current market situation and in order to ensure normal competition with third countries, such a system of adjustment should be implemented by applying a coefficient to the aid;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for Williams and Rocha pears;
- and
- (b) the production aid referred to in Article 5 of the same Regulation for Williams and Rocha pears in syrup and/or natural fruit juice,

shall be as set out in Annex I.

Article 2

1. A coefficient equal to the impact on the cost price of the difference between the average market exchange rate and the agricultural conversion rate applicable at the beginning of the marketing year shall be applied to production aid.

2. For the application of paragraph 1:

- 'cost price' means the minimum price payable to the producer less the aid,
- 'average market exchange rate' means the average of the rates of the ecu published in the *Official Journal of the European Communities*, C series, during the first quarter of the year during which the marketing year in question starts, multiplied by the correction factor referred to in Article 1 (c) of Regulation (EEC) No 3813/92.

3. The coefficients calculated in accordance with paragraph 1 shall be as set out in Annex II.

Article 3

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 4

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

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 69, 12. 3. 1994, p. 5.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 4.

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

Done at Brussels, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX I***Minimum price to be paid to producers**

Product	ECU/100 kg net, ex producer
Williams and Rocha pears intended for the manufacture of pears in syrup and/or natural fruit juice	32,512

Production aid

Product	ECU/100 kg net
Williams and Rocha pears in syrup and/or natural fruit juice	17,232

*ANNEX II***Coefficients referred to in Article 2 (3) for the 1994/95 marketing year**

Bfrs	1.0142
Dkr	1.0159
DM	1.0047
Dr	1.0166
Pta	1.0033
FF	1.0025
£ Irl	1.0175
Lit	0.9935
Fl	1.0076
Esc	1.0034
£	1.0237

COMMISSION REGULATION (EC) No 1900/94**of 27 July 1994****setting the intervention threshold for apples for the 1994/95 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1121/89 of 27 April 1989 on the introduction of an intervention threshold for apples and cauliflowers ⁽¹⁾, as last amended by Regulation (EEC) No 1754/92 ⁽²⁾, and in particular Article 3 thereof,

Whereas Article 1 of Regulation (EEC) No 1121/89 specifies how the intervention threshold is to be determined; whereas it is for the Commission to set the intervention threshold by the percentages given in paragraph 1 of that Article to average production for fresh consumption in

the last five marketing years for which figures are available;

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

The intervention threshold for apples for the 1994/95 marketing year shall be 257 800 tonnes.

*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, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 118, 29. 4. 1989, p. 21.⁽²⁾ OJ No L 180, 1. 7. 1992, p. 23.

COMMISSION REGULATION (EC) No 1901/94

of 27 July 1994

amending Regulation (EEC) No 1707/90 laying down detailed rules for the application of Council Regulation (EEC) No 1796/81 on imports of preserved cultivated mushrooms from third countries

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

Having regard to Council Regulation (EEC) No 1796/81 of 30 June 1981 on measures applicable to imports of preserved cultivated mushrooms of the species *Agaricus* spp. falling within CN codes ex 0711 90 40, 2003 10 20 and 2003 10 30 ⁽¹⁾, as last amended by Regulation (EEC) No 1122/92 ⁽²⁾, and in particular Article 6 thereof,

Whereas Commission Regulation (EEC) No 1707/90 ⁽³⁾, as last amended by Regulation (EC) No 3453/93 ⁽⁴⁾, lays down the conditions under which and additional amount will be levied in respect of quantities which exceed those specified in Article 3 of (EEC) No 1796/81; whereas it is necessary to specify that quantities imported in excess of the quantities indicated in the licence or certificate, under Article 8 (4) of Commission Regulation (EEC) No 3719/88 ⁽⁵⁾, as last amended by Regulation (EC) No 3519/93 ⁽⁶⁾, are not exempt from the additional amount;

Whereas the Chinese authorities have communicated a change to the list of competent authorities for issuing certificates of origin in accordance with Article 4 of Regulation (EEC) No 1707/90; whereas, as a result, Annex III to that Regulation must be amended;

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

Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1707/90 is hereby amended as follows:

1. The following paragraph is added to Article 7:

‘Quantities imported within the tolerance specified in Article 8 (4) of Regulation (EEC) No 3719/88 shall not be exempt from the additional amount.’

2. In Annex III under ‘for the People’s Republic of China:’, the tenth indent is replaced by the following:

‘— Foreign Trade Administration, Ministry of Foreign Trade and Economic Cooperation (MOFTEC)’.

Article 2

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

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

Done at Brussels, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 183, 4. 7. 1981, p. 1.

⁽²⁾ OJ No L 117, 1. 5. 1992, p. 98.

⁽³⁾ OJ No L 158, 23. 6. 1990, p. 34.

⁽⁴⁾ OJ No L 316, 17. 12. 1993, p. 11.

⁽⁵⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁶⁾ OJ No L 320, 22. 12. 1993, p. 16.

COMMISSION REGULATION (EC) No 1902/94

of 27 July 1994

on the sale at a price fixed in advance of unprocessed dried figs from the 1993 harvest to distillation industries

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

Having regard to Council Regulation (EEC) no 1206/90 of 7 May 1990 laying down general rules for the system of production aid for processed fruit and vegetables ⁽¹⁾, as amended by Regulation (EEC) No 2202/90 ⁽²⁾, and in particular Article 6 (2) thereof,

Having regard to Commission Regulation (EEC) No 1707/85 of 21 June 1985 on the sale of unprocessed dried figs by storage agencies for the manufacture of alcohol ⁽³⁾, and in particular Article 5 thereof,

Whereas Article 6 (2) of Commission Regulation (EEC) No 626/85 of 12 March 1985 on the purchasing, selling and storage of unprocessed dried grapes and figs by storage agencies ⁽⁴⁾, as last amended by Regulation (EC) No 1416/94 ⁽⁵⁾, provides that products intended for specific uses shall be sold at prices fixed in advance or determined by an invitation to tender;

Whereas the aforementioned Regulation (EEC) No 1707/85 provides that unprocessed dried figs may be sold at a price fixed in advance to distillation industries;

Whereas the Greek storage agency is holding roughly 319 tonnes of unprocessed dried figs from the 1993 harvest; whereas the products should be offered to the distillation industries;

Whereas the selling price should be fixed in such a way that disturbance of the Community market in alcohol and spirituous beverages is avoided;

Whereas the amount of the processing security provided for in Article 2 (2) of Regulation (EEC) No 1707/85

should be fixed, taking into consideration the difference between the normal market price for dried figs and the selling price fixed by this Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The Greek storage agency shall undertake the sale of unprocessed dried figs from the 1993 harvest to the distillation industries in accordance with the provisions of Regulation (EEC) No 626/85 and (EEC) No 1707/85 at a price fixed at ECU 3,33 per 100 kilograms net.
2. The processing security referred to in Article 2 (2) of Regulation (EEC) No 1707/85 is fixed at ECU 12,4 per 100 kilograms net.

Article 2

1. Purchase applications shall be submitted to the Greek storage agency Sykiki, at the head office of IDAGEP, Acharnon Street 241, Athens, Greece, for products held by that agency.
2. Information on the quantities and places where the products are stored may be obtained from the Greek storage agency Sykiki, Kritis Street 13, Kalamata, Greece.

Article 3

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, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽²⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽³⁾ OJ No L 163, 22. 6. 1985, p. 38.

⁽⁴⁾ OJ No L 72, 13. 3. 1985, p. 7.

⁽⁵⁾ OJ No L 155, 22. 6. 1994, p. 2.

COMMISSION REGULATION (EC) No 1903/94

of 27 July 1994

fixing the amount of the private storage aid for octopus (*Octopus spp.*)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2415/89 of 3 August 1989 laying down detailed rules of application for the granting of private storage aid for certain fishery products ⁽¹⁾, as last amended by Regulation (EEC) No 1106/90 ⁽²⁾, and in particular Article 2 thereof,Whereas the average price for octopus (*Octopus spp.*) has, during a significant period, been below 85 % of its guide price ;

Whereas the conditions for setting the amount of the private storage aid for the product concerned have been met ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The private storage aid referred to in Article 16 of Regulation (EEC) No 3759/92 ⁽³⁾ shall be granted for the quantities offered for sale during the period 1 to 31 December 1993 up to a maximum quantity of 919 tonnes.

2. The amount of the aid for a maximum storage period of one month shall be ECU 45 per tonne net weight.

*Article 2*This Regulation shall enter into force on the seventh day following its publication in the *Official Journal of the European Communities*.

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

Done at Brussels, 27 July 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission⁽¹⁾ OJ No L 228, 5. 8. 1989, p. 10.⁽²⁾ OJ No L 111, 1. 5. 1990, p. 50.⁽³⁾ OJ No L 388, 31. 12. 1992, p. 1.

COMMISSION REGULATION (EC) No 1904/94

of 27 July 1994

fixing the minimum price applicable to dried grapes during the 1994/95 marketing year as well as the countervailing charges to be imposed where that price is not observed

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 549/94⁽²⁾, and in particular Article 9(6) thereof,

Whereas, in accordance with Article 9(2) of Regulation (EEC) No 426/86, the minimum import price for dried grapes is to be determined having regard to:

- the free-at-frontier price on import into the Community,
- the prices obtained in international trade,
- the situation on the internal Community market,
- the trend of trade with third countries;

Whereas Article 2(1) of Council Regulation (EEC) No 2089/85 of 23 July 1985 laying down general rules relating to the system of minimum import prices for dried grapes⁽³⁾ provides that countervailing charges are to be fixed by reference to a scale of import prices; whereas the maximum countervailing charge is to be determined on the basis of the most favourable prices applied on the

world market for significant quantities by the most representative non-member countries;

Whereas a minimum import price must be fixed for currants and other dried grapes;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The minimum import price applicable to dried grapes during the 1994/95 marketing year shall be as set out in Annex I.

2. The countervailing charge to be imposed where the minimum import price referred to in paragraph 1 is not observed shall be as set out in Annex II.

Article 2

This Regulation shall enter into force on 1 September 1994.

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

Done at Brussels, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 69, 12. 3. 1994, p. 5.

⁽³⁾ OJ No L 197, 27. 7. 1985, p. 10.

ANNEX I

Minimum import prices

(ECU per tonne)		
CN code	Description	Minimum import price
0806 20	— Dried grapes :	
	— — In immediate containers of a net capacity of 2 kg or less :	
0806 20 11	— — — Currants	932,41
0806 20 12	— — — Sultanas	975,45
0806 20 18	— — — Other	975,45
	— — Other :	
0806 20 91	— — — Currants	801,19
0806 20 92	— — — Sultanas	838,17
0806 20 98	— — — Other	838,17

ANNEX II

Countervailing charges

1. Currants falling within CN code 0806 20 11

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
922,41	923,09	9,32
923,09	904,44	27,97
904,44	876,47	55,94
876,47	848,49	83,92
848,49		259,74

2. Currants falling within CN code 0806 20 91

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
801,19	793,18	8,01
723,18	777,15	24,04
777,15	753,12	48,07
753,12	729,08	72,11
729,08		128,52

3. Dried grapes falling within CN codes 0806 20 12 and 0806 20 18

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
975,45	965,70	9,75
965,70	946,19	29,26
946,19	916,92	58,53
916,92	887,66	87,79
887,66		302,72

4. Dried grapes falling within CN codes 0806 20 92 and 0806 20 98

(ECU per tonne)

Import price applied		Countervailing charge to be levied
less than	but not less than	
833,17	829,79	8,38
829,79	813,02	25,15
813,02	787,88	50,29
787,88	762,73	75,44
762,73		165,50

COMMISSION REGULATION (EC) No 1905/94

of 27 July 1994

on detailed rules for the application of Council Regulation (EC) No 399/94
concerning specific measures for dried grapes

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 399/94 of 21 February 1994 concerning specific measures for dried grapes ⁽¹⁾, and in particular Article 4 thereof,

Whereas the detailed rules for application in the aforementioned Regulation must deal in particular with the specific measures to be implemented, their financing by the Community, the admissibility of applications and the procedure for the acceptance of the measures proposed;

Whereas the nature of the various specific measures that may be proposed by the representative groups responsible for implementing them must be defined;

Whereas the measures financed under this Regulation are not eligible for other Community or national aid;

Whereas appropriate control measures and financial consequences should be provided for in order to ensure compliance with the obligations under this Regulation;

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

HAS ADOPTED THIS REGULATION:

TITLE I

General provisions

Article 1

For the purposes of this Regulation:

- (a) 'A representative group with members in various branches of the industry' means any organization, whatever its status, which, as an applicant, is capable of demonstrating at the time it submits its application, that:
- its members are agricultural enterprises that produce dried grapes for processing, industrial

enterprises that process them and enterprises that market them,

and

- it controls at least half the production of dried grapes of each variety in the area affected by the measures it proposes to implement;

(b) 'Direct action' means any measures that are the subject of a contract of performance between the Commission and an applicant;

(c) 'Indirect action' means any measures that are the subject of a contract of performance between a competent body appointed by each of the Member States and an applicant.

Article 2

The programme of measures proposed by a representative group may include one or more of the measures listed in the second paragraph of Article 1 of Regulation (EC) No 399/94.

The measures included in the programme may only be implemented after the contract has been signed. The duration of the proposed performance of the contract shall be the period indicated in the programme accepted according to the procedure described in Articles 8 and 9 of this Regulation.

TITLE II

Measures relating to quality

Article 3

1. The vocational training measures referred to under (a) in the second paragraph of Article 1 of Regulation (EC) No 399/94 shall concern one or more of the following measures:

- specialized seminars for each category of worker,
- training visits,
- the publication and distribution of audiovisual reference material,
- training courses for quality controllers.

2. The Community shall contribute 90 % towards the financing of the measures.

⁽¹⁾ OJ No L 54, 25. 2. 1994, p. 3.

3. These measures are indirect action within the meaning of Article 1 (c) of this Regulation.

Article 4

1. The measures to improve transport and storage conditions referred to under (b) in the second paragraph of Article 1 of Regulation (EC) No 399/94 shall concern one or more of the following measures:

- the establishment of reception and pre-sorting points for dried grapes that have not yet been processed,
- the purchase of stackable plastic transport crates,
- the purchase of pallets,
- the purchase of handling equipment,
- the equipping of sample control laboratories, and
- the purchase of equipment for effective store management.

2. The Community shall contribute 70 % towards the financing of these measures.

3. These measures are indirect action within the meaning of Article 1 (c) of this Regulation.

Article 5

1. The measures referred to under (c) in the second paragraph of Article 1 of Regulation (EC) No 399/94 shall comprise the following measures:

- collating results of research already carried out and making them available to the persons responsible for the enterprises,
- developing effective procedures for carrying out drying, cleaning, sorting and storage operations on the holding or at the plant,
- developing rules for handling and sorting incoming dried grapes; creating a classification system compatible with international practice.

2. The Community shall contribute 70 % towards the financing of these measures.

3. These measures shall be submitted and conducted in direct collaboration with institutions and/or bodies competent in these areas.

4. These measures are indirect action within the meaning of Article 1 (c) of this Regulation.

TITLE III

Promotion measures

Article 6

1. The market study referred to under (d) in the second paragraph of Article 1 of Regulation (EC) No 399/94 shall

be carried out by the Commission as provided for in the second subparagraph or Article 2 of that Regulation. The study shall be the subject of an invitation to tender published in the 'C' series of the *Official Journal of the European Communities*. It is direct action within the meaning of Article 1 (b) of this Regulation.

2. The information programme referred to under (e) in the second paragraph of Article 1 of Regulation (EC) No 399/94 shall be carried out by the Commission as provided for in the second subparagraph of Article 2 of that Regulation. The programme shall be the subject of an invitation to tender published in the 'C' series of the *Official Journal of the European Communities*. It is direct action within the meaning of Article 1 (c) of this Regulation.

3. These measures shall be entirely funded by the Community.

TITLE IV

Administration of measures to promote quality

Article 7

The measures referred to in Articles 3, 4 and 5 of this Regulation shall be proposed by representative groups within the meaning of Article 1 (a) of this Regulation, which shall also:

- be qualified to implement the measures proposed, and
- be able to guarantee that the works are satisfactorily completed.

Article 8

1. Each applicant must have his registered place of business in a Member State.

2. Applications for Community financing shall be lodged, not later than 31 December 1994, with the competent body in the Member State in which the applicant has his registered place of business.

The competent bodies are listed in the Annex hereto.

3. Applications shall include:

- (a) the name and address and the articles of incorporation of the applicant representative group;
- (b) all information relating to the measures proposed, with a detailed description and reasons, and an indication of the time required for implementation and the anticipated results;

- (c) a summary of programme indicating its main elements;
- (d) the price exclusive of taxes offered for each measure, expressed in ecus, with a breakdown of this amount by item together with the corresponding financing plan;
- (e) the studies on which the proposed measure is based if such studies are available;
- (f) the latest management report available and, where appropriate, the applicant's memorandum and articles of association and/or Rules of Procedure.

4. Applications shall be valid only where they are accompanied by a written undertaking:

- (a) to comply with the provisions of the standard contract and the management criteria laid down by the Commission and made available to the applicant by the competent body;
- (b) to commission an assessment study, at the applicant's expense, of the measures carried out, if this is requested by the Commission or by the competent body to which the application for financing has been submitted;
- (c) not to accept other Community and national aid for the purposes of the measures part-financed by the Community under this Regulation;
- (d) to publicize clearly the Community contribution.

Article 9

1. The competent body shall draw up a list of all the applications for financing which it has received within the time limit laid down in Article 8 (2) and shall send it to the Commission with a reasoned opinion on each of them not later than 31 January 1995.

2. Having informed the Management Committee for Products processed from Fruit and Vegetables, the Commission shall determine the successful applications at the earliest opportunity.

Article 10

1. Applicants shall be informed individually of the outcome of their applications by the competent body as soon as the decision referred to in Article 9 (2) is notified to the Member State.

2. The competent bodies shall conclude contracts for the selected measures with the successful applicants within one month of notification of the decision to the Member State.

To that end the bodies shall use the standard contract referred to in Article 8 (4) (a).

3. The contract shall not take effect until a security is lodged in favour of the competent body equal to 15 % of the amount of the Community financing, in order to ensure proper execution.

If proof of the lodging of the security has not been received by the competent body within two weeks of the date of conclusion of the contract, the latter shall be void and shall not have any legal effect.

4. Securities shall be lodged in accordance with Commission Regulation (EEC) No 2220/85 ⁽¹⁾.

The primary requirement within the meaning of Article 20 of that Regulation shall be the implementation within the time limits laid down of the measures contained in the contract referred to in paragraph 2.

5. Failure to comply with the primary requirement or serious failure to comply with the undertakings listed in Article 8 (4) shall result in the contract being terminated.

Article 11

1. The applicant may submit a single application for an advance as from the date on which the contract takes effect.

The advance may cover a maximum of 30 % of the amount of Community financing.

Advances shall be paid subject to provision in favour of the competent body of a security equal to 110 % of the advance, lodged in accordance with Regulation (EEC) No 2220/85.

2. Payments shall be made on the basis of quarterly invoices submitted together with the relevant supporting documents and an interim report on the performance of the contract up to 70 % of the total Community funding. The first invoices shall be submitted three months after the date on which the contract takes effect.

3. Applications for the balance shall be submitted to the competent body not later than the end of the fourth month following completion of the measures provided for in the contract. They shall be accompanied by:

- the relevant supporting documents,
- a statement summarizing the measures carried out,
- a report assessing the results achieved to date and the use which may be made thereof.

Except in cases of *force majeure*, failure to lodge applications for the balance accompanied by the documentation by the final date shall result in a reduction of 3 % of the balance per month of delay.

⁽¹⁾ OJ No L 205, 3. 8. 1985, p. 5.

4. The balance shall be paid subject to verification of the documents referred to in paragraph 3.

In the event of failure to comply with the primary requirement referred to in the second subparagraph of Article 10 (4), no payment shall be made except in cases of *force majeure*.

Failure to comply with the other requirements shall result in the balance being reduced in proportion to the extent of the irregularity recorded.

5. The security referred to in paragraph 1 shall be released at the moment when the balance has been paid pursuant to paragraph 4.

However :

(a) if, pursuant to the third subparagraph of paragraph 4, the balance is reduced and the amount of the advance and of the payments referred to in paragraph 2 exceeds the final amount of the part-financing, the proportion of the security corresponding to the amount overpaid shall be forfeit ;

(b) failure to submit an application for the balance by the final date shall result in the security being forfeit in proportion to the reduction in the balance provided for in the second subparagraph of paragraph 3.

6. The competent body shall make the payments provided for in this Article within 60 days of receipt of applications for payment of the balance. However, it may defer the payments where further checks are required.

7. The competent body shall forward the assessment reports referred to in paragraph 3 to the Commission on the 30th day following receipt of the documents referred to in that paragraph, at the latest.

8. The operative event for the agricultural conversion rate in the case of the measures referred to in Article 6 shall be governed by Article 12 (1) of Commission Regulation (EEC) No 1068/93 ⁽¹⁾. The operative event for the agricultural conversion rate in the case of the measures listed in Articles 3, 4 and 5 shall be the last day for the

submission of applications in accordance with Article 8 (2).

Article 12

1. The competent bodies shall take the necessary measures to verify :

- the correctness of the information and supporting documents supplied,
- fulfilment of all the contractual obligations,

inter alia by means of technical, administrative and accounting checks at the premises of the contracting parties and any of their associates.

Without prejudice to Council Regulation (EEC) No 595/91 ⁽²⁾, they shall inform the Commission immediately in writing of any irregularities discovered.

2. The Commission may monitor implementation of the measures, in particular by organizing meetings of experts and by means of on-the-spot checks.

Article 13

1. In the case of undue payment, the beneficiary shall be obliged to reimburse the amounts in question plus interest calculated on the basis of the time elapsing between payment and reimbursement by the beneficiary.

The interest rate applicable shall be the rate applied by the European Monetary Cooperation Fund to its operations in ecus, as published in the 'C' series of the *Official Journal of the European Communities*, in force on the date of the undue payment, plus three percentage points.

2. Amounts recovered, together with interest, shall be paid to the disbursing agencies or departments and deducted by the latter from expenditure financed by the European Agricultural Guidance and Guarantee Fund.

Article 14

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, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽²⁾ OJ No L 67, 14. 3. 1991, p. 11.

ANNEX

LIST OF COMPETENT BODIES PURSUANT TO ARTICLE 8 (2)

Member State	Competent body
B	Bureau d'intervention et de restitution belge (BIRB) Rue de Trèves 82 B-1040 Bruxelles Belgisch Interventie- en Restitutiebureau (BIRB) Trierstraat 82 B-1040 Brussel
DK	EF-Direktoratet Nyropsgade 26 DK-1602 København V
D	Bundesamt für Ernährung und Forstwirtschaft (BEF) Adickesallee 40 D-60322 Frankfurt am Main Postfach 18 01 07 D-60082 Frankfurt am Main
GR	Direction for the management of agricultural products (DIDAGEP) 241 Acharnon Street GR-104 46 Athènes
E	Ministerio de Agricultura, Pesca y Alimentación Secretaría General de Alimentación Paseo Infanta Isabel 1 E-28014 Madrid
F	Office national interprofessionnel des fruits, des légumes et de l'horticulture (Oniflhor) 164, rue de Javel F-75015 Paris
IRL	Department of agriculture, food and forestry Agriculture House (7W) Kildare Street IRL-Dublin 2
I	Ente per gli Interventi nel mercato agricolo (EIMA) Via Palestro 81 I-00185 Roma
L	Administration des services techniques de l'agriculture 16, route d'Esch L-1470 Luxembourg
NL	Produktschap voor groenten en fruit Bezuidenhoutseweg 153 NL-2594 AG 's-Gravenhage
P	Instituto Nacional de Intervenção e Garantia Agrícola (INGA) Rua Camilo Castelo Branco, nº 45, 2º P-1000 Lisboa
UK	Intervention Board Executive Agency Fountain House 2 Queen's Walk UK-Reading, Berks RG1 7QW

COMMISSION REGULATION (EC) No 1906/94

of 27 July 1994

amending Regulations (EC) No 121/94 and (EC) No 1606/94 relating to the exemption from the import levy for certain products in the cereals sector laid down in the Agreements between the European Community and, in the first case, the Republic of Poland, the Republic of Hungary, the Czech Republic and the Slovak Republic and, in the second case, the Republic of Bulgaria and Romania

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3492/93 of 13 December 1993 on certain procedures for applying the European Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Poland, of the other part⁽¹⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3491/93 of 13 December 1993 on certain procedures for applying the Europe Agreement establishing an association between the European Communities and their Member States, of the one part, and the Republic of Hungary, of the other part⁽²⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 520/92 of 27 February 1992 on certain procedures 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 the Czech and Slovak Federal Republic, of the other part⁽³⁾, as last amended by Regulation (EEC) No 2235/93⁽⁴⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3641/93 of 20 December 1993 on certain procedures 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 the Republic of Bulgaria of the other part⁽⁵⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EC) No 3642/93 of 20 December 1993 on certain procedures 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 Romania of the other part⁽⁶⁾, and in particular Article 1 thereof,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the

market in cereals⁽⁷⁾, as amended by Regulation (EEC) No 2193/93⁽⁸⁾, and in particular Article 9 thereof,

Whereas Commission Regulations (EC) No 121/94⁽⁹⁾, as amended by Regulation (EC) No 1618/94⁽¹⁰⁾, and (EC) No 1606/94⁽¹¹⁾, as amended by Regulation (EC) No 1847/94⁽¹²⁾, relating to the exemption from the import levy for certain products in the cereals sector specify the quantities of barley, wheat flour, non-roasted malt, common wheat and millet which enjoy preferential access under the Interim Agreements concluded with the above-mentioned countries; whereas, to ensure that these quotas are properly managed, import licences must not be transferable;

Whereas Regulation (EC) No 1606/94 relating to the exemption from the import levy for certain products in the cereals' sector laid down in the Agreements between the European Community and the Republic of Bulgaria and Romania, and repealing Commission Regulation (EC) No 335/94⁽¹³⁾, specifies the quantities of common wheat and millet which enjoy preferential access under those Agreements; whereas on 30 June 1994 the Community, by means of the conclusion of an exchange of letters with the Republic of Bulgaria and Romania amending the Interim Agreements with those countries, concluded agreements providing for certain compensatory measures; whereas these measures are necessary, on the one hand, to compensate Romania for the delay in applying certain agricultural concessions provided for in the Interim Agreement and, on the other, to compensate the Republic of Bulgaria for the Interim Agreement's late entry into force; whereas Regulation (EC) No 1606/94 must therefore be amended;

Whereas it is necessary also to amend the period of validity of the import licences issued pursuant to Regulation (EC) No 1606/94 in order to bring it into line with the marketing year and by so doing ensure that the rate of importation specified in the Agreements is observed;

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

⁽¹⁾ OJ No L 319, 21. 12. 1993, p. 4.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 1.

⁽³⁾ OJ No L 56, 29. 2. 1992, p. 9.

⁽⁴⁾ OJ No L 200, 10. 8. 1993, p. 5.

⁽⁵⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽⁶⁾ OJ No L 333, 31. 12. 1993, p. 17.

⁽⁷⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽⁸⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽⁹⁾ OJ No L 21, 26. 1. 1994, p. 3.

⁽¹⁰⁾ OJ No L 170, 5. 7. 1994, p. 13.

⁽¹¹⁾ OJ No L 168, 2. 7. 1994, p. 3.

⁽¹²⁾ OJ No L 192, 28. 7. 1994, p. 20.

⁽¹³⁾ OJ No L 43, 16. 2. 1994, p. 4.

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 3a is hereby added to Regulations (EC) No 121/94 and (EC) No 1606/94:

Article 3a

Notwithstanding Article 9 of Regulation (EEC) No 3719/88 (*), rights deriving from the import licence shall not be transferable.

(*) OJ No L 331, 2. 12. 1988, p. 1.

Article 2

Regulation (EC) No 1606/94 is hereby amended as follows:

1. Article 3 is replaced by the following:

Article 3

Article 8 (1) of Regulation (EEC) No 891/89 (*) notwithstanding, import licences shall be valid from their date of issue until the end of the third month following that in which they were issued. Nevertheless, the validity of licences shall be restricted to the end of July, where licences issued in respect of the previous year's quantity are concerned.

(*) OJ No L 94, 7. 4. 1989, p. 13.

2. The Annex is replaced by the Annex to this Regulation.

Article 3

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, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

I. PRODUCTS ORIGINATING IN THE REPUBLIC OF BULGARIA

(Quantity in tonnes)

CN code	Description	from 1. 7. 1994 to 30. 6. 1995	from 1. 7. 1995 to 30. 6. 1996	from 1. 7. 1996 to 30. 6. 1997
Levy reduction (%)		60	60	60
1001 90 99	Common wheat	2 211	2 361	2 511
1008 20 00	Millet	1 395	1 495	1 595

II. PRODUCTS ORIGINATING IN ROMANIA

(Quantity in tonnes)

CN code	Description	from 1. 7. 1994 to 30. 6. 1995	from 1. 7. 1995 to 30. 6. 1996	from 1. 7. 1996 to 30. 6. 1997
Levy reduction (%)		60	60	60
1001 90 99	Common wheat ⁽¹⁾	20 220	21 530	22 840

⁽¹⁾ Assuming that Romania, during a given year, were to receive Community food aid in the form of wheat, the quota opened for this product would be reduced by the quantity of exports qualifying for this assistance.

COMMISSION REGULATION (EC) No 1907/94

of 27 July 1994

amending Regulation (EEC) No 2282/90 laying down detailed rules for increasing the consumption and utilization of apples and the consumption of citrus fruit

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 1195/90 of 7 May 1990 on measures to increase the consumption and utilization of apples⁽¹⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1201/90 of 7 May 1990 on measures to increase the consumption of citrus fruit⁽²⁾, and in particular Article 4 thereof,

Whereas the programmes provided for pursuant to Commission Regulation (EEC) No 2282/90⁽³⁾, as last amended by Regulation (EEC) No 516/93⁽⁴⁾, may concern several Member States; whereas without prejudice to the application of Council Regulation (EEC) No 1468/81 of 19 May 1981 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs or agricultural matters⁽⁵⁾, as amended by Regulation (EEC) No 945/87⁽⁶⁾, experience has shown that a coordinated procedure should be established for agreeing and monitoring the programmes among all the competent bodies concerned under the authority of the contracting competent body;

Whereas the abovementioned procedure need not be implemented in cases where the competent bodies do not consider it necessary in the light of the characteristics of the programme concerned;

Whereas Regulation (EEC) No 2282/90 should therefore be amended;

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

Article 1

Regulation (EEC) No 2282/90 is amended as follows:

1. Article 5 is replaced by the following:

Article 5

1. The application for financing shall be lodged with the competent body in the Member State in which the group or responsible partner is based (hereinafter referred to as "the contracting competent body"), not later than 31 August.

The application shall contain all the information set out in Annex II.

2. Where the application for financing covers measures to be implemented in other Member States than the one referred to in paragraph 1, the group or responsible partner shall, in addition, address to the competent body in the Member State concerned that part of the application that relates to that State's territory, not later than 31 August.

3. Each competent body shall check that the information contained in the applications it receives is correct and that the applications conform to the requirements of this Regulation and to the provisions of the standard contract provided for in the second subparagraph of Article 7 (2).

It shall if necessary request additional information and shall draw up a reasoned opinion. Such opinion shall include an economic assessment of the measures proposed, their technical quality, the sound basis of the financial estimates and their implementation capability.

The competent body shall reject any applications that contain manifestly incorrect information, or which fall within the scope of Article 2 (4).

4. Each competent body shall submit to the contracting competent body the reasoned opinion that it has drawn up not later than 30 September. The contracting competent body shall draw up a list of all the applications for financing and transmit it to the Commission with a copy of the applications accepted accompanied first, where appropriate, by the various reasoned opinions and, secondly, by its own reasoned opinion, which shall also include an assessment of the coherence of the programme as a whole if this is the subject of more than one reasoned opinion.

These documents, together with the applications rejected and the reasons for their rejection, shall be submitted every year not later than 31 October.

⁽¹⁾ OJ No L 119, 11. 5. 1990, p. 56.

⁽²⁾ OJ No L 119, 11. 5. 1990, p. 65.

⁽³⁾ OJ No L 205, 3. 8. 1990, p. 8.

⁽⁴⁾ OJ No L 55, 6. 3. 1993, p. 48.

⁽⁵⁾ OJ No L 144, 2. 6. 1981, p. 1.

⁽⁶⁾ OJ No L 90, 2. 4. 1987, p. 3.

2. The following Article 5 (a) is inserted :

'Article 5 a

Notwithstanding the joint procedure provided for in Article 5 (2), (3) and (4), the contracting body, in agreement with the other bodies concerned and on its own responsibility, in particular with regard to monitoring, may decide that its reasoned opinion alone suffices.'

3. In the fourth paragraph of Article 6, the words 'to the competent body' are replaced by the words 'to the contracting competent body'.

4. Article 7 is amended as follows :

(a) in paragraph 1 the word: 'the competent body' are replaced by the words 'the contracting competent body';

(b) in the first subparagraph of paragraph 2 the words 'concluded between the competent bodies and ...' are replaced by 'concluded between the contracting competent bodies and ...'.

5. In Article 8 in the introductory sentence, in the third subparagraph of point 1 and in points 5 and 7, the words 'the competent body' are replaced by the words 'the contracting competent body'.

6. Article 9 is replaced by the following :

'Article 9

1. The contracting competent body shall take the necessary measures to check, in particular by checks of a technical, administrative and accounting nature at

the premises of the contractor, of any partners of the contractor and of sub-contractors :

— the accuracy of the information and supporting documents,

— fulfilment of all the obligations of the contract.

2. Without prejudice to the application of Council Regulation (EEC) No 1468/81 (*), each competent body shall, following its reasoned opinion and at the request of the contracting competent body, take the measures referred to in paragraph 1 with regard to operations carried out on its territory, and shall submit the result to the contracting competent body.

3. The contracting competent body shall inform the Commission immediately of any irregularities found.

(*) OJ No L 144, 2. 6. 1981, p. 1.'

7. Article 10 is amended as follows :

(a) the words 'the competent body' are replaced by the words 'the contracting competent body';

(b) the following second paragraph is added :

'The amounts recovered and the interest shall be deducted by the bodies concerned from the expenditure financed by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.'

Article 2

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

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

Done at Brussels, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

LIST OF COMPETENT BODIES PURSUANT TO ARTICLE 5 (1)

Member State	Competent body
B	Bureau d'intervention et de restitution belge (BIRB) Rue de Trèves 82 B-1040 Bruxelles Belgisch Interventie- en Restitutiebureau (BIRB) Trierstraat 82 B-1040 Brussel
DA	Landbrugsministeriet Slotsholmsgade 10 DK-1216 København K
DE	Bundesamt für Ernährung und Forstwirtschaft (BEF) Adickesallee 40 D-60322 Frankfurt am Main
GR	Direction for the management of agricultural products (DIDAGEP) 241 Acharnon Street GR-104 46 Athens
E	Ministerio de Agricultura, Pesca y Alimentación Dirección general de política alimentaria Paseo Infanta Isabel 1 E-28014 Madrid
F	Office national interprofessionnel des fruits, des légumes et de l'horticulture (Oniflor) 164, rue de Javel F-75015 Paris
IRL	Department of agriculture, food and forestry Agriculture House (7W) Kildare Street IRL-Dublin 2
IT	Ente per gli interventi nel mercato agricolo (EIMA) Via Palestro, 81 I-00185 Roma
LUX	Ministère de l'agriculture — Services agricoles Luxembourg
NL	Produktschap voor groenten en fruit Bezuidenhoutseweg 153 NL-2594 AG 's-Gravenhage
PT	Instituto Nacional de Intervenção e Garantia Agrícola (INGA) Rua Camilo Castelo Branco, n.º 45, 2.º P-1000 Lisboa
UK	Ministry of agriculture, fisheries and food (MAFF) Horticulture and potatoes division Ergon House — c/o Nobel House 17 Smith Square UK-London SW1P 3JR

COMMISSION REGULATION (EC) No 1908/94

of 27 July 1994

amending Regulation (EEC) No 2048/90 laying down detailed rules for the application of the system of aid in favour of small cotton producers

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 1152/90 of 27 April 1990 instituting a system of aid in favour of small cotton producers⁽¹⁾, as amended by Regulation (EEC) No 2054/92⁽²⁾, and in particular Article 7 (1) thereof,

Whereas Article 2 (1) of Commission Regulation (EEC) No 2048/90 of 18 July 1990⁽³⁾, as last amended by Regulation (EEC) No 3023/93⁽⁴⁾, lays down certain conditions for the granting of the aid to ensure that the system functions properly; whereas it has become apparent that the aim sought, namely the granting of aid to producers of cotton who grow cotton on a area of not more than 2,5 hectares, is being circumvented in certain cases by the fictional breakdown of areas in excess of that maximum area to allow aid applications to be submitted by non-authentic small producers on behalf of the real producers; whereas, in order to avoid this undesirable trend, provision should be made for the aid to be granted only to small producers who produce cotton on their own account;

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

Done at Brussels, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission

Article 1

Regulation (EEC) No 2048/90 is amended as follows:

1. In Article 2 (1), the following point (c) is added:

'(c) have been used for that crop by the applicant on his own account and where the operations referred to in (a) are carried out by him or under his responsibility.'

2. The following indent is added to Article 3 (4):

'— a declaration that the area has been cultivated by the declarer for his own account.'

3. The following paragraph 5 is added to Article 3:

'5. on request from the Member State, applicants shall provide proof certifying to the satisfaction of the Member State that the conditions laid down in Article 2 (1) (c) are met.'

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 the 1994/95 marketing year.

⁽¹⁾ OJ No L 116, 8. 5. 1990, p. 1.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 13.

⁽³⁾ OJ No L 187, 19. 7. 1990, p. 29.

⁽⁴⁾ OJ No L 270, 30. 10. 1993, p. 65.

COMMISSION REGULATION (EC) No 1909/94
of 28 July 1994

amending Regulation (EC) No 1835/94 adopting interim protective measures on applications for STM licences in the beef and veal sector submitted during the day of 26 July 1994 for exchanges with Spain

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, and in particular Article 85 (1) thereof,

Whereas Commission Regulation (EC) No 1835/94⁽¹⁾, adopting interim protective measures on applications for STM licences in the beef and veal sector submitted for the day of 26 July 1994 for trade with Spain;

Whereas Regulation (EC) No 1835/94 provides, in error, that further applications for licences may be lodged; whereas, in accordance with the purpose of the Regula-

tion, the lodging of such applications must be suspended; whereas Article 1 (2) must be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 1 (2) of Regulation (EC) No 1835/94 is replaced by the following:

- '2. the issuing of STM licences in response to applications submitted from 27 July 1994 onwards is suspended for the time being.'

Article 2

This Regulation shall enter into force on 29 July 1994.

It shall apply from 27 July 1994.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 191, 27. 7. 1994, p. 18.

COMMISSION REGULATION (EC) No 1910/94

of 28 July 1994

fixing the export refunds on milk and milk products

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 230/94 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 776/94 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 2767/90 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 2. 1994, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 6.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

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 the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 150 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽⁷⁾, as last amended by Regulation (EEC) No 222/88⁽⁸⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾ 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION :

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

This Regulation shall enter into force on 29 July 1994.

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

Done at Brussels, 28 July 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.

⁽⁷⁾ OJ No L 91, 1. 4. 1984, p. 71.

⁽⁸⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 28 July 1994 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000		5,18	0402 21 91 500		118,10
0401 10 90 000		5,18	0402 21 91 600		128,54
0401 20 11 100		5,18	0402 21 91 700		134,75
0401 20 11 500		8,00	0402 21 91 900		141,68
0401 20 19 100		5,18	0402 21 99 100		105,31
0401 20 19 500		8,00	0402 21 99 200		106,08
0401 20 91 100		10,65	0402 21 99 300		107,46
0401 20 91 500		12,41	0402 21 99 400		115,39
0401 20 99 100		10,65	0402 21 99 500		118,10
0401 20 99 500		12,41	0402 21 99 600		128,54
0401 30 11 100		15,94	0402 21 99 700		134,75
0401 30 11 400		24,58	0402 21 99 900		141,68
0401 30 11 700		36,93	0402 29 15 200		0,6000
0401 30 19 100		15,94	0402 29 15 300		0,9158
0401 30 19 400		24,58	0402 29 15 500		0,9682
0401 30 19 700		36,93	0402 29 15 900		1,0450
0401 30 31 100		43,98	0402 29 19 200		0,6000
0401 30 31 400		68,67	0402 29 19 300		0,9158
0401 30 31 700		75,72	0402 29 19 500		0,9682
0401 30 39 100		43,98	0402 29 19 900		1,0450
0401 30 39 400		68,67	0402 29 91 100		1,0531
0401 30 39 700		75,72	0402 29 91 500		1,1539
0401 30 91 100		86,30	0402 29 99 100		1,0531
0401 30 91 400		126,85	0402 29 99 500		1,1539
0401 30 91 700		148,02	0402 91 11 110		5,18
0401 30 99 100		86,30	0402 91 11 120		10,65
0401 30 99 400		126,85	0402 91 11 310		18,15
0401 30 99 700		148,02	0402 91 11 350		22,42
0402 10 11 000		60,00	0402 91 11 370		27,47
0402 10 19 000		60,00	0402 91 19 110		5,18
0402 10 91 000		0,6000	0402 91 19 120		10,65
0402 10 99 000		0,6000	0402 91 19 310		18,15
0402 21 11 200		60,00	0402 91 19 350		22,42
0402 21 11 300		91,58	0402 91 19 370		27,47
0402 21 11 500		96,82	0402 91 31 100		21,05
0402 21 11 900		104,50	0402 91 31 300		32,47
0402 21 17 000		60,00	0402 91 39 100		21,05
0402 21 19 300		91,58	0402 91 39 300		32,47
0402 21 19 500		96,82	0402 91 51 000		24,58
0402 21 19 900		104,50	0402 91 59 000		24,58
0402 21 91 100		105,31	0402 91 91 000		86,30
0402 21 91 200		106,08	0402 91 99 000		86,30
0402 21 91 300		107,46	0402 99 11 110		0,0518
0402 21 91 400		115,39	0402 99 11 130		0,1065

Product code	Destination (°)	Amount of refund (°)	Product code	Destination (°)	Amount of refund (°)
0402 99 11 150		0,1769	0403 90 61 100		0,0518
0402 99 11 310		20,94	0403 90 61 300		0,0800
0402 99 11 330		25,30	0403 90 63 000		0,1065
0402 99 11 350		33,90	0403 90 69 000		0,1594
0402 99 19 110		0,0518	0404 90 11 100		60,00
0402 99 19 130		0,1065	0404 90 11 910		5,18
0402 99 19 150		0,1769	0404 90 11 950		18,15
0402 99 19 310		20,94	0404 90 13 120		60,00
0402 99 19 330		25,30	0404 90 13 130		91,58
0402 99 19 350		33,90	0404 90 13 140		96,82
0402 99 31 110		0,2282	0404 90 13 150		104,50
0402 99 31 150		35,31	0404 90 13 911		5,18
0402 99 31 300		0,4398	0404 90 13 913		10,65
0402 99 31 500		0,7572	0404 90 13 915		15,94
0402 99 39 110		0,2282	0404 90 13 917		24,58
0402 99 39 150		35,31	0404 90 13 919		36,93
0402 99 39 300		0,4398	0404 90 13 931		18,15
0402 99 39 500		0,7572	0404 90 13 933		22,42
0402 99 91 000		0,8630	0404 90 13 935		27,47
0402 99 99 000		0,8630	0404 90 13 937		32,47
0403 10 22 100		5,18	0404 90 13 939		33,95
0403 10 22 300		8,00	0404 90 19 110		105,31
0403 10 24 000		10,65	0404 90 19 115		106,08
0403 10 26 000		15,94	0404 90 19 120		107,46
0403 10 32 100		0,0518	0404 90 19 130		115,39
0403 10 32 300		0,0800	0404 90 19 135		118,10
0403 10 34 000		0,1065	0404 90 19 150		128,54
0403 10 36 000		0,1594	0404 90 19 160		134,75
0403 90 11 000		60,00	0404 90 19 180		141,68
0403 90 13 200		60,00	0404 90 31 100		60,00
0403 90 13 300		91,58	0404 90 31 910		5,18
0403 90 13 500		96,82	0404 90 31 950		18,15
0403 90 13 900		104,50	0404 90 33 120		60,00
0403 90 19 000		105,31	0404 90 33 130		91,58
0403 90 31 000		0,6000	0404 90 33 140		96,82
0403 90 33 200		0,6000	0404 90 33 150		104,50
0403 90 33 300		0,9158	0404 90 33 911		5,18
0403 90 33 500		0,9682	0404 90 33 913		10,65
0403 90 33 900		1,0450	0404 90 33 915		15,94
0403 90 39 000		1,0531	0404 90 33 917		24,58
0403 90 51 100		5,18	0404 90 33 919		36,93
0403 90 51 300		8,00	0404 90 33 931		18,15
0403 90 53 000		10,65	0404 90 33 933		22,42
0403 90 59 110		15,94	0404 90 33 935		27,47
0403 90 59 140		24,58	0404 90 33 937		32,47
0403 90 59 170		36,93	0404 90 33 939		33,95
0403 90 59 310		43,98	0404 90 39 110		105,31
0403 90 59 340		68,67	0404 90 39 115		106,08
0403 90 59 370		75,72	0404 90 39 120		107,46
0403 90 59 510		86,30	0404 90 39 130		115,39
0403 90 59 540		126,85			
0403 90 59 570		148,02			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0404 90 39 150		118,10	0405 00 19 500		156,10
0404 90 51 100		0,6000	0405 00 19 700		160,00
0404 90 51 910		0,0518	0405 00 90 100		160,00
0404 90 51 950		20,94	0405 00 90 900		206,00
0404 90 53 110		0,6000	0406 10 20 100		—
0404 90 53 130		0,9158	0406 10 20 230	028	—
0404 90 53 150		0,9682		032	—
0404 90 53 170		1,0450		400	31,80
0404 90 53 911		0,0518		404	—
0404 90 53 913		0,1065		...	39,07
0404 90 53 915		0,1594	0406 10 20 290	028	—
0404 90 53 917		0,2458		032	—
0404 90 53 919		0,3693		400	31,80
0404 90 53 931		20,94		404	—
0404 90 53 933		25,30		...	39,07
0404 90 53 935		33,90	0406 10 20 610	028	11,00
0404 90 53 937		35,31		032	11,00
0404 90 59 130		1,0531		036	—
0404 90 59 150		1,1539		038	—
0404 90 59 930		0,5279		400	71,05
0404 90 59 950		0,7572		404	—
0404 90 59 990		0,8630		...	72,89
0404 90 91 100		0,6000	0406 10 20 620	028	16,29
0404 90 91 910		0,0518		032	16,29
0404 90 91 950		20,94		036	—
0404 90 93 110		0,6000		038	—
0404 90 93 130		0,9158		400	78,34
0404 90 93 150		0,9682		404	—
0404 90 93 170		1,0450		...	79,92
0404 90 93 911		0,0518	0406 10 20 630	028	19,55
0404 90 93 913		0,1065		032	19,55
0404 90 93 915		0,1594		036	—
0404 90 93 917		0,2458		038	—
0404 90 93 919		0,3693		400	89,03
0404 90 93 931		20,94		404	—
0404 90 93 933		25,30		...	90,24
0404 90 93 935		33,90	0406 10 20 640	028	—
0404 90 93 937		35,31		032	—
0404 90 99 130		1,0531		036	—
0404 90 99 150		1,1539		038	—
0404 90 99 930		0,5279		400	105,89
0404 90 99 950		0,7572		404	—
0404 90 99 990		0,8630		...	105,89
0405 00 11 200		120,98	0406 10 20 650	028	22,40
0405 00 11 300		152,20		032	22,40
0405 00 11 500		156,10		036	—
0405 00 11 700		160,00		038	—
0405 00 19 200		120,98		400	52,94
0405 00 19 300		152,20		404	—
				...	110,24

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 10 20 660		—	0406 30 10 200	028	—
0406 10 20 810	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	35,44
	400	17,16		404	—
	404	—		...	39,65
	...	17,16	0406 30 10 250	028	—
0406 10 20 830	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	35,44
	400	29,30		404	—
	404	—		...	39,65
	...	29,30	0406 30 10 300	028	—
0406 10 20 850	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	52,04
	400	35,53		404	—
	404	—		...	58,18
	...	35,53	0406 30 10 350	028	—
0406 10 20 870		—		032	—
0406 10 20 900		—		036	—
0406 20 90 100		—		038	—
0406 20 90 913	028	—		400	35,44
	032	—		404	—
	400	69,19		...	39,65
	404	—	0406 30 10 400	028	—
	...	69,19		032	—
0406 20 90 915	028	—		036	—
	032	—		038	—
	400	92,25		400	52,04
	404	—		404	—
	...	92,25		...	58,18
0406 20 90 917	028	—	0406 30 10 450	028	—
	032	—		032	—
	400	98,00		036	—
	404	—		038	—
	...	98,00		400	75,77
0406 20 90 919	028	—		404	—
	032	—		...	84,66
	400	109,54	0406 30 10 500	028	—
	404	—	0406 30 10 550	032	—
	...	109,54		036	—
0406 20 90 990		—		038	—
0406 30 10 100		—		400	35,44
0406 30 10 150	028	—		404	16,29
	032	—		...	39,65
	036	—	0406 30 10 600	028	—
	038	—		032	—
	400	16,32		036	—
	404	—		038	—
	...	18,60		400	52,04
				404	22,81
				...	58,18

Product code	Destination (°)	Amount of refund (°)	Product code	Destination (°)	Amount of refund (°)
0406 30 10 650	028	—	0406 30 31 730	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	75,77		400	52,04
	404	—		404	—
	...	84,66		...	58,18
0406 30 10 700	028	—	0406 30 31 910	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	75,77		400	35,44
	404	—		404	—
	...	84,66		...	39,65
0406 30 10 750	028	—	0406 30 31 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	52,04
	404	—		404	—
	...	103,34		...	58,18
0406 30 10 800	028	—	0406 30 31 950	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	75,77
	404	—		404	—
	...	103,34		...	84,66
0406 30 31 100	028	—	0406 30 39 100	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	35,44
	404	—		404	16,29
	...	103,34		...	39,65
0406 30 31 300	028	—	0406 30 39 300	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	16,32		400	52,04
	404	—		404	22,81
	...	18,60		...	58,18
0406 30 31 500	028	—	0406 30 39 500	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	35,44		400	75,77
	404	—		404	—
	...	39,65		...	84,66
0406 30 31 710	028	—	0406 30 39 700	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	35,44		400	75,77
	404	—		404	—
	...	39,65		...	84,66
0406 30 31 730	028	—	0406 30 39 930	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	35,44		400	75,77
	404	—		404	—
	...	39,65		...	84,66

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 30 39 950	028	—	0406 90 21 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	105,89
	404	—		404	—
	...	103,34		...	123,56
0406 30 90 000	028	—	0406 90 23 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	92,48		400	52,94
	404	—		404	—
	...	103,34		...	110,24
0406 40 50 000	028	—	0406 90 25 900	028	—
	032	—		032	—
	038	—		036	—
	400	97,75		038	—
	404	—		400	52,94
	...	103,04		404	—
				...	110,24
0406 40 90 000	028	—	0406 90 27 900	028	—
	032	—		032	—
	038	—		036	—
	400	97,75		038	—
	404	—		400	45,72
	...	103,04		404	—
				...	93,42
0406 90 13 000	028	—	0406 90 31 119	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	12,22
	400	105,89		400	50,89
	404	—		404	13,03
	...	129,78		...	73,27
0406 90 15 100	028	—	0406 90 31 151	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	105,89		400	47,57
	404	—		404	12,19
	...	129,78		...	68,29
0406 90 15 900		—	0406 90 31 159		—
0406 90 17 100	028	—		028	—
	032	—	0406 90 33 119	032	—
	036	—		036	—
	038	—		038	12,22
	400	105,89		400	50,89
	404	—		404	13,03
	...	129,78		...	73,27
0406 90 17 900		—			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 33 151	028	—	0406 90 69 910	028	—
	032	—		032	—
	036	—		036	57,02
	038	—		400	122,18
	400	47,57		404	65,16
	404	12,19		***	134,39
	***	68,29	0406 90 73 900	028	—
0406 90 33 919	028	—		032	—
	032	—		036	34,75
	036	—		400	123,00
	038	12,22		404	97,75
	400	50,89		***	123,00
	404	13,03	0406 90 75 900	028	—
	**	73,27		032	—
0406 90 33 951	028	—		036	—
	032	—		400	52,94
	036	—		404	—
	038	—		***	102,60
	400	47,57	0406 90 76 100	028	19,55
	404	12,19		032	19,55
	***	68,29		036	—
0406 90 35 190	028	—		038	—
	032	—		400	47,87
	036	34,75		404	—
	400	129,13		***	90,24
	404	73,31	0406 90 76 300	028	—
	***	129,13		032	—
0406 90 35 990	028	—		036	—
	032	—		038	—
	036	—		400	52,94
	038	—		404	—
	400	105,89		***	110,24
	404	—	0406 90 76 500	028	—
	***	105,89		032	—
0406 90 61 000	028	—		036	—
	032	—		038	—
	036	73,31		400	61,09
	400	150,68		404	—
	404	114,03		***	110,24
	***	150,68	0406 90 78 100	028	19,55
0406 90 63 100	028	—		032	19,55
	032	—		036	—
	036	85,55		038	—
	400	172,77		400	47,87
	404	130,32		404	—
	***	172,77		***	90,24
0406 90 63 900	028	—	0406 90 78 300	028	—
	032	—		032	—
	036	57,02		036	—
	400	122,18		038	—
	404	65,16		400	52,94
	***	134,39		404	—
				***	110,24
0406 90 69 100		—			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 78 500	028	—	0406 90 86 300	028	16,29
	032	—		032	16,29
	036	—		036	—
	038	—		038	—
	400	61,09		400	78,34
	404	—		404	—
	...	110,24		...	79,92
0406 90 79 900	028	—	0406 90 86 400	028	19,55
	032	—		032	19,55
	036	—		036	—
	038	—		038	—
	400	45,72		400	89,03
	404	—		404	—
	...	93,42		...	90,24
0406 90 81 900	028	—	0406 90 86 900	028	—
	032	—		032	—
	036	—		036	—
	038	—		038	—
	400	105,89		400	105,89
	404	—		404	—
	...	105,89		...	105,89
0406 90 85 910	028	—	0406 90 87 100		—
	032	—			—
	036	34,75	0406 90 87 200	028	11,00
	400	129,13		032	11,00
	404	73,31		036	—
	...	129,13		038	—
				400	72,89
0406 90 85 991	028	—	0406 90 87 300	404	—
	032	—		...	72,89
	036	—		028	16,29
	038	—		032	16,29
	400	105,89		036	—
	404	—		038	—
	...	105,89		400	78,34
0406 90 85 995	028	22,40	0406 90 87 400	404	—
	032	22,40		...	79,92
	036	—		028	19,55
	038	—		032	19,55
	400	52,94		036	—
	404	—		038	—
	...	110,24		400	89,03
0406 90 85 999		—	0406 90 87 951	404	—
0406 90 86 100		—		...	90,24
0406 90 86 200	028	11,00		028	—
	032	11,00		032	—
	036	—		036	34,75
	038	—		400	123,00
	400	72,89		404	73,31
	404	—		...	123,00
	...	72,89			

Product code	Destination (*)	Amount of refund (")	Product code	Destination (*)	Amount of refund (")
0406 90 87 971	028	22,40	2309 10 19 010		—
	032	22,40	2309 10 19 100		—
	036	—	2309 10 19 200		0,22
	038	—	2309 10 19 300		0,29
	400	60,28	2309 10 19 400		0,37
	404	—	2309 10 19 500		0,45
	...	110,24	2309 10 19 600		0,52
0406 90 87 972	028	—	2309 10 19 700		0,55
	032	—	2309 10 19 800		0,59
	400	31,80	2309 10 70 010		—
	404	—	2309 10 70 100		17,10
0406 90 87 979	...	39,07	2309 10 70 200		22,80
	028	22,40	2309 10 70 300		28,50
	032	22,40	2309 10 70 500		34,20
	036	—	2309 10 70 600		39,90
	038	—	2309 10 70 700		45,60
	400	60,28	2309 10 70 800		50,16
	404	—	2309 90 35 010		—
0406 90 88 100	...	110,24	2309 90 35 100		—
		—	2309 90 35 200		0,22
		—	2309 90 35 300		0,29
0406 90 88 200	028	11,00	2309 90 35 400		0,37
	032	11,00	2309 90 35 500		0,45
	036	—	2309 90 35 700		0,52
	038	—	2309 90 39 010		—
	400	72,89	2309 90 39 100		—
	404	—	2309 90 39 200		0,22
	...	72,89	2309 90 39 300		0,29
0406 90 88 300	028	16,29	2309 90 39 400		0,37
	032	16,29	2309 90 39 500		0,45
	036	—	2309 90 39 600		0,52
	038	—	2309 90 39 700		0,55
	400	78,34	2309 90 39 800		0,59
	404	—	2309 90 70 010		—
	...	79,92	2309 90 70 100		17,10
2309 10 15 010		—	2309 90 70 200		22,80
2309 10 15 100		—	2309 90 70 300		28,50
2309 10 15 200		0,22	2309 90 70 500		34,20
2309 10 15 300		0,29	2309 90 70 600		39,90
2309 10 15 400		0,37	2309 90 70 700		45,60
2309 10 15 500		0,45	2309 90 70 800		50,16
2309 10 15 700		0,52			

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EC) No 3478/93 (OJ No L 317, 18. 12. 1993, p. 32).

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2).

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

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 amended.

COMMISSION REGULATION (EC) No 1911/94

of 28 July 1994

fixing the export refunds on olive oil

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats⁽¹⁾, as last amended by Regulation (EC) No 3179/93⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on export refunds and levies on olive oil⁽³⁾, and in particular the first sentence of Article 3 (1) thereof,

Whereas Article 20 of Regulation No 136/66/EEC provides that, where prices within the Community are higher than world market prices, the difference between these prices may be covered by a refund when olive oil is exported to third countries;

Whereas the detailed rules for fixing and granting export refunds on olive oil are contained in Regulation (EEC) No 1650/86 and Commission Regulation (EEC) No 616/72⁽⁴⁾, as last amended by Regulation (EEC) No 2962/77⁽⁵⁾;

Whereas the first indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund must be the same for the whole Community;

Whereas, in accordance with Article 4 of Regulation (EEC) No 1650/86, the refund for olive oil must be fixed in the light of the existing situation and outlook in relation to olive oil prices and availability on the Community market and olive oil prices on the world market;

Whereas, however, where the world market situation is such that the most favourable olive oil prices cannot be determined, account may be taken of the price of the main competing vegetable oils on the world market and the difference recorded between that price and the price of olive oil during a representative period;

Whereas the amount of the refund may not exceed the difference between the price of olive oil in the Community and that on the world market, adjusted, where appropriate, to take account of export costs for the products on the world market;

Whereas, in accordance with Article 5 of Regulation (EEC) No 1650/86, it may be decided that the refund shall be fixed by tender;

Whereas the tendering procedure should cover the amount of the refund and may be limited to certain countries of destination, quantities, qualities and presentations;

Whereas the second indent of Article 2 of Regulation (EEC) No 1650/86 provides that the refund on olive oil may be varied according to destination where the world market situation or the specific requirements of certain markets make this necessary;

Whereas Article 3 (1) of Regulation (EEC) No 1650/86 provides that the refund must be fixed at least once every month; whereas it may, if necessary, be altered in the intervening period;

Whereas it follows from applying these detailed rules to the present situation on the market in olive oil and in particular to olive oil prices within the Community and on the markets of third countries that the refund should be as set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾, as amended by Regulation (EC) No 3528/93⁽⁷⁾, 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⁽⁸⁾, as amended by Regulation (EC) No 547/94⁽⁹⁾;

Whereas Council Regulation (EEC) No 990/93⁽¹⁰⁾ 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 Oils and Fats,

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 78, 31. 3. 1972, p. 1.

⁽⁵⁾ OJ No L 348, 30. 12. 1977, p. 53.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽¹⁰⁾ OJ No L 102, 28. 4. 1993, p. 14.

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (2) (c) of Regulation No 136/66/EEC shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1994.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 July 1994 fixing the export refunds on olive oil

<i>(ECU/100 kg)</i>	
Product code	Amount of refund ⁽¹⁾ ⁽²⁾
1509 10 90 100	35,00
1509 10 90 900	55,00
1509 90 00 100	42,00
1509 90 00 900	67,00
1510 00 90 100	8,00
1510 00 90 900	27,00

⁽¹⁾ For destinations mentioned in Article 34 of amended Commission Regulation (EEC) No 3665/87 as well as for exports to third countries.

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

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1912/94

of 28 July 1994

fixing the maximum export refunds on olive oil for the 16th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

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

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats ⁽¹⁾, as last amended by Regulation (EC) No 3179/93 ⁽²⁾,

Having regard to Council Regulation (EEC) No 1650/86 of 26 May 1986 on the refunds and levies applicable to exports of olive oil ⁽³⁾, and in particular Article 7 thereof,

Whereas Commission Regulation (EC) No 3142/93 ⁽⁴⁾ issued a standing invitation to tender with a view to determining the export refunds on olive oil;

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 Article 6 of Regulation (EC) No 3142/93 provides that maximum amounts are to be fixed for the export refunds in the light in particular of the current situation and foreseeable developments on the Commu-

nity and world olive-oil markets and on the basis of the tenders received; whereas contracts are awarded to any tenderer who submits a tender at the level of the maximum refund or at a lower level;

Whereas, for the purposes of applying the above-mentioned provisions, the maximum export refunds should be set at the levels specified in the Annex;

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

The maximum export refunds for olive oil for the 16th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93 are hereby fixed in the Annex, on the basis of the tenders submitted by 23 July 1994.

Article 2

This Regulation shall enter into force on 29 July 1994.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 145, 30. 5. 1986, p. 8.

⁽⁴⁾ OJ No L 281, 16. 11. 1993, p. 3.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 28 July 1994 fixing the maximum export refunds on olive oil for the 16th partial invitation to tender under the standing invitation to tender issued by Regulation (EC) No 3142/93

(ECU/100 kg)

Product code	Amount of refund (1)
1509 10 90 100	38,00
1509 10 90 900	58,00
1509 90 00 100	45,00
1509 90 00 900	71,00
1510 00 90 100	10,00
1510 00 90 900	—

(1) 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.

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87.

COMMISSION REGULATION (EC) No 1913/94
of 28 July 1994
temporarily suspending the advance fixing of export refunds for certain milk
products

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 230/94 ⁽²⁾;

Having regard to Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 776/94 ⁽⁴⁾, and in particular the first subparagraph of Article 5 (4) thereof,

Whereas the market for certain milk products is characterized by uncertainty; whereas the current refunds applicable could lead to speculative advance fixing of the

refund; whereas it is necessary to suspend temporarily the advance fixing of refunds for the products in question;

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

The advance fixing of refunds on products falling within CN codes 0406 20 and 0406 30 is hereby suspended for the period 29 July to 16 August 1994.

Article 2

This Regulation shall enter into force on 29 July 1994.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 30, 3. 3. 1994, p. 1.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 91, 8. 4. 1994, p. 6.

COMMISSION REGULATION (EC) No 1914/94
of 28 July 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 1573/94 ⁽⁵⁾, as last amended by Regulation (EC) No 1863/94 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1573/94 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 27 July 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 29 July 1994.

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

Done at Brussels, 28 July 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 166, 1. 7. 1994, p. 99.

⁽⁶⁾ OJ No L 192, 28. 7. 1994, p. 51.

ANNEX

to the Commission Regulation of 28 July 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	33,51 ⁽¹⁾
1701 11 90	33,51 ⁽¹⁾
1701 12 10	33,51 ⁽¹⁾
1701 12 90	33,51 ⁽¹⁾
1701 91 00	40,40
1701 99 10	40,40
1701 99 90	40,40 ⁽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 1915/94

of 28 July 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 amended by Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular Article 10 (5) and Article 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 1561/94 ⁽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 27 July 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 1561/94 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 29 July 1994.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 166, 1. 7. 1994, p. 74.

ANNEX

to the Commission Regulation of 28 July 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁹⁾
0709 90 60	113,26 ⁽²⁾ ⁽³⁾
0712 90 19	113,26 ⁽²⁾ ⁽³⁾
1001 10 00	46,95 ⁽¹⁾ ⁽²⁾
1001 90 91	73,81
1001 90 99	73,81 ⁽⁹⁾
1002 00 00	100,95 ⁽⁶⁾
1003 00 10	103,84
1003 00 90	103,84 ⁽⁹⁾
1004 00 00	91,56
1005 10 90	113,26 ⁽²⁾ ⁽³⁾
1005 90 00	113,26 ⁽²⁾ ⁽³⁾
1007 00 90	114,34 ⁽⁴⁾
1008 10 00	29,28 ⁽⁹⁾
1008 20 00	31,12 ⁽⁴⁾ ⁽⁹⁾
1008 30 00	0 ⁽⁷⁾
1008 90 10	⁽⁷⁾
1008 90 90	0
1101 00 00	141,29 ⁽⁹⁾
1102 10 00	179,44
1103 11 10	109,37
1103 11 90	162,58
1107 10 11	142,26
1107 10 19	109,05
1107 10 91	195,72 ⁽¹⁰⁾
1107 10 99	148,99 ⁽⁹⁾
1107 20 00	171,83 ⁽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.

COMMISSION REGULATION (EC) No 1916/94

of 28 July 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 amended by Commission Regulation (EEC) No 2193/93 ⁽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 1562/94 ⁽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 27 July 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 29 July 1994.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.⁽⁵⁾ OJ No L 166, 1. 7. 1994, p. 77.

ANNEX

to the Commission Regulation of 28 July 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 7	1st period 8	2nd period 9	3rd period 10
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	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 10	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

(ECU/tonne)

CN code	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EC) No 1917/94

of 28 July 1994

fixing the import levies on live sheep and goats and on sheepmeat and goatmeat
other than frozen meat

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EC) No 1096/94⁽²⁾, and in particular the Article 10 thereof,Whereas the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat were fixed by Commission Regulation (EC) No 3624/93⁽³⁾, as last amended by Regulation (EC) No 1485/94⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 3624/93 to the quota-

tions and other information 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 on live sheep and goats and on sheepmeat and goatmeat other than frozen meat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1994.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.⁽²⁾ OJ No L 121, 12. 5. 1994, p. 9.⁽³⁾ OJ No L 328, 29. 12. 1993, p. 42.⁽⁴⁾ OJ No L 159, 28. 6. 1994, p. 57.

ANNEX

to the Commission Regulation of 28 July 1994 fixing the import levies on live sheep and goats and on sheepmeat and goatmeat other than frozen meat (*)

(ECU/100 kg)

CN code	Week No 31 from 1 to 7 August 1994	Week No 32 from 8 to 14 August 1994	Week No 33 from 15 to 21 August 1994	Week No 34 from 22 to 28 August 1994	Week No 35 from 29 August to 4 September 1994
0104 10 30 ⁽¹⁾	59,479	59,479	59,479	59,479	59,479
0104 10 80 ⁽¹⁾	59,479	59,479	59,479	59,479	59,479
0104 20 90 ⁽¹⁾	59,479	59,479	59,479	59,479	59,479
0204 10 00 ⁽²⁾	126,550	126,550	126,550	126,550	126,550
0204 21 00 ⁽²⁾	126,550	126,550	126,550	126,550	126,550
0204 22 10 ⁽²⁾	88,585	88,585	88,585	88,585	88,585
0204 22 30 ⁽²⁾	139,205	139,205	139,205	139,205	139,205
0204 22 50 ⁽²⁾	164,515	164,515	164,515	164,515	164,515
0204 22 90 ⁽²⁾	164,515	164,515	164,515	164,515	164,515
0204 23 00 ⁽²⁾	230,321	230,321	230,321	230,321	230,321
0204 50 11 ⁽²⁾	126,550	126,550	126,550	126,550	126,550
0204 50 13 ⁽²⁾	88,585	88,585	88,585	88,585	88,585
0204 50 15 ⁽²⁾	139,205	139,205	139,205	139,205	139,205
0204 50 19 ⁽²⁾	164,515	164,515	164,515	164,515	164,515
0204 50 31 ⁽²⁾	164,515	164,515	164,515	164,515	164,515
0204 50 39 ⁽²⁾	230,321	230,321	230,321	230,321	230,321
0210 90 11 ⁽³⁾	164,515	164,515	164,515	164,515	164,515
0210 90 19 ⁽³⁾	230,321	230,321	230,321	230,321	230,321

⁽¹⁾ The levy applicable is limited in the conditions laid down in Council Regulations (EEC) No 3643/85, (EEC) No 715/90 and (EC) No 3609/93 and Commission Regulations (EEC) No 19/82 and (EC) No 3581/93.

⁽²⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EC) No 3609/93 and Commission Regulations (EEC) No 19/82 and (EC) No 3581/93.

⁽³⁾ The levy applicable is limited in the conditions laid down in Council Regulation (EEC) No 715/90 and Commission Regulation (EEC) No 19/82.

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

COMMISSION REGULATION (EC) No 1918/94
of 28 July 1994
fixing the import levies on frozen sheepmeat and goatmeat

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

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EC) No 1096/94⁽²⁾, and in particular the Article 10 thereof,

Whereas the import levies on frozen sheepmeat and goatmeat were fixed by Commission Regulation (EC) No 3625/93⁽³⁾, as last amended by Regulation (EC) No 1486/94⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 3625/93 to the quota-

tions and other information known to the Commission that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen sheepmeat and goatmeat shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 August 1994.

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

Done at Brussels, 28 July 1994.

For the Commission
René STEICHEN
Member of the Commission

⁽¹⁾ OJ No L 289, 7. 10. 1989, p. 1.

⁽²⁾ OJ No L 121, 12. 5. 1994, p. 9.

⁽³⁾ OJ No L 328, 29. 12. 1993, p. 45.

⁽⁴⁾ OJ No L 159, 28. 6. 1994, p. 48.

ANNEX

to the Commission Regulation of 28 July 1994 fixing the import levies on frozen sheepmeat and goatmeat ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Week No 31 from 1 to 7 August 1994	Week No 32 from 8 to 14 August 1994	Week No 33 from 15 to 21 August 1994	Week No 34 from 22 to 28 August 1994	Week No 35 from 29 August to 4 September 1994
0204 30 00	97,413	97,413	97,413	97,413	97,413
0204 41 00	97,413	97,413	97,413	97,413	97,413
0204 42 10	68,189	68,189	68,189	68,189	68,189
0204 42 30	107,154	107,154	107,154	107,154	107,154
0204 42 50	126,637	126,637	126,637	126,637	126,637
0204 42 90	126,637	126,637	126,637	126,637	126,637
0204 43 10	177,292	177,292	177,292	177,292	177,292
0204 43 90	177,292	177,292	177,292	177,292	177,292
0204 50 51	97,413	97,413	97,413	97,413	97,413
0204 50 53	68,189	68,189	68,189	68,189	68,189
0204 50 55	107,154	107,154	107,154	107,154	107,154
0204 50 59	126,637	126,637	126,637	126,637	126,637
0204 50 71	126,637	126,637	126,637	126,637	126,637
0204 50 79	177,292	177,292	177,292	177,292	177,292

⁽¹⁾ The levy applicable is limited to the amount bound under GATT or in the conditions laid down in Council Regulations (EEC) No 1985/82, (EEC) No 3643/85, (EEC) No 715/90 and (EC) No 3609/93 and Commission Regulations (EEC) No 19/82 and (EC) No 3581/93.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

COMMISSION REGULATION (EC) No 1919/94

of 28 July 1994

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular the third subparagraph of Article 13 (2) thereof,

Whereas Article 13 of Regulation (EEC) No 1766/92 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of that Regulation and prices for those products in the Community may be covered by an export refund;

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation (EEC) No 1533/93 of 22 June 1993 laying down certain detailed rules under Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals⁽³⁾, amended by Regulation (EC) No 120/94⁽⁴⁾;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EEC) No 1533/93 ;

Whereas the world market situation or the specific requirements of certain markets may make it necessary to vary the refund for certain products according to destination ;

Whereas the refund must be fixed once a month ; whereas it may be altered in the intervening period ;

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⁾ ;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto ;

Whereas Council Regulation (EEC) No 990/93⁽⁹⁾ 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 Cereals,

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 29 July 1994.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 21, 26. 1. 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.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 28 July 1994 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU / tonne)			(ECU / tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 00 100	01	68,50
1001 10 00 400	05	10,00	1101 00 00 130	01	64,50
	02	5,00	1101 00 00 150	01	59,50
1001 90 91 000	—	—	1101 00 00 170	01	54,50
1001 90 99 000	03	35,00	1101 00 00 180	01	51,50
	02	15,00	1101 00 00 190	—	—
1002 00 00 000	03	35,00	1101 00 00 900	—	—
	02	15,00	1102 10 00 500	01	68,50
1003 00 10 000	—	—	1102 10 00 700	—	—
1003 00 90 000	03	55,00	1102 10 00 900	—	—
	04	20,00	1103 11 10 200	01	10,00 (3)
	02	15,00	1103 11 10 400	01	0 (3)
1004 00 00 200	—	—	1103 11 10 900	—	—
1004 00 00 400	—	—	1103 11 90 200	01	10,00 (3)
1005 10 90 000	—	—	1103 11 90 800	—	—
1005 90 00 000	03	50,00			
	02	0			

(1) The destinations are identified as follows :

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

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

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

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 1920/94

of 28 July 1994

fixing the refunds applicable to cereal and rice sector products supplied as
Community and national food aid

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 amended by Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular the third subparagraph of Article 13 (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 (EEC) No 1544/93⁽⁴⁾, and in particular Article 11 (2) thereof,Whereas Article 2 of Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid⁽⁵⁾ lays down that the portion of the expenditure corresponding to the export refunds on the products in question fixed under Community rules is to be charged to the European Agricultural Guidance and Guarantee Fund, Guarantee Section;

Whereas, in order to make it easier to draw up and manage the budget for Community food aid actions and to enable the Member States to know the extent of Community participation in the financing of national food aid actions, the level of the refunds granted for these actions should be determined;

Whereas the general and implementing rules provided for in Article 13 of Regulation (EEC) No 1766/92 and in

Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;Whereas the specific criteria to be used for calculating the export refund on rice are set out in Article 3 of Council Regulation (EEC) No 1431/76⁽⁶⁾;

Whereas the refunds fixed by this Regulation are applicable without any variations, for all destinations;

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

HAS ADOPTED THIS REGULATION:

Article 1

For Community and national food aid operations under international agreements or other supplementary programmes, the refunds applicable for August 1994 to cereals and rice sector products shall be as set out in the Annex.

Article 2

The refunds fixed in this Regulation shall not be regarded as refunds varying according to destination.

Article 3

This Regulation shall enter into force on 1 August 1994.

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

Done at Brussels, 28 July 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 5.⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 28 July 1994 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

(ECU/tonne)	
Product code	Refund
1001 10 00 400	0
1001 90 99 000	50,00
1002 00 00 000	50,00
1003 00 90 000	70,00
1004 00 00 400	—
1005 90 00 000	70,00
1006 20 92 000	219,00
1006 20 94 000	219,00
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	274,00
1006 30 92 900	274,00
1006 30 94 100	274,00
1006 30 94 900	274,00
1006 30 96 100	274,00
1006 30 96 900	274,00
1006 40 00 000	—
1007 00 90 000	70,00
1101 00 00 100	68,00
1101 00 00 130	68,00
1102 20 10 100	82,50
1102 20 10 300	70,72
1102 30 00 000	—
1102 90 10 100	91,30
1103 11 10 200	10,00
1103 11 90 200	10,00
1103 13 10 100	106,07
1103 14 00 000	—
1104 12 90 100	72,82
1104 21 50 100	72,82

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), amended.

COMMISSION DIRECTIVE 94/37/EC

of 22 July 1994

amending Council Directive 91/414/EEC concerning the placing of plant protection products on the market

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market⁽¹⁾, as last amended by Commission Directive 93/71/EEC⁽²⁾, and in particular Article 18 (2) thereof,

Whereas Annexes II and III to Directive 91/414/EEC lay down the requirements for the dossier to be submitted by applicants respectively for the inclusion of an active substance in Annex I and for the authorization of a plant protection product;

Whereas it is necessary to indicate in Annexes II and III to the applicants, as precisely as possible, any details on the required information, such as the circumstances, conditions and technical protocols under which certain data have to be generated; whereas these provisions should be introduced as soon as available in order to permit applicants to use them in the preparation of their dossier;

Whereas greater precision can now be given to the data requirements concerning the identity, physical and chemical properties and further on the active substance, provided for in sections 1, 2 and 3 of Part A of Annex II;

Whereas greater precision can now be given to the data requirements concerning the identity, physical, chemical and technical properties and other general information on the plant protection product, provided for in sections 1 to 4 of Part of Annex III;

Whereas the measures provided for in this Directive are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 91/414/EEC is amended as follows:

1. In Part A of Annex II, the sections headed '1. Identity of the active substance', '2. Physical and chemical properties of the active substance' and '3. Further information on the active substance' are replaced by Annex I hereto;
2. In Part A of Annex III, the sections headed '1. Identity of the plant protection product', '2. Physical, chemical and technical properties of the plant protection product', '3. Data on application' and '4. Further information on the plant protection product' are replaced by Annex II hereto.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than 31 July 1995. They shall immediately inform the Commission thereof.

When Member States adopt these measures, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

Article 3

This Directive shall enter into force on 1 August 1994.

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 230, 19. 8. 1991, p. 1.

⁽²⁾ OJ No L 221, 31. 8. 1993, p. 27.

ANNEX I

1. Identity of the active substance

The information provided must be sufficient to identify with precision each active substance, to define it in terms of its specification and to characterize it as to its nature. The information and data referred to, unless otherwise specified, are required for all active substances.

1.1. *Applicant (name, address, etc.)*

The name and address of the applicant (permanent Community address) must be provided as must the name, position, telephone and telefax number of the appropriate person to contact.

Where, in addition, the applicant has an office, agent or representative in the Member State to which the application for inclusion in Annex I is submitted, and if different, in the Rapporteur Member State appointed by the Commission, the name and address of the local office, agent or representative must be provided, as must the name, position, telephone and telefax number of the appropriate person to contact.

1.2. *Manufacturer (name, address, including location of plant)*

The name and address of the manufacturer or manufacturers of the active substance must be provided as must the name and address of each manufacturing plant in which the active substance is manufactured. A contact point (preferably a central contact point, to include name, telephone and telefax number) must be provided, with a view to providing updating information and responding to queries arising, regarding manufacturing technology, processes and the quality of product (including where relevant, individual batches). Where following inclusion of the active substances in Annex I, there are changes in the location or number of manufacturers, the information required must again be notified to the Commission and the Member States.

1.3. *Common name proposed or ISO-accepted, and synonyms*

The ISO common name, or proposed ISO common name and where relevant, other proposed or accepted common names (synonyms), including the name (title) of the nomenclature authority concerned, must be provided.

1.4. *Chemical name (IUPAC and CA nomenclature)*

The Chemical name as given in Annex I to Directive 67/548/EEC, or, if not included in this Directive, in accordance with both IUPAC and CA nomenclature, must be provided.

1.5. *Manufacturer's development code number(s)*

Code numbers used to identify the active substance, and where available, formulations containing the active substance, during development work, must be reported. For each code number reported, the material to which it relates, the period for which it was used, and the Member States or other countries in which it was used and is being used, must be stated.

1.6. *CAS, EEC and CIPAC numbers (if available)*

Chemical Abstracts, EEC (EINECS or ELINCS), and CIPAC numbers, where they exist, must be reported.

1.7. *Molecular and structural formula, molecular mass*

The molecular formula, molecular mass and structural formula of the active substance, and where relevant, the structural formula of each stereo and optical isomer present in the active substance, must be provided.

1.8. *Method of manufacture (synthesis pathway) of the active substance*

The method of manufacture, in terms of the identity of the starting materials, the chemical pathways involved, and the identity of by-products and impurities present in the final product, must be provided, for each manufacturing plant. Generally process engineering information is not required.

Where the information provided relates to a pilot plant production system, the information required must again be provided once industrial scale production methods and procedures have stabilized.

1.9. *Specification of purity of the active substance in g/kg*

The minimum content in g/kg of pure active substance (excluding inactive isomers) in the manufactured material used for production of formulated products, must be reported.

Where the information provided relates to a pilot plant production system, the information required must again be provided to the Commission and the Member States once industrial scale production methods and procedures have stabilized, if production changes result in a changed specification of purity.

1.10. *Identity of isomers, impurities and additives (e.g. stabilizers), together with the structural formula and the content expressed as g/kg*

The maximum content in g/kg of inactive isomers as well as the ratio of the content of isomers/diastereo-isomers, where relevant, must be provided. In addition, the maximum content in g/kg of each further component other than additives, including by-products, and impurities, must be provided. In the case of additives the content in g/kg must be provided.

For each component, present in quantities of 1 g/kg or more, the following information, where relevant, must be provided :

- chemical name according to IUPAC and CA nomenclature,
- ISO common name or proposed common name if available,
- CAS number, EEC (EINECS or ELINCS) number, and CIPAC number if available,
- molecular and structural formula,
- molecular mass, and
- maximum content in g/kg.

Where the manufacturing process is such that impurities and by-products which are particularly undesirable because of their toxicological, ecotoxicological or environmental properties could be present in the active substance, the content of each such compound must be determined and reported. In such cases, the analytical methods used and the limits of determination, which must be sufficiently low, for each compound of concern, must be reported. Additionally the following information, where relevant, must be provided :

- chemical name according to IUPAC and CA nomenclature,
- ISO common name or proposed common name if available,
- CAS number, EEC (EINECS or ELINCS) number, and CIPAC number if available,
- molecular and structural formula,
- molecular mass, and
- maximum content in g/kg.

Where the information provided relates to a pilot plant production system, the information required must again be provided once industrial scale production methods and procedures have stabilized, if production changes result in a changed specification of purity.

Where the information provided does not fully identify a component viz. condensates, detailed information on the composition must be provided for each such component.

The trade name of components added to the active substance, prior to manufacture of formulated product, to preserve stability and facilitate ease of handling, where they are used, must also be provided. Additionally the following information, where relevant, must be provided for such additives :

- chemical name according to IUPAC and CA nomenclature,
- ISO common name or proposed common name if available,
- CAS number, EEC (EINECS or ELINCS) number, and CIPAC number if available,
- molecular and structural formula,
- molecular mass, and
- maximum content in g/kg.

For added components, other than active substance and other than impurities resulting from the manufacturing process, the function of the component (additive) must be given :

- antifoaming agent,
- antifreeze,
- binder,
- other (specify),

- buffer,
- dispersing agent,
- stabilizer.

1.11. *Analytical profile of batches*

Representative samples of the active substance must be analysed for content of pure active substance, inactive isomers, impurities and additives, as appropriate. The analytical results reported must include quantitative data, in terms of g/kg content, for all components present in quantities of more than 1 g/kg and typically should account for at least 98 % of the material analysed. The actual content of components which are particularly undesirable because of their toxicological, ecotoxicological or environmental properties, must be determined and reported. Data reported must include the results of the analysis of individual samples and a summary of that data, to show the minimum or maximum and typical content of each relevant component, as appropriate.

Where an active substance is produced in different plants this information must be provided for each of the plants separately.

In addition, where available and relevant, samples of the active substance produced in laboratory scale or pilot production systems, must be analyzed, if such material was used in generating toxicological or ecotoxicological data.

2. **Physical and chemical properties of the active substance**

- (i) The information provided, must describe the physical and chemical properties of active substances and together with relevant information, must serve to characterize them. In particular, the information provided must permit:

- physical, chemical, and technical hazards associated with active substances, to be identified,
- classification of active substance as to hazard,
- appropriate restrictions and conditions to be associated with inclusions in Annex I to be selected, and
- appropriate risk and safety phrases to be specified.

The information and data referred to are required for all active substances, except where otherwise specified.

- (ii) The information provided, taken together with that provided for relevant preparations, must permit the physical, chemical hazards associated with preparations, to be identified, permit preparations to be classified, and permit establishment that preparations can be used without unnecessary difficulty, and be such that exposure of man, animals, and the environment is minimized, taking account of manner of use.
- (iii) The extent to which active substances of which inclusion in Annex I is sought, comply with relevant FAO specifications, must be stated. Divergences from FAO specifications must be described in detail, and justified.
- (iv) In certain specified instances, tests must be conducted using purified active substance of stated specification. In such cases the principles of the method(s) of purification must be reported. The purity of such test material, which must be as high as can be achieved using the best available technology, must be reported. A reasoned justification must be provided in cases where the degree of purity achieved is less than 980 g/kg.

Such justification must demonstrate that all technically feasible and reasonable possibilities for the production of the pure active substance have been exhausted.

2.1. *Melting point and boiling point*

- 2.1.1. The melting point or where appropriate the freezing or solidification point of purified active substance must be determined and reported according to EEC method A 1. Measurements should be taken up to 360 °C.
- 2.1.2. Where appropriate the boiling point of purified active substances must be determined and reported according to EEC method A 2. Measurements should be taken up to 360 °C.
- 2.1.3. Where melting point and/or boiling point cannot be determined because of decomposition or sublimation, the temperature at which decomposition or sublimation occurs, must be reported.

2.2. *Relative density*

In the case of active substances which are liquids or solids, the relative density of the purified active substance must be determined and reported according to EEC method A 3.

2.3. *Vapour pressure (in Pa), volatility (e.g. Henry's law constant)*

2.3.1. The vapour pressure of purified active substance must be reported according to EEC method A 4. Where vapour pressure is less than 10^{-5} Pa, the vapour pressure at 20 or 25 °C may be estimated by a vapour pressure curve.

2.3.2. In the case of active substances which are solids or liquids, volatility (Henry's law constant) of purified active substance must be determined or calculated from its water solubility and vapour pressure and be reported (in $\text{Pa} \times \text{m}^3 \times \text{mol}^{-1}$).

2.4. *Appearance (physical state, colour and odour; if known)*

2.4.1. A description of both the colour, if any, and the physical state of both the active substance as manufactured and purified active substance, must be provided.

2.4.2. A description of any odour associated with the active substance as manufactured and purified active substance, noted when handling the materials in laboratories or production plants, must be reported.

2.5. *Spectra (UV/VIS, IR, NMR, MS), molecular extinction at relevant wavelengths*

2.5.1. The following spectra including a table of signal characteristics needed for interpretation must be determined and reported: Ultraviolet/Visible (UV/VIS), infrared (IR), nuclear magnetic resonance (NMR), and mass spectra (MS) of purified active substance and molecular extinction at relevant wavelengths, must be determined and reported.

The wavelengths at which UV/visible molecular extinction occurs are to be determined and reported and must include where appropriate a wavelength at the highest absorption value above 290 nm.

In the case of active substances which are resolved optical isomers their optical purity must be measured and reported.

2.5.2. The UV/visible absorption spectra, IR, NMR and MS spectra, where necessary for the identification of the impurities considered to be of toxicological, ecotoxicological or environmental significance must be determined and reported.

2.6. *Solubility in water including effect of pH (4 to 10) on solubility*

The water solubility of purified active substances under atmospheric pressure must be determined and reported according to EEC method A 6. These water solubility determinations must be made in the neutral range (i.e. in distilled water in equilibrium with atmospheric carbon dioxide). Where the active substance is capable of forming ions, determinations must also be made in the acidic range (pH 4 to 6) and in the alkaline range (pH 8 to 10), and be reported. Where the stability of the active substance in aqueous media is such that water solubility cannot be determined, a justification based on test data must be provided.

2.7. *Solubility in organic solvents*

The solubility of the active substances as manufactured in the following organic solvents at 15 to 25 °C must be determined and reported if less than 250 g/kg; the temperature applied must be specified:

- Aliphatic hydrocarbon: preferably n-heptane,
- Aromatic hydrocarbon: preferably xylene,
- Halogenated hydrocarbon: preferably 1,2-dichloroethane,
- Alcohol: preferably methanol or isopropyl alcohol,
- Ketone: preferably acetone,
- Ester: preferably ethyl acetate.

If for a particular active substance, one or more of these solvents is unsuitable (e.g. reacts with test material), alternative solvents can be used instead. In such cases, choices made must be justified in terms of their structure and polarity.

2.8. *Partition coefficient n-octanol/water including effect of pH (4 to 10)*

The n-octanol/water partition coefficient of purified active substance must be determined and reported according to EEC method A 8. The effect of pH (4 to 10) must be investigated when the substance is acidic or basic as defined by its pKa value (<12 for acids, >2 for bases).

2.9. *Stability in water, hydrolysis rate, photochemical degradation, quantum yield and identity of breakdown product(s), dissociation constant including effect of pH (4 to 9)*

- 2.9.1. The hydrolysis rate of purified active substances (usually radiolabelled active substance, >95 % purity), for each of the pH values 4, 7 and 9, under sterile conditions, in the absence of light, must be determined and report according to EEC method C 7. For substances with a low rate of hydrolysis, the rate can be determined at 50 °C, or another appropriate temperature.

If degradation is observed at 50 °C, degradation rate at another temperature must be determined, and an Arrhenius plot must be constructed to permit an estimate to be made of hydrolysis at 20 °C. The identity of hydrolysis products formed and the rate constantly observed, must be reported. The estimated DT 50 value must also be reported.

- 2.9.2. For compounds with a molar (decadic) absorption coefficient (ϵ) $> 10 (1 \times \text{mol}^{-1} \times \text{cm}^{-1})$ at a wavelength $\lambda \geq 290 \text{ nm}$, direct phototransformation in purified (e.g. distilled) water at 20 to 25 °C, of purified active substance usually radio labelled using artificial light under sterile conditions, if necessary using a solubilizer, must be determined and reported. Sensitizers such as acetone must not be used as a cosolvent or solubilizer. The light source must simulate sunlight and be equipped with filters to exclude radiation at wavelengths $\lambda < 290 \text{ nm}$. The identity of breakdown products formed which at any time during the study are present in quantities $\geq 10 \%$ of the active substance added, a mass balance to account for at least 90 % of the applied radioactivity, as well as photochemical half-life must be reported.

- 2.9.3. Where necessary to investigate direct phototransformation, the *quantum yield of direct photodegradation in water* must be determined and reported, together with calculations to estimate theoretical lifetime of the active substance in the top layer of aqueous systems and the real lifetime of the substance.

The method is described in the FAO Revised Guidelines on Environmental Criteria for the Registration of Pesticides .

- 2.9.4. Where dissociation in water occurs, the dissociation constant(s) (pKa values) of the purified active substance must be determined and reported according to OECD Test Guideline 112. The identity of the dissociated species formed, based on theoretical considerations, must be reported. If the active, substance is a salt, the pKa value of the active principle must be given.

2.10. *Stability in air, photochemical degradation, identity of breakdown product(s)*

An estimation of the photochemical oxidative degradation (indirect phototransformation) of the active substance, must be submitted.

2.11. *Flammability including auto-flammability*

- 2.11.1. The flammability of active substances as manufactured, which are solids, gases, or are substances which evolve highly flammable gases, must be determined and reported according to EEC method A 10, A 11 or A 12 as appropriate.

- 2.11.2. The auto-flammability of active substances as manufactured must be determined and reported according to EEC method A 15 or A 16 as appropriate, and/or, where necessary according to the UN-Bowes-Cameron-Cage-Test (UN-Recommendations on the Transport of Dangerous Goods, Chapter 14, No 14.3.4).

2.12. *Flash point*

The flash point of active substances as manufactured with a melting point below 40 °C, must be determined and reported according to EEC method A 9 ; only closed cup methods should be used.

2.13. Explosive properties

The explosive properties of active substances as manufactured, must be determined and reported according to EEC method A 14 where necessary.

2.14. Surface tension

The surface tension has to be determined and reported according to EEC method A 5.

2.15. Oxidizing properties

The oxidizing properties of active substances as manufactured, must be determined and reported according to EEC method A 17, except where examination of its structural formula, establishes beyond reasonable doubt that the active substance is incapable of reacting exothermically with a combustible material. In such cases, it is sufficient to provide that information as justification for not determining the oxidizing properties of the substance.

3. Further information on the active substance

- (i) The information provided must describe the intended purposes for which preparations containing the active substance are used, or are to be used and the dose and manner of their use or proposed use.
- (ii) The information provided must specify the normal methods and precautions to be followed, in the handling, storage and transport of the active substance.
- (iii) The studies, data and information submitted, together with other relevant studies, data and information, must both specify and justify the methods and precautions to be followed in the event of fire. The possible products of combustion in the event of fire should be estimated, based on the chemical structure and the chemical and physical properties of the active substance.
- (iv) The studies, data and information submitted, together with other relevant studies, data and information, must demonstrate the suitability of measures proposed for use in emergency situations.
- (v) The information and data referred to are required for all active substances, except where otherwise specified.

3.1. Function, e.g. fungicide, herbicide, insecticide, repellent, growth regulator

The function must be specified from among the following :

- acaricide
- bactericide
- fungicide
- herbicide
- insecticide
- molluscicide
- nematocide
- plant growth regulator
- repellent
- rodenticide
- semio-chemicals
- talpicide
- viricide
- other (must be specified)

3.2. Effects on harmful organisms, e.g. contact poison, inhalation poison, stomach poison, fungitoxic, etc. systematic or not in plants**3.2.1. The nature of the effects on harmful organisms must be stated :**

- contact action
- stomach action
- inhalation action
- fungitoxic action
- fungistatic action
- desiccant
- reproduction inhibitor
- other (must be specified)

3.2.2. It must be stated whether or not the active substance is translocated in plants and where relevant whether such translocation is apoplastic, symplastic or both.

3.3. *Field of use envisaged, e.g. field, protected crops, storage of plant products, home gardening*

The field(s) of use, existing and proposed, for preparations containing the active substance must be specified from among the following:

- Field use, such as agriculture, horticulture, forestry and viticulture
- Protected crops
- Amenity
- Weed control on non-cultivated areas
- Home gardening
- House plants
- Plant products storage practice
- Other (specify)

3.4. *Harmful organisms controlled and crops or products protected or treated*

3.4.1. Details of existing and the intended use in terms of crops, groups of crops, plants, or plant products treated and where relevant protected, must be provided.

3.4.2. Where relevant, details of harmful organisms against which protection is afforded, must be provided.

3.4.3. Where relevant, effects achieved e.g. sprout suppression, retardation of ripening, reduction in stem length, enhanced fertilization etc., must be reported.

3.5. *Mode of action*

3.5.1. To the extent that it has elucidated, a statement must be provided as to the mode of action of the active substance in terms, where relevant, of the biochemical and physiological mechanism(s) and biochemical pathway(s) involved. Where available, the results of relevant experimental studies must be reported.

3.5.2. Where it is known that to exert its intended effect, the active substance must be converted to a metabolite or degradation product following application or use of preparations containing it, the following information, cross referenced to and drawing on information provided in the context of paragraphs 5.6, 5.11, 6.1, 6.2, 6.7, 7.1, 7.2 and 9, where relevant, must be provided for active metabolite or degradation product:

- chemical name according to IUPAC and CA nomenclature,
- ISO common name or proposed common name,
- CAS EEC-number EEC (EINECS or ELINCS) number, and CIPAC number if available,
- empirical and structural formula, and
- molecular mass.

3.5.3. Available information relating to the formation of active metabolites and degradation products, must be provided, to include:

- the processes, mechanisms and reactions involved,
- kinetic and other data concerning the rate of conversion and if known the rate limiting step,
- environmental and other factors effecting the rate and extent of conversion.

3.6. *Information on the occurrence or possible occurrence of the development of resistance and appropriate management strategies*

Where available information on possible occurrence of the development of resistance or cross-resistance must be provided.

3.7. *Recommended methods and precautions concerning handling, storage, transport or fire*

A safety data sheet pursuant to Article 27 of Council Directive 65/548/EEC⁽¹⁾ must be provided for all active substances.

⁽¹⁾ OJ No L 196, 16. 8. 1967, p. 1.

3.8. *Procedures for destruction or decontamination*

3.8.1. Controlled incineration

In many cases the preferred or sole means to safely dispose of active substances, contaminated materials, or contaminated packaging, is through controlled incineration in a licensed incinerator.

Where the content of halogens of the active substance is greater than 60 %, the pyrolytic behaviour of the active substance under controlled conditions (including where relevant supply of oxygen and defined residence time), at 800 °C and the content of polyhalogenated dibenzo-p-dioxins and dibenzo-furans in the products of pyrolysis must be reported. The application must provide detailed instructions for safe disposal.

3.8.2. Others

Other methods to dispose of the active substance, contaminated packaging and contaminated materials, where proposed, must be fully described. Data must be provided for such methods, to establish their effectiveness and safety.

3.9. *Emergency measures in case of an accident*

Procedures for the decontamination of water in case of an accident must be provided.

ANNEX II

1. Identity of the plant protection product

The information provided, taken together with that provided for the active substance(s), must be sufficient to precisely identify preparations and define them in terms of their specification and nature. The information and data referred to, unless otherwise specified, are required for all plant protection products.

1.1. *Applicant (name and address, etc)*

The name and address of the applicant (permanent community address) must be provided as must the name, position, telephone and telefax number of the appropriate person to contact.

Where in addition, the applicant has an office, agent or representative in the Member State in which the authorization is being sought, the name and address of the local office agent or representative should be provided, as should the name, position, telephone and telefax number of the appropriate person to contact.

1.2. *Manufacturer of the preparation and the active substance(s) (names and addresses etc. including location of plants)*

The name and address of the manufacturer of the preparation and of each active substance in the preparation must be provided as must the name and address of each manufacturing plant in which the preparation and active substance are manufactured.

A contact point (preferable a central contact point, to include name, telephone and telefax numbers) must be provided for each.

If the active substance originates from a manufacturer from which data according to Annex II had not been submitted previously, a statement of purity and detailed information on the impurities in Annex II have to be provided.

1.3. *Trade name or proposed trade name, and manufacturer's development code number of the preparation if appropriate*

All former and current trade names and proposed trade names and development code numbers of the preparation as well as the current names and numbers must be provided. Where trade names and code numbers referred to, relate to similar but different preparations (possibly obsolete), full details of the differences, must be provided. (The proposed trade name may not give rise to confusion with the trade name of already registered plant protection products.)

1.4. *Detailed quantitative and qualitative information on the composition of the preparation (active substance(s), and formulants)*

1.4.1. For preparations the following information must be reported :

- the content of both technical active substance(s) and pure active substance(s);
- the content of formulants.

The concentrations should be expressed in terms as provided for in Article 6 (2) of Directive 78/631/EEC.

1.4.2. For active substances their ISO common names or proposed ISO common names and their CIPAC numbers, and, where available, the EEC (EINECS or ELINCS) numbers must be provided. Where relevant it must be stated which salt, ester, anion or cation is present.

1.4.3. Formulants must where possible, be identified both by their chemical name as given in Annex I to Directive 67/548/EEC, or, if not included in this Directive, in accordance with both IUPAC and CA nomenclature. Their structure or structural formula must be provided. For each component of the formulants the relevant EEC (EINECS or ELINCS) number and CAS number where they exist, must be provided. Where the information provided does not fully identify a formulant, an appropriate specification must be provided. The trade name of formulants, where they exist, must also be provided.

1.4.4. For formulants the function must be given :

- adhesive (sticker),
- antifoaming agent,
- antifreeze,
- binder,
- buffer,
- carrier,
- deodorant,
- dispersing agent,
- dye,
- emetic,
- emulsifier,
- fertilizer,
- preservative,
- odourant,
- perfume,
- propellant,
- repellent,
- safener,
- solvent,
- stabilizer,
- synergist,
- thickener,
- wetting agent,
- miscellaneous (specify).

1.5. *Physical state and nature of the preparation (emulsifiable concentrate, wettable powder, solution etc).*

1.5.1. The type and code of preparation must be designated according to the 'Catalogue of pesticide formulation types and international coding system (GIFAP Technical Monograph No 2. 1989)'.

Where a particular preparation is not defined precisely in this publication a full description of the physical nature and state of the preparation must be provided, together with a proposal for a suitable description of the type of preparation and a proposal for its definition.

1.6. *Function (herbicide, insecticide, etc.)*

The function must be specified from among the following :

- acaricide,
- bactericide,
- fungicide,
- herbicide
- insecticide,
- molluscicide,
- nematocide,
- plant growth regulator,
- repellent,
- rodenticide,
- semio-chemicals,
- talpicide,
- viricide,
- other (must be specified).

2. **Physical, chemical and technical properties of the plant protection product**

The extent to which plant protection products for which authorization is sought, comply with relevant FAO specifications as agreed by the Group of Experts on Pesticide Specifications, of the FAO Panel of Experts on Pesticide Specifications, Registration Requirements and Application Standards, must be stated. Divergences from FAO specifications must be described in detail, and justified.

2.1. *Appearance (colour and odour)*

A description of both the colour and odour, if any, and the physical state of the preparation, must be provided.

2.2. *Explosivity and oxidizing properties*

- 2.2.1. The explosive properties of preparations must be reported according to EEC method A 14. Where available thermodynamic information establishes beyond reasonable doubt that the preparation is incapable of exothermic reaction, it is sufficient to provide that information as a justification for not determining the explosive properties of the preparation.
- 2.2.2. Oxidizing properties of preparations which are solids must be determined and reported according to EEC method A 17. For other preparations the method used must be justified. The oxidizing properties do not have to be determined if it can be shown without reasonable doubt on the basis of thermodynamic information, that the preparation is incapable of reacting exothermically with combustible materials.

2.3. *Flash point and other indications of flammability or spontaneous ignition*

The flash point of liquids which contain flammable solvents, must be determined and reported according to EEC Method A 9. The flammability of solid preparations and gases must be determined and reported according to EEC methods A 10, A 11 and A 12 as appropriate. The auto-flammability of preparations must be determined and reported in accordance with EEC methods A 15 or A 16 as appropriate, and or, where necessary, according to the UN-Bowes-Cameron-Cage-Test (UN-Recommendations on the Transport of Dangerous Goods, Chapter 14, No 14.3.4).

2.4. *Acidity/alkalinity and if necessary pH value*

- 2.4.1. In the case of preparations which are acidic ($\text{pH} < 4$) or alkaline ($\text{pH} > 10$) the acidity or alkalinity and the pH value must be determined and reported according to CIPAC Method MT 31 and MT 75 respectively.
- 2.4.2. Where relevant (if to be applied as aqueous dilution) the pH of a 1 % aqueous dilution, emulsion or dispersion of the preparation, must be determined and reported according to CIPAC Method MT 75.

2.5. *Viscosity and surface tension*

- 2.5.1. In the case of liquid preparations for Ultra Low Volume use (ULV) the kinematic viscosity must be determined and reported according to OECD Test Guideline 114.
- 2.5.2. For non newtonian liquids the viscosity must be determined and reported together with the test conditions.
- 2.5.3. In the case of liquid preparations the surface tension has to be determined and reported according to EEC method A 5.

2.6. *Relative density and bulk density*

- 2.6.1. The relative density of liquid preparations must be determined and reported according to EEC Method A 3.
- 2.6.2. The bulk (tap) density of preparations which are powders or granules, must be determined and reported according to CIPAC Methods MT 33, MT 159 or MT 169 as appropriate.

2.7. *Storage — stability and shelf-life : Effects of light, temperature and humidity on technical characteristics of the plant protection product*

- 2.7.1. The stability of the preparation after storage for 14 days at 54 °C must be determined and reported according to CIPAC Method MT 46.

Other times and/or temperatures may be needed (e.g. eight weeks at 40 °C or 12 weeks at 35 °C or 18 weeks at 30 °C) if the preparation is heat sensitive.

If the active substance content after the heat stability test has decreased by more than 5 % of the initially found content, the minimum content shall be declared and information on the degradation products shall be supplied.

- 2.7.2. Additionally in the case of liquid preparations, the effect of low temperatures on stability, must be determined and reported according to CIPAC Methods MT 39, MT 48, MT 51 or MT 54 as appropriate.

- 2.7.3. The shelf life of the preparation at ambient temperature must be reported. Where shelf life is less than two years, the shelf life in months, with appropriate temperature specifications, must be reported. Useful information is given in GIFAP Monograph No. 17.

2.8. *Technical characteristics of the plant protection product*

The technical characteristics of the preparation must be determined to permit a decision to be made as to its acceptability.

2.8.1. Wettability

The wettability of solid preparations which are diluted for use (e.g. wettable powders, water soluble powders, water soluble granules and water dispersible granules), must be determined and reported according to CIPAC Method MT 53.3.

2.8.2. Persistent foaming

The persistence of foaming of preparations to be diluted with water, must be determined and reported according to CIPAC Method MT 47.

2.8.3. Suspensibility and suspension stability

- The suspensibility of water dispersible products (e.g. wettable powders, water dispersible granules, suspension concentrates) must be determined and reported according to CIPAC Method MT 15, MT 161 or MT 168 as appropriate.
- The spontaneity of dispersion of water dispersible products (e.g. suspension concentrates and water dispersible granules) must be determined and reported according to CIPAC Methods MT 160 or MT 174 as appropriate.

2.8.4. Dilution stability

The dilution stability of water soluble products must be determined and reported according to CIPAC Method MT 41.

2.8.5. Dry sieve test and wet sieve test

In order to ensure that dustable powders have a suitable particle size distribution for ease of application, a dry sieve test must be conducted and reported according to CIPAC Method MT 59.1.

In the case of water dispersible products, a wet sieve test must be conducted and reported according to CIPAC Method MT 59.3 or MT 167 as appropriate.

2.8.6. Particle size distribution (dustable and wettable powders, granules), content of dust/fines (granules), attrition and friability (granules)

2.8.6.1. The size distribution of particles in the case of powders, must be determined and reported according to OECD Method 110.

The nominal size range of granules for direct application must be determined and reported in accordance with CIPAC MT 58.3, for water dispersible granules in accordance with CIPAC MT 170.

2.8.6.2. The dust content of granular preparations, must be determined and reported according CIPAC Method MT 171. If relevant for operator exposure the particle size of dust must be determined and reported according to OECD Method 110.

2.8.6.3. The friability and attrition characteristics of granules, must be determined and reported once internationally agreed methods are available. Where already data are available they must be reported together with the method used.

2.8.7. Emulsifiability, Re-emulsifiability, emulsion stability

2.8.7.1. The emulsifiability, emulsion stability and re-emul-sifiability of preparations which form emulsions, must be determined and reported according to CIPAC Methods MT 36 or MT 173 as appropriate.

2.8.7.2. The stability of dilute emulsions and of preparations which are emulsions, must be determined and reported according to CIPAC Method MT 20 or MT 173.

2.8.8. Flowability, pourability (rinsability) and dustability

2.8.8.1. The flowability of granular preparations must be determined and reported according to CIPAC Method MT 172.

2.8.8.2. The pourability (including rinsed residue) of suspensions (e.g. suspension concentrates, suspo-emulsions), must be determined and reported according to CIPAC Method MT 148.

2.8.8.3. The dustability of dustable powders following accelerated storage according 2.7.1 must be determined and reported according to CIPAC Method MT 34 or another suitable method.

2.9. *Physical and chemical compatibility with other products including plant protection products with which its use is to be authorized*

2.9.1. The physical compatibility of tank mixes must be reported based on in-house test methods. A practical test would be an acceptable alternative.

2.9.2. The chemical compatibility of tank mixes must be determined and reported except where examination of the individual properties of the preparations would establish beyond reasonable doubt that there is no possibility of reaction taking place. In such cases it is sufficient to provide that information as justification for not practically determining the chemical compatibility.

2.10. *Adherence and distribution to seeds*

In the case of preparations for seed treatment, both distribution and adhesion must be investigated and reported; in the case of distribution according to CIPAC Method MT 175.

2.11. *Summary and evaluation of data presented under points 2.1. to 2.10*

3. Data on application

3.1. *Field of use envisaged, e.g. field, protected crops, storage of plant products, home gardening*

The field(s) of use, existing and proposed, for preparations containing the active substance must be specified from among the following:

- field use, such as agriculture, horticulture, forestry and viticulture,
- protected crops,
- amenity,
- weed control on non-cultivated areas,
- home gardening,
- house plants,
- plant products storage practice,
- other (specify).

3.2. *Effects on harmful organisms, e.g. contact, inhalation or stomach poison, fungitoxic or fungistatic, etc., systemic or not in plants*

The nature of the effects on harmful organisms must be stated:

- contact action,
- stomach action,
- inhalation action,
- fungitoxic action,
- fungistatic action,
- desiccant,
- reproduction inhibitor,
- other (must be specified).

It must be stated whether or not the product is translocated in plants.

3.3. *Details of intended use e.g. types of harmful organisms controlled and/or plants or plant products to be protected*

Details of the intended use must be provided.

Where relevant, effects achieved e.g. sprout suppression, retardation of ripening, reduction in stem length, enhanced fertilization etc. must be reported.

3.4. *Application rate*

For each method of application and each use, the rate of application per unit (ha, m², m³) treated, in terms of g or kg of both preparation and active substance, must be provided.

Application rates shall normally be expressed in g or kg/ha or in kg/m³ and where appropriate in g or kg/tonne; for protected crops and home gardening use rates shall be expressed in g or kg/100 m² or g or kg/m³.

3.5. *Concentration of active substance in material used (e.g. in the diluted spray, baits or treated seed)*

The content of active substance shall be reported, as appropriate, in g/l, g/kg, mg/kg or in g/tonne.

3.6. *Method of application*

The method of application proposed must be described fully, indicating the type of equipment to be used, if any, as well as the type and volume of diluent to be used per unit of area or volume.

3.7. *Number and timing of applications and duration of protection*

The maximum number of applications to be used and their timing, must be reported. Where relevant the growth stages of the crop or plants to be protected and the development stages of the harmful organisms, must be indicated. Where possible the interval between applications, in days, must be stated.

The duration of protection afforded both by each application and by the maximum number of applications to be used, must be indicated.

3.8. *Necessary waiting periods or other precautions to avoid phytotoxic effects on succeeding crops*

Where relevant, minimum waiting periods between last application and sowing or planting of succeeding crops, which are necessary to avoid phytotoxic effects on succeeding crops, must be stated, and follow from the data provided under paragraph 6.6.

Limitations on choice of succeeding crops, if any, must be stated.

3.9. *Proposed instructions for use*

The proposed instructions for use of the preparation, to be printed on labels and leaflets, must be provided.

4. **Further information on the plant protection product**

4.1. *Packaging (type, materials, size etc), compatibility of the preparation with proposed packaging materials*

4.1.1. Packaging to be used must be fully described and specified in terms of the materials used, manner of construction (e.g. extruded, welded etc.), size and capacity, size of opening, type of closure and seals. It must be designed in accordance with the criteria and guidelines specified in the FAO 'Guidelines for the Packaging of Pesticides'.

4.1.2. The suitability of the packaging, including closures, in terms of its strength, leakproofness and resistance to normal transport and handling, must be determined and reported according to ADR Methods 3552, 3553, 3560, 3554, 3555, 3556 3558, or appropriate ADR Methods for intermediate bulk containers, and, where for the preparation child-resistant closures are required, according to ISO standards 8317.

- 4.1.3. The resistance of the packaging material to its contents must be reported according to GIFAP Monograph No 17.

4.2. *Procedures for cleaning application equipment*

Cleaning procedures for both application equipment and protective clothing must be described in detail. The effectiveness of the cleaning procedure, must be fully investigated and reported.

- 4.3. *Re-entry periods, necessary waiting periods or other precautions to protect man, livestock and the environment*

The information provided must follow from and be supported by the data provided for the active substance(s) and that provided under sections 7 and 8.

- 4.3.1. Where relevant pre-harvest intervals, re-entry periods or withholding periods necessary to minimize the presence of residues in or on crops, plants and plant products, or in treated areas or spaces, with a view to protecting man or livestock, must be specified e.g.:

- pre-harvest interval (in days) for each relevant crop,
- re-entry period (in days) for livestock, to areas to be grazed,
- re-entry period (in hours or days) for man to crops, buildings or spaces treated,
- withholding period (in days) for animal feedingstuffs,
- waiting period (in days), between application and handling treated products, or
- waiting period (in days), between last application and sowing or planting succeeding crops.

- 4.3.2. Where necessary, in the light of the test results, information on any specific agricultural, plant health or environmental conditions under which the preparation may or may not be used must be provided.

4.4. *Recommended methods and precautions concerning: handling, storage, transport or fire*

The recommended methods and precautions concerning handling procedures (detailed) for the storage, at both warehouse and user level of plant protection products, for their transport and in the event of fire must be provided. Where available information on combustion products must be provided. The risks likely to arise and the methods and procedures to minimize the hazards arising, must be specified. Procedures to preclude or minimize the generation of waste or leftovers must be provided.

Where relevant assessment has to be done according to ISO — TR 9122.

Where appropriate the nature and characteristics of protective clothing and equipment proposed must be provided. The data provided must be sufficient to evaluate the suitability and effectiveness under realistic conditions of use (e.g. field or glasshouse circumstances).

4.5. *Emergency measures in the case of an accident*

Whether arising during transport, storage or use, detailed procedures to be followed in the event of an emergency, must be provided; and include:

- containment of spillages,
- decontamination of areas, vehicles and buildings,
- disposal of damaged packaging, adsorbents and other materials,
- protection of emergency workers and bystanders,
- first aid measures.

4.6. *Procedures for destruction or decontamination of the plant protection product and its packaging*

Procedures for destruction and decontamination must be developed for both small quantities (user level) and large quantities (warehouse level). The procedures must be consistent with provisions in place relating to the disposal of waste and of toxic waste. The means of disposal proposed should be without unacceptable influence on the environment and be the most cost effective and practical means of disposal feasible.

4.6.1. Possibility of neutralization

Neutralization procedures (e.g by reaction with alkali to form less toxic compounds) for use in the event of accidental spillages, must where they are feasible, be described. The products produced after neutralization should be practically or theoretically evaluated and reported.

4.6.2. Controlled incineration

In many cases the preferred or sole means to safely dispose of active substances as well as plant protection products containing it, contaminated materials, or contaminated packaging, is through controlled incineration in a licensed incinerator.

Where the content of halogens of the active substance(s) in the preparation is greater than 60 %, the pyrolytic behaviour of the active substance under controlled conditions (including where relevant supply of oxygen and defined residence time) at 800 °C and the content of polyhalogenated dibenzo-p-dioxins and dibenzo-furans in the products of pyrolysis must be reported. The applicant must provide detailed instructions for safe disposal.

4.6.3. Others

Other methods to dispose of plant protection products, packaging and contaminated materials, where proposed, must be fully described. Data must be provided for such methods, to establish their effectiveness and safety.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 8 July 1994

amending the information contained in the list in the Annex to Commission Regulation (EEC) No 55/87 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community

(94/468/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3094/86 of 7 October 1986 laying down certain technical measures for the conservation of fishery resources⁽¹⁾, as last amended by Regulation (EEC) No 3919/92⁽²⁾,

Having regard to Commission Regulation (EEC) No 55/87 of 30 December 1986 establishing the list of vessels exceeding eight metres length overall permitted to use beam trawls within certain coastal areas of the Community⁽³⁾, as last amended by Regulation (EC) No 3410/93⁽⁴⁾, and in particular Article 3 thereof,

Whereas authorities of the Member States concerned have applied for the information in the list provided for in Article 9 (3) (b) of Regulation (EEC) No 3094/86 to be amended; whereas the said authorities have provided all the information supporting their applications pursuant to Article 3 of Regulation (EEC) No 55/87; whereas it has

been found that the information complies with the requirements and whereas, therefore, the information in the list annexed to the Regulation should be amended,

HAS ADOPTED THIS DECISION:

Article 1

The information in the list annexed to Regulation (EEC) No 55/87 is amended as shown in the Annex hereto.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 8 July 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 288, 11. 10. 1986, p. 1.

⁽²⁾ OJ No L 397, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 8, 10. 1. 1987, p. 1.

⁽⁴⁾ OJ No L 310, 14. 12. 1993, p. 27.

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

Matrícula y folio	Nombre del barco	Indicativo de llamada de radio	Puerto base	Potencia del motor (kW)
Havnekendings- bogstaver og -nummer	Fartøjets navn	Radio- kaldesignal	Registreringshavn	Maskin- effekt (kW)
Äußere Identifizierungs- kennbuchstaben und -nummern	Name des Schiffes	Rufzeichen	Registrierhafen	Motorstärke (kW)
Εξωτερικά στοιχεία και αριθμοί αναγνώρισης	Όνομα σκάφους	Αριθμός κλήσης ασυρμάτου	Λιμένας νηολόγησης	Ισχύς κινητήρος (kW)
External identification letters + numbers	Name of vessel	Radio call sign	Port of registry	Engine power (kW)
Numéro d'immatriculation lettres + chiffres	Nom du bateau	Indicatif d'appel radio	Port d'attache	Puissance motrice (kW)
Identificazione esterna lettere + numeri	Nome del peschereccio	Indicativo di chiamata	Porto di immatricolazione	Potenza motrice (kW)
Op de romp aangebrachte identificatieletters en -cijfers	Naam van het vaartuig	Roepletters	Haven van registratie	Motor- vermogen (kW)
Identificação externa letras + números	Nome do navio	Indicativo de chamada	Porto de registo	Potência motriz (kW)
1	2	3	4	5

A. Datos que se retiran de la lista — Oplysninger, der skal slettes i listen — Aus der Liste herauszunehmende Angaben — Στοιχεία που διαγράφονται από τον κατάλογο — Information to be deleted from the list — Renseignements à retirer de la liste — Dati da togliere dall'elenco — Inlichtingen te schrappen uit de lijst — Informações a retirar da lista

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA / DUTSLAND / ALEMANHA

ACC	6	Uranus	DCCA	Accumersiel	175
CUX	3	Seestern	DFJO	Cuxhaven	130
GRE	8	Nordsee II	DCVF	Greetsiel	146
HF	552	Kamerun	DGWK	Hamburg	176
NG	6	Hoop op Zegen	DMFP	Greetsiel	220
ST	30	Fabian	DJMP	Tönning	213

DINAMARCA / DANMARK / DÄNEMARK / ΔΑΝΙΑ / DENMARK / DANEMARK / DANIMARCA / DENEMARKEN / DINAMARCA

RI	78	Lasse Stensberg	OXUM	Hvide Sande	125
RI	175	Connie Vibther	OWNQ	Hvide Sande	220
T	1	Sakki	OUOL	Hanstholm	169

1	2	3	4	5
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PAÍSES BAJOS / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS /
PAESI BASSI / NEDERLAND / PAÍSES BAIXOS

BR	24	Miranda		Oostburg-Breskens	134
HD	57	Elvera		Den Helder	221
OL	6	Jacoba		Dongeradeel	134
SL	37	Eems		Stellendam	134
ST	21	Annijge Geesje		Staveren	132
UK	285	Janne Marie		Urk	115
WR	29	Waddenzee		Wieringen	221
WR	102	Limanda		Wieringen	118
WR	244	Texelstroom		Wieringen	174

FRANCIA / FRANKRIG / FRANKREICH / ΓΑΛΛΙΑ / FRANCE / FRANCE / FRANCIA / FRANKRIJK /
FRANÇA

DK	341077 L	Nautilus	FP 7466	Dunkerque	55
DK	659450 Y	Éric Marie Ange	FU 4888	Dunkerque	182

B. Datos que se añaden a la lista — Oplysninger, der skal anføres i listen — In die Liste hinzuzufügende Angaben — Στοιχεία που προστίθενται στον κατάλογο — Information to be added to the list — Renseignements à ajouter à la liste — Dati da aggiungere all'elenco — Inlichtingen toe te voegen aan de lijst — Informações a aditar à lista

ALEMANIA / TYSKLAND / DEUTSCHLAND / ΓΕΡΜΑΝΙΑ / GERMANY / ALLEMAGNE / GERMANIA /
DUITSLAND / ALEMANHA

ACC	6	Godenwind	DCCA	Accumersiel	175
CUX	3	Fortuna	DJEN	Cuxhaven	130
GRE	8	Sperber	DCVF	Greetsiel	146
HOO	54	Fabian	DJMP	Hooksiel	214
NEU	233	Jan Van Gent	DGWK	Neuharlingersiel	176
NG	6	Hoop op Zegen	DMFP	Emden	220

DINAMARCA / DANMARK / DÄNEMARK / ΔΑΝΙΑ / DENMARK / DANEMARK /
DANIMARCA / DENEMARKEN / DINAMARCA

E	385	Bianca	OXRV	Esbjerg	125
R	75	Connie Vinther	OWNQ	Hvide Sande	220
RI	78	Lasse Stensberg	XP 5820	Hvide Sande	196

PAÍSES BAJOS / NEDERLANDENE / NIEDERLANDE / ΚΑΤΩ ΧΩΡΕΣ / NETHERLANDS / PAYS-BAS /
PAESI BASSI / NEDERLAND / PAÍSES BAIXOS

KW	72	Tina Adriana		Katwijk	221
UK	185	Janne Marie		Urk	15
UQ	15	Robert Klaas		Usquert	132
WR	29	Laurina Ariette		Wieringen	221
WR	102	Limanda		Wieringen	221
WR	160	Barents-Zee	PCZG	Wieringen	220
WR	210	Ex Mare Gratia		Wieringen	134
WR	244	Texelstroom	PHXZ	Wieringen	220
ZK	34	Eems		Ulrum-Zoutkamp	134
ZK	8	Bjorn		Ulrum-Zoutkamp	134
ZK	24	De Soltcamp		Ulrum-Zoutkamp	0
ZK	40	Morgenster		Ulrum-Zoutkamp	221

FRANCIA / FRANKRIG / FRANKREICH / ΓΑΛΛΙΑ / FRANCE / FRANCE /
FRANCIA / FRANKRIJK / FRANÇA

DK	659450 Y	Daisy	FU 4888	Dunkerque	182
DK	780634 R	Schooner	FQOI	Dunkerque	220

COMMISSION DECISION**of 14 July 1994****amending Decision 94/269/EC laying down specific conditions for importing
fishery and aquaculture products from Colombia****(94/469/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/493/EEC of 22 July 1991⁽¹⁾, laying down the health conditions for the production and the placing on the market of fishery products, and in particular Article 11 (5) thereof,

Whereas the list of establishments approved by Colombia for importing fishery and aquaculture products into the Community has been drawn up in Decision 94/269/EC⁽²⁾; whereas this list may be amended following the communication of a new list by the competent authority in Colombia;

Whereas the competent authority in Colombia has communicated a new list adding 20 establishments;

Whereas it is necessary to amend the list of approved establishments accordingly;

Whereas the measures provided for in this Decision have been drawn up in accordance with the procedure laid down by Commission Decision 90/13/EEC⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

Annex B of Decision 94/269/EC is replaced by the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 268, 24. 9. 1991, p. 15.

⁽²⁾ OJ No L 115, 6. 5. 1994, p. 38.

⁽³⁾ OJ No L 8, 11. 1. 1990, p. 70.

ANNEX

ANNEX B

LIST OF APPROVED ESTABLISHMENTS

Number	Name and address
0017-91	Comercializadora Internacional Vikingos, SA (Vikingos SA), Cartagena
0019-91	Frigorífico y Pesca de Cartagena, SA (CI Frigopesca SA), Cartagena
0023-91	Comercializadora Internacional Océanos SA (CI Océanos), Cartagena
0040-91	Comercializadora Antillana SA (Antillana SA), Cartagena
0024-91	Comercializadora Internacional (Coapesca Ltda), Cartagena
0023-91	Atunes de Colombia SA, Cartagena
0023-91	Seatech International, Cartagena
0001-91	Frigorífica Ganadero SA (Frigogan SA), Barranquilla
0042-91	Industrial Pesquera Colombiana SA (Indupesca SA), Cartagena
00197-91	Frigomarina, Buenaventura
0013-91	Industria de Pesca sobre el Pacífico SA (Inpesca SA), Buenaventura
0109-92	Compañía Pesquera Colombiana (Copescol SA), Buenaventura
0198-92	Armadores Pesqueros Colombianos (Arpecol), Buenaventura
0033-91	Inversiones Marítimas del Pacífico, Ltda (Invermarp), Buenaventura
0028-91	Comercializadora El Delfín Blanco, Ltda, Tumaco
0043-91	Comercializadora Internacional «Maragricola SA», Tumaco
0050-94	Investigaciones y Desarrollos del Pacífico «Idelpacífico SA», Tumaco
0030-93	Cartagena Shrimp Co. Ltda, Cartagena
0011-94	Piscifactoría El Diviso Ltda, Popayán
0228-85	Cartagenera de Acuicultura SA, San Onofre (Sucre)
0134-88	Truchas de los Andes SA, Santafé de Bogotá
0009-91	Aquacultivos del Caribe SA, Galera Zamba (Bolívar)
0032-91	Camarones del Caribe SA, Cartagena
0111-91	Guinulero SA, Tumaco
0043-92	Agrosoledad SA, Sanatero (Córdoba)
0071-92	Agropesquera Industrial Bahía Cúpica Ltda, Buenaventura
0073-92	Inversiones Camaroneras Ltda, Ciénaga (Magdalena)
0139-92	Colapia SA, Cali
0149-92	Aquacultura del Mar «Aquamar SA», Tumaco
0152-92	Compañía Camaronera Balboa SA, Tumaco
0029-93	Agrotijo SA, Sanatero (Córdoba)
0040-93	Acuipesca SA, Cartagena
0058-93	Agrocalao Ltda, Sanatero (Córdoba)
0066-93	Colombiana de Acuicultura SA, Cartagena
0071-93	Amaris Ltda, Buenaventura

COMMISSION DECISION

of 18 July 1994

on a common technical regulation for attachment requirements for terminal equipment interface for ONP 2 048 kbit/s digital unstructured leased line

(94/470/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/263/EEC of 29 April 1991 on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 6 (2) thereof,

Whereas the Commission, in accordance with the procedure laid down in Article 14 of Directive 91/263/EEC and in particular in accordance with the opinion delivered on 23 April 1992 by the Approvals Committee for Technical Equipment (ACTE), has adopted the measure identifying the type of terminal equipment for which a common technical regulation is required as well as the associated scope statement;

Whereas the relevant standardization body has prepared the harmonized standards implementing the essential requirements applicable;

Whereas the Commission has submitted the draft measure for an opinion of ACTE in accordance with the second indent of Article 6 (2), of Directive 91/263/EEC;

Whereas the Commission under the terms of the second indent of Article 6 (2) of Directive 91/263/EEC is responsible for adopting the corresponding harmonized standards implementing the essential requirements which shall be transformed into common technical regulations;

Whereas the common technical regulation adopted in this Decision is in accordance with the opinion of ACTE delivered on 14th December 1993,

HAS ADOPTED THIS DECISION:

Article 1

1. This Decision shall apply to terminal equipment intended to be connected to the network termination point of ONP 2048 Kbit/s digital unstructured leased

lines using 120 ohm interfaces and falling within the scope of the harmonized standard identified in Article 2 (1) of this Decision.

2. This Decision establishes common technical regulation covering the attachment requirements for terminal equipment interface to the ONP leased line identified in paragraph 1.

Article 2

1. The common technical regulation shall include the harmonized standard having been prepared by the relevant standardization body implementing to the extent applicable the essential requirements referred to in Articles 4 (c), 4 (d) and 4 (f) of Directive 91/263/EEC. The reference to this standard is set out in the Annex.

2. Terminal equipment falling within this Decision shall comply with the common technical regulation referred to in paragraph 1, shall meet the essential requirements referred to in points (a) and (b) of Article 4 of Directive 91/263/EEC, and shall meet the requirements of any other applicable Directives, in particular Council Directives 73/23/EEC⁽³⁾ and 89/336/EEC⁽⁴⁾.

Article 3

Notified Bodies designated for carrying out the procedures referred to in Article 9 of Directive 91/263/EEC shall, as regards terminal equipment covered by Articles 1 (1) and 4 of this Decision use or ensure the use of the harmonized standard referred to in the Annex by the date of coming into force of this Decision at the latest.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 128, 23. 5. 1991, p. 1.

⁽²⁾ OJ No L 220, 31. 8. 1993, p. 1.

⁽³⁾ OJ No L 77, 26. 3. 1973, p. 29.

⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 19.

ANNEX

Reference to the Harmonized Standard Applicable

The harmonized standard referred to Article 2 of the Decision is :

Open Network Provision (ONP) technical requirements ;
2 048 kbit/s digital unstructured leased line (D2048 U)
Attachment requirements for terminal equipment interface

ETSI

European Telecommunications Standards Institute

ETSI Secretariat

TBR 12 — December 1993

(excluding the foreword)

Additional information

The European Telecommunications Standards Institute is recognized according to Council Directive 83/189/EEC⁽¹⁾.

The harmonized standard referred to above has been produced according to Mandate issued in accordance with relevant procedures of Directive 83/189/EEC.

The full text of the harmonized standard referenced above can be obtained from :

European Telecommunications Standards Institute,
F-06921 Sophia Antipolis Cedex.

⁽¹⁾ OJ No L 109, 26. 4. 1993, p. 8.

COMMISSION DECISION

of 18 July 1994

on a common technical regulation for general terminal attachment requirements for Digital European Cordless Telecommunications (DECT)

(94/471/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/263/EEC of 29 April 1991 on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 6 (2) thereof,

Whereas the Commission, in accordance with the procedure laid down in Article 14 of Directive 91/263/EEC and in particular in accordance with the opinion delivered on 23 April 1992 by the Approvals Committee for Technical Equipment (ACTE), has adopted the measure identifying the type of terminal equipment for which a common technical regulation is required as well as the associated scope statement;

Whereas the relevant standardization body has prepared the harmonized standards implementing the essential requirements applicable;

Whereas the Commission has submitted the draft measure for an opinion of ACTE in accordance with the second indent of Article 6 (2), of Directive 91/263/EEC;

Whereas the Commission under the terms of the second indent of Article 6 (2) of Directive 91/263/EEC is responsible for adopting the corresponding harmonized standards implementing the essential requirements which shall be transformed into common technical regulations;

Whereas the common technical regulation adopted in this Decision is in accordance with the opinion of ACTE delivered on 14th December 1993,

HAS ADOPTED THIS DECISION:

Article 1

1. This Decision shall apply to terminal equipment intended, or presumed to be intended in accordance with Article 1 (3) of Directive 91/263/EEC, to be connected to

a public telecommunications network and falling within the scope of the harmonized standard identified in Article 2 (1) of this Decision.

2. This Decision establishes common technical regulation covering the general attachment requirements for Digital European Cordless Telecommunications (DECT) terminal equipment operating in the 1 880-1 900 MHz frequency band.

Article 2

1. The common technical regulation shall include the harmonized standard having been prepared by the relevant standardization body implementing to the extent applicable the essential requirements referred to in Articles 4 (c) to 4 (e) of Directive 91/263/EEC. The reference to this standard is set out in the Annex.

2. Terminal equipment falling within this Decision shall comply with the common technical regulation referred to in paragraph 1, shall meet the essential requirements referred to in points (a) and (b) of Article 4 of Directive 91/263/EEC, and shall meet the requirements of any other applicable Directives, in particular Council Directives 73/23/EEC⁽³⁾ and 89/336/EEC⁽⁴⁾.

Article 3

Notified Bodies designated for carrying out the procedures referred to in Article 9 of Directive 91/263/EEC shall, as regards terminal equipment covered by Articles 1 (1) and 4 of this Decision use or ensure the use of the harmonized standard referred to in the Annex by the date of coming into force of this Decision at the latest.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 128, 23. 5. 1991, p. 1.

⁽²⁾ OJ No L 220, 31. 8. 1993, p. 1.

⁽³⁾ OJ No L 77, 26. 3. 1973, p. 29.

⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 19.

*ANNEX***Reference to the Harmonized Standard Applicable**

The harmonized standard referred to Article 2 of the Decision is :

Radio Equipment and Systems (RES)
Digital European Cordless Telecommunications (DECT)
General terminal attachment requirements

ETSI

European Telecommunications Standards Institute

ETSI Secretariat

TBR 6 — December 1993

(excluding the foreword)

Additional information

The European Telecommunications Standards Institute is recognized according to Council Directive 83/189/EEC⁽¹⁾.

The harmonized standard referred to above has been produced according to Mandate issued in accordance with relevant procedures of Directive 83/189/EEC.

The full text of the harmonized standard referenced above can be obtained from :

European Telecommunications Standards Institute,
F-06921 Sophia Antipolis Cedex.

⁽¹⁾ OJ No L 109, 26. 4. 1993, p. 8.

COMMISSION DECISION

of 18 July 1994

on a common technical regulation for telephony application requirements for
Digital European Cordless Telecommunications (DECT)

(94/472/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/263/EEC of 29 April 1991 on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity⁽¹⁾, as amended by Directive 93/68/EEC⁽²⁾, and in particular Article 6 (2) thereof,

Whereas the Commission, in accordance with the procedure laid down in Article 14 of Directive 91/263/EEC and in particular in accordance with the opinion delivered on 23 April 1992 by the Approvals Committee for Technical Equipment (ACTE), has adopted the measure identifying the type of terminal equipment for which a common technical regulation is required as well as the associated scope statement;

Whereas the relevant standardization body has prepared the harmonized standards implementing the essential requirements applicable;

Whereas the Commission has submitted the draft measure for an opinion of ACTE in accordance with the second indent of Article 6 (2), of Directive 91/263/EEC;

Whereas the Commission under the terms of the second indent of Article 6 (2) of Directive 91/263/EEC is responsible for adopting the corresponding harmonized standards implementing the essential requirements which shall be transformed into common technical regulations;

Whereas the common technical regulation adopted in this Decision is in accordance with the opinion of ACTE delivered on 14th December 1993,

HAS ADOPTED THIS DECISION:

Article 1

1. This Decision shall apply to terminal equipment intended to be connected to the public telecommunica-

tions network and falling within the scope of the harmonized standard identified in Article 2 (1) of this Decision.

2. For the purpose of this Decision this common technical regulation covers the telephony applications requirements for Digital European Cordless Telecommunications (DECT) terminal equipment operating in the 1 880-1 900 MHz frequency band.

Article 2

1. The common technical regulation shall include the harmonized standard having been prepared by the relevant standardization body implementing to the extent applicable the essential requirements referred to in Article 4 (g) of Directive 91/263/EEC. The reference to this standard is set out in the Annex.

2. Terminal equipment falling within this Decision shall comply with the common technical regulation referred to in paragraph 1, shall meet the essential requirements referred to in points (a) and (b) of Article 4 of Directive 91/263/EEC, and shall meet the requirements of any other applicable Directives, in particular Council Directives 73/23/EEC⁽³⁾ and 89/336/EEC⁽⁴⁾.

Article 3

Notified Bodies designated for carrying out the procedures referred to in Article 9 of Directive 91/263/EEC shall, as regards terminal equipment covered by Articles 1 (1) and 4 of this Decision use or ensure the use of the harmonized standard referred to in the Annex by the date of coming into force of this Decision at the latest.

Article 4

This Decision is addressed to the Member States.

Done at Brussels, 18 July 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 128, 23. 5. 1991, p. 1.
⁽²⁾ OJ No L 220, 31. 8. 1993, p. 1.

⁽³⁾ OJ No L 77, 26. 3. 1973, p. 29.
⁽⁴⁾ OJ No L 139, 23. 5. 1989, p. 19.

*ANNEX***Reference to the Harmonized Standard Applicable**

The harmonized standard referred to Article 2 of the Decision is :

European digital cellular telecommunications system ;
Digital European Cordless Telecommunications (DECT)
General terminal attachment requirements : Telephony applications

ETSI

European Telecommunications Standards Institute

ETSI Secretariat

TBR 10 — December 1993

(excluding the foreword)

Additional information

The European Telecommunications Standards Institute is recognized according to Council Directive 83/189/EEC ⁽¹⁾.

The harmonized standard referred to above has been produced according to Mandate issued in accordance with relevant procedures of Directive 83/189/EEC.

The full text of the harmonized standard referenced above can be obtained from :

European Telecommunications Standards Institute,
F-06921 Sophia Antipolis Cedex.

⁽¹⁾ OJ No L 109, 26. 4. 1993, p. 8.

COMMISSION DECISION

of 18 July 1994

approving an amendment to the varietal conversion programme for hops
submitted by the United Kingdom pursuant to Council Regulation (EEC) No
2997/87

(Only the English text is authentic)

(94/473/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Community,

Having regard to Council Regulation (EEC) No 2997/87
of 22 September 1987 laying down, in respect of hops,
the amount of aid to producers for the 1986 harvest and
providing for special measures for certain regions of
production⁽¹⁾, as last amended by Regulation (EEC)
No 3338/92⁽²⁾, and in particular Article 2 (5) thereof,

Having regard to Commission Regulation (EEC)
No 3889/87 of 22 September 1987 laying down detailed
rules for the application of the special measures for
certain regions of hop production⁽³⁾, as last amended by
Regulation (EEC) No 718/93⁽⁴⁾, and in particular
Article 3 thereof,

Whereas, pursuant to Article 2 (5) of Regulation (EEC)
No 2997/87, on 17 March 1988 the United Kingdom
forwarded to the Commission a varietal conversion
programme for hops; whereas that programme, as
amended on 26 July 1988, was approved by Commission
Decision 89/17/EEC⁽⁵⁾;

Whereas on 12 December 1988 the United Kingdom
forwarded to the Commission amendments to that
programme which were approved by Commission Deci-
sion 89/417/EEC⁽⁶⁾;

Whereas on 26 October 1989 the United Kingdom
forwarded to the Commission amendments to that
programme which were approved by Commission Deci-
sion 90/157/EEC⁽⁷⁾;

Whereas on 11 June 1991 the United Kingdom
forwarded to the Commission amendments to that
programme which were approved by Commission Deci-
sion 91/501/EEC⁽⁸⁾;

Whereas on 31 December 1991 the United Kingdom
forwarded to the Commission further amendments to that

programme which were approved by Commission Deci-
sion 92/263/EEC⁽⁹⁾;

Whereas on 28 May 1993 the United Kingdom forwarded
to the Commission amendments to that programme
which were approved by Commission Decision
93/441/EEC⁽¹⁰⁾;

Whereas the United Kingdom forwarded to the Commis-
sion on 30 March 1994, further amendments to that
programme;

Whereas the programme as amended meets the objectives
laid down in the Regulation in question and contains the
information required in Article 2 of Regulation (EEC)
No 3889/87;

Whereas the special aid for varietal conversion may also
be granted for areas under other varieties where the latter
are present on areas under mainly bitter varieties covered
by a conversion plan;

Whereas the programme lodged by the United Kingdom
does not provide for any financial contribution from the
national budget; whereas the actual costs referred to in
Article 2 (2) of Regulation (EEC) No 2997/87 may include
data for assessing the net loss of revenue as a result of the
implementation of the conversion plan; whereas,
however, only data relating to the net loss of income
suffered from the date of adoption of Regulation (EEC)
No 2997/87 may enter into the calculation of the actual
costs;

Whereas the measures provided for in this Decision are in
accordance with the opinion of the Management
Committee for Hops,

HAS ADOPTED THIS DECISION:

Article 1

The amendment to the varietal conversion programme for
hops submitted pursuant to Regulation (EEC) No 2997/87
by the United Kingdom on 30 March 1994 is hereby
approved. The main aspects of that programme as
amended are summarized in the Annex hereto.

⁽¹⁾ OJ No L 284, 7. 10. 1987, p. 19.

⁽²⁾ OJ No L 336, 20. 11. 1992, p. 3.

⁽³⁾ OJ No L 365, 24. 12. 1987, p. 41.

⁽⁴⁾ OJ No L 74, 27. 3. 1993, p. 46.

⁽⁵⁾ OJ No L 8, 11. 1. 1989, p. 15.

⁽⁶⁾ OJ No L 192, 7. 7. 1989, p. 31.

⁽⁷⁾ OJ No L 89, 4. 4. 1990, p. 17.

⁽⁸⁾ OJ No L 264, 20. 9. 1991, p. 25.

⁽⁹⁾ OJ No L 135, 19. 5. 1992, p. 9.

⁽¹⁰⁾ OJ No L 204, 14. 8. 1993, p. 17.

Article 2

The United Kingdom shall inform the Commission every six months of progress in the programme and shall notify the Commission, where applicable, of any financial contribution it may make to the programme.

Article 3

This Decision is addressed to the United Kingdom.

Done at Brussels, 18 July 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

1. List of producer groups covered by the programme :

- English Hops Ltd,
- Hawkbrand Hops Ltd,
- Wealdon Hops Ltd,
- Hop Sales Ltd,
- Western Quality Hops Ltd.

2. Duration of programme :

from 22 September 1987 to 31 December 1994.

At all events the last planting must be carried out before 31 December 1994.

3. Areas covered by the programme :

- English Hops Ltd : 783,2 ha,
- Hawkbrand Hops Ltd : 103,2 ha,
- Wealdon Hops Ltd : 75,5 ha,
- Hop Sales Ltd : 15,1 ha,
- Western Quality Hops Ltd : 23,0 ha.

4. Varieties involved in conversion and areas concerned :

(in ha)

Aromatic varieties	
Bramling Cross	13,2
Challenger	92,2
Fuggle	22,8
Goldings	35,3
Progress	100,3
WGV	36,3
Total	300,1
'Super-alpha' varieties (1)	
Target	690,9
Yeoman	9,1
Total	700,0

(1) Within the meaning of Article 2 of Regulation (EEC) No 2997/87 and Article 1 (3) of Regulation (EEC) No 3889/87.

COMMISSION DECISION

of 27 July 1994

concerning certain protection measures relating to bovine spongiform encephalopathy and repealing Decisions 89/469/EEC and 90/200/EEC

(94/474/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market⁽¹⁾, as last amended by Directive 92/118/EEC⁽²⁾, and in particular Article 10 (4) thereof,

Having regard to Council Directive 89/662/EEC of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the internal market⁽³⁾, as last amended by Directive 92/118/EEC, and in particular Article 9 thereof,

Whereas cases of bovine spongiform encephalopathy (BSE) have been reported in the United Kingdom;

Whereas, in order to protect animal and public health in the Community, the Commission has adopted Decision 89/459/EEC of 28 July 1989 concerning certain protection measures relating to bovine spongiform encephalopathy in the United Kingdom⁽⁴⁾, as last amended by Decision 90/261/EEC⁽⁵⁾, Decision 90/200/EEC of 9 April 1990 concerning additional requirements for some tissues and organs with respect to bovine spongiform encephalopathy (BSE)⁽⁶⁾, as last amended by Decision 90/261/EEC, Decision 92/290/EEC of 14 May 1992 concerning certain protection measures relating to bovine embryos in respect of bovine spongiform encephalopathy in the United Kingdom⁽⁷⁾, Decision 94/381/EC of 27 June 1994 concerning certain protection measures with regard to bovine spongiform encephalopathy and the feeding of mammalian derived protein⁽⁸⁾ and Decision 94/382/EC of 27 June 1994 on the approval of alternative heat treatment systems for processing animal waste of ruminant

origin with a view to the inactivation of spongiform encephalopathy agents⁽⁹⁾;

Whereas as a result of measures taken in the United Kingdom the BSE epidemic is now declining;

Whereas new information continues to become available and the situation must be continually reviewed;

Whereas the Commission has carried out a detailed examination of the situation and all relevant scientific information with the Scientific Veterinary Committee;

Whereas the prohibition on feeding meat and bone meal (MBM) of ruminant origin to ruminants in July 1988 was the principle measure in controlling BSE; whereas, however, this prohibition has not been totally effective in preventing the occurrence of BSE in bovines born between July 1988 and January 1991;

Whereas, in the opinion of the Scientific Veterinary Committee, the existing rules for trade in live calves under six months of age from the United Kingdom may continue;

Whereas, however, trade should not be re-established in older live cattle until the date of effectiveness of the ban on use of ruminant protein in ruminant rations is properly established;

Whereas the Scientific Veterinary Committee has recommended that bone-in bovine meat from the United Kingdom should be traded only if it comes from herds with no case of BSE during the previous six years; whereas such meat will require no further action with respect to removal of certain tissues in the Member State of destination;

Whereas bovine meat from holdings in the United Kingdom which have had a case of BSE in the previous six years must be trimmed in such a way as to demonstrate that tissues which might contain BSE infectively have been removed;

Whereas Decision 94/382/EC has established standards for the production of meat and bone meal containing ruminant material throughout the Community; whereas these standards must be implemented by 1 January 1995 at the latest;

(¹) OJ No L 224, 18. 8. 1990, p. 29.

(²) OJ No L 62, 15. 3. 1993, p. 49.

(³) OJ No L 395, 30. 12. 1989, p. 13.

(⁴) OJ No L 225, 3. 8. 1989, p. 51.

(⁵) OJ No L 146, 9. 6. 1990, p. 29.

(⁶) OJ No L 105, 25. 4. 1990, p. 27.

(⁷) OJ No L 152, 4. 6. 1992, p. 37.

(⁸) OJ No L 172, 7. 7. 1994, p. 23.

(⁹) OJ No L 172, 7. 7. 1994, p. 25.

Whereas the United Kingdom should not send meat and bone meal containing ruminant protein to other countries unless it is processed according to these standards;

Whereas the Scientific Veterinary Committee has expressed the need for strict implementation and policing of the relevant rules in relation to BSE;

Whereas it is necessary to amend the provisions of Decisions 89/469/EEC and 90/200/EEC, as amended, in accordance with the recommendations of the Scientific Veterinary Committee;

Whereas, for reasons of clarity, it is opportune to adopt a new decision and to repeal Decisions 89/469/EEC and 90/200/EEC;

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

1. The United Kingdom shall not send from its territory to that of other Member States;

— live cattle other than those aged under six months bearing a proper identification (i.e. freeze band or tattoo) to guarantee compliance with this point,

— live cattle which are the off-spring of cows in which BSE is suspected or confirmed.

2. However, the provisions of paragraph 1 shall not apply to cattle born outside the United Kingdom and subsequently introduced in the United Kingdom after 1 January 1991.

3. The United Kingdom shall make full use of computer records to guarantee identification of animals.

4. The health certificate provided for in Council Directive 64/432/EEC⁽¹⁾ accompanying cattle sent from the United Kingdom must be completed by the following:

'animals in accordance with Commission Decision 94/474/EC of 27 July 1994 concerning bovine spongiform encephalopathy'.

5. Member States which receive live cattle aged under six months and bearing a special mark from the United Kingdom shall ensure that:

(a) the animals remain on the premises designated on the certificate;

(b) the animals move from that premises only directly to slaughter and before the age of six months;

(c) the animals are permitted to move to slaughter only with the approval of the competent authorities.

Article 2

All bovine animals which, at *ante mortem* examination performed in accordance with Chapter VI of Annex I to Council Directive 64/433/EEC⁽²⁾, show clinical suspicion of BSE shall be retailed and slaughtered separately, and their brain shall be examined histologically for evidence of BSE. If BSE is confirmed their carcasses and offal shall be destroyed.

Article 3

1. The United Kingdom shall not send from its territory to that of other Member States:

(a) ruminant material and products including such material, as described in Article 1 (1) of Decision 94/382/EC, produced before 1 January 1995;

(b) the following tissues and organs, and products containing such tissues and organs, derived from bovine animals aged more than six months at slaughter:

- brains,
- spinal cord,
- thymus,
- tonsils,
- spleen,
- intestines;

(c) the following tissues and organs derived from bovine animals:

- placental tissue,
- cell cultures of bovine origin,
- serum, including foetal calf serum,
- pancreas, adrenal glands, testicles, ovaries and hypophysis.

2. However, the provisions of paragraph 1 (c) shall not apply to cattle born outside the United Kingdom and subsequently introduced into the United Kingdom after 1 January 1991 or to tissues and organs derived from cattle slaughtered outside the United Kingdom.

3. The United Kingdom shall take appropriate measures to ensure that:

(a) Brains, spinal cord, thymus, tonsils, spleen and intestines from bovine animals aged more than six months at slaughter are removed, identified by staining and destroyed in such a way as to avoid all risks to animal and public health;

(b) ruminant protein destined for use in pig and poultry rations and other uses is not included in ruminant rations;

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

⁽²⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

- (c) scientific tests are used to monitor the implementation of (a) and (b).

Article 4

1. The United Kingdom shall not send from its territory to that of other Member States fresh bone-in bovine meat, unless the following sentence is added to the health certificate referred to in Annex IV to Directive 64/433/EEC:

'Fresh bovine meat derived from bovines which have resided only on holdings on which no case of BSE has been conformed during the previous six years.'

2. The United Kingdom shall not send from its territory to that of other Member States fresh bovine meat derived from animals which have resided at any time on a holding in which a case of BSE has been confirmed during the previous six years, unless the following sentence is added to the health certificate referred to in Annex IV to Directive 64/433/EEC:

'Fresh deboned bovine meat in the form of muscle form which the adherent tissues, including obvious nervous and lymphatic tissues have been removed.'

Article 5

Decisions 89/469/EEC and 90/200/EEC are hereby repealed.

Article 6

Member States shall amend the measures which apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 7

This Decision is addressed to the Member States.

Done at Brussels, 27 July 1994.

For the Commission

René STEICHEN

Member of the Commission