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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1028/93

of 26 April 1993

supplementing Regulation (EEC) No 3917/92 extending into 1993 the application of Regulations (EEC) No 3831/90, (EEC) No 3832/90, (EEC) No 3833/90, (EEC) No 3834/90, (EEC) No 3835/90 and (EEC) No 3900/91 applying generalized tariff preferences for 1991 in respect of certain products originating in developing countries and adding to the list of beneficiaries of such preferences

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Community has since 1980 confined the benefit of its generalized tariff preferences for products covered by the Arrangement regarding international trade in textiles (MFA) to those products which originate in countries and territories having signed, within the framework of the MFA, bilateral agreements with the Community providing for a quantitative limitation of their exports of certain textile products to the Community, or to such products which originate in countries or territories undertaking similar commitments;

Whereas Vietnam initialled an Agreement on trade in textiles with the Community on 15 December 1992; whereas that Agreement is provisionally applicable from 1 January 1993;

Whereas the fixed amounts set out in the Annex hereto may in no event lead to an overrun of the quantitative limits fixed in the abovementioned Agreement, but

simply reflect more favourable tariff arrangements within the limit of the amounts fixed in the said Agreement;

Whereas, in consequence, Annexes I and II to Regulation (EEC) No 3832/90⁽¹⁾ should be adapted and Vietnam should be included in Annex IV to that Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

1. Vietnam shall be added to the list of countries in column 5 of Annexes I and II to Regulation (EEC) No 3832/90 opposite the order numbers and categories specified in columns 1 and 2 respectively in the Annex to this Regulation. The fixed duty-free amounts applicable to Vietnam for these products are indicated in columns 6A, 6B and 6 of that Annex.

2. The word 'Vietnam' shall be added to Annex IV to Regulation (EEC) No 3832/90.

Article 2

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

It shall apply as from 1 January 1993.

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

Done at Luxembourg, 26 April 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 39. Regulation as last amended and extended by Regulation (EEC) No 3917/92 (OJ No L 396, 31. 12. 1992, p. 1).

ANNEX

List of textile products covered by fixed duty-free amounts with respect to Vietnam within the framework of the generalized tariff preferences for certain developing countries and territories

(Annexes I and II to Regulation (EEC) No 3832/90)

Order No	Category (Unit)	Fixed duty-free amounts	
		1. 1. — 30. 6. 1993	1. 7. — 31. 12. 1993
(1)	(2)	(6 A)	(6 B)
40.0010	1 (tonnes)	1 130,5	1 130,5
40.0020	2 (tonnes)	1 368,5	1 368,5
40.0033	3 (tonnes)	315	315
40.0040	4 (1 000 pieces)	941,5	941,5
40.0050	5 (1 000 pieces)	754,5	754,5
40.0060	6 (1 000 pieces)	875	875
40.0070	7 (1 000 pieces)	486	486
40.0080	8 (1 000 pieces)	958,5	958,5
40.0090	9 (tonnes)	65,5	65,5
40.0150	15 (1 000 pieces)	113,5	113,5
40.0160	16 (1 000 pieces)	49,5	49,5
40.0170	17 (1 000 pieces)	40,5	40,5
40.0200	20 (tonnes)	116	116
40.0390	39 (tonnes)	50,5	50,5

Order No	Category (Unit)	Fixed duty-free amounts
(1)	(2)	(6)
40.0100	10 (1 000 pairs)	1 537
40.0120	12 (1 000 pieces or pairs)	3 189
40.0130	13 (1 000 pieces)	2 018
40.0140	14 (1 000 pieces)	46
40.0180	18 (tonnes)	112
40.0190	19 (1 000 pieces)	1 746
40.0210	21 (1 000 pieces)	562
40.0220	22 (tonnes)	649
40.0230	23 (tonnes)	308
40.0240	24 (1 000 pieces)	499
40.0260	26 (1 000 pieces)	395
40.0270	27 (1 000 pieces)	260
40.0280	28 (1 000 pieces)	109
40.0290	29 (1 000 pieces)	124
40.0310	31 (1 000 pieces)	674
40.0320	32 (tonnes)	90
40.0350	35 (tonnes)	264
40.0360	36 (tonnes)	58
40.0370	37 (tonnes)	386
40.0410	41 (tonnes)	750

Order No	Category (Unit)	Fixed duty-free amounts
(1)	(2)	(6)
40.0500	50 (tonnes)	60
40.0650	65 (tonnes)	166
40.0670	67 (tonnes)	85
40.0680	68 (tonnes)	91
40.0730	73 (1 000 pieces)	181
40.0740	74 (1 000 pieces)	67
40.0760	76 (tonnes)	169
40.0780	78 (tonnes)	159
40.0830	83 (tonnes)	60
40.0900	90 (tonnes)	76
40.0970	97 (tonnes)	22
42.1150	115 (tonnes)	104
42.1170	117 (tonnes)	33
42.1180	118 (tonnes)	15
42.1301	130 A (tonnes)	13
42.1305	130 B (tonnes)	36
42.1560	156 (tonnes)	4
42.1570	157 (tonnes)	15
42.1590	159 (tonnes)	39
42.1610	161 (tonnes)	74

COUNCIL REGULATION (EEC) No 1029/93
of 27 April 1993

**repealing Regulation (EEC) No 1079/77 on a co-responsibility levy and on
measures for expanding the markets in milk and milk products**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

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

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

Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas Council Regulation (EEC) No 1079/77 ⁽⁴⁾ introduced a co-responsibility levy to apply until the end of the 1992/93 milk year and covering, in principle, all milk supplied to dairies and certain milk products sold at the farm;

Whereas the object of that levy was to achieve better balance on the market for milk in particular by financing specific measures to encourage consumption in the Community and promote expansion of the markets in milk and milk products;

Whereas the provisions of Regulation (EEC) No 1079/77 have the same objective as Council Regulation (EEC) No 2073/92 of 30 June 1992 on promoting consumption in the Community and expanding the markets for milk and milk products ⁽⁵⁾; whereas there is accordingly no need to extend the application of Regulation (EEC) No 1079/77 beyond 31 March 1993,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 1079/77 is hereby repealed.

Article 2

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

It shall apply with effect from 1 April 1993.

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

Done at Luxembourg, 27 April 1993.

For the Council

The President

B. WESTH

⁽¹⁾ OJ No C 80, 20. 3. 1993, p. 33.

⁽²⁾ Opinion delivered on 22 April 1993 (not yet published in the Official Journal).

⁽³⁾ Opinion delivered on 24 March 1993 (not yet published in the Official Journal).

⁽⁴⁾ OJ No L 131, 26. 5. 1977, p. 6. Regulation as last amended by Regulation (EEC) No 1374/92 (OJ No L 147, 29. 5. 1992, p. 3).

⁽⁵⁾ OJ No L 215, 30. 7. 1992, p. 67.

COMMISSION REGULATION (EEC) No 1030/93
of 30 April 1993

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 Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 13 (5) 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⁾, and in particular Article 5 thereof,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 762/93 ⁽⁴⁾ 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 29 April

1993, as regards floating currencies, should be used to calculate the levies;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 762/93 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 (a), (b) and (c) of Regulation (EEC) No 2727/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 79, 1. 4. 1993, p. 11.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>	
CN code	Third countries ^(*)
0709 90 60	141,54 ⁽²⁾ ⁽³⁾
0712 90 19	141,54 ⁽²⁾ ⁽³⁾
1001 10 00	184,16 ⁽¹⁾ ⁽²⁾
1001 90 91	148,82
1001 90 99	148,82 ^(*)
1002 00 00	156,10 ^(*)
1003 00 10	141,37
1003 00 20	141,37
1003 00 80	141,37 ^(*)
1004 00 00	116,24
1005 10 90	141,54 ⁽²⁾ ⁽³⁾
1005 90 00	141,54 ⁽²⁾ ⁽³⁾
1007 00 90	149,27 ^(*)
1008 10 00	57,83 ^(*)
1008 20 00	102,53 ^(*)
1008 30 00	62,35 ^(*)
1008 90 10	⁽⁷⁾
1008 90 90	62,35
1101 00 00	220,95 ^(*)
1102 10 00	231,14
1103 11 30	297,48
1103 11 50	297,48
1103 11 90	236,98

⁽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).

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

^(*) Products falling within this code, imported from Poland, Czechoslovakia or Hungary under the Interim Agreements concluded between those countries and the Community, and in respect of which EUR.1 certificates issued in accordance with Regulation (EEC) No 585/92 have been presented, are subject to the levies set out in the Annex to that Regulation.

COMMISSION REGULATION (EEC) No 1031/93**of 30 April 1993****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 Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular Article 15 (6) 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⁾, and in particular Article 5 thereof,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 3874/92⁽⁴⁾ 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 29 April

1993, 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 referred to in Article 15 of Regulation (EEC) No 2727/75 to be added to the import levies fixed in advance in respect of cereals and malt coming from third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 121.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period
	5	6	7	8
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	1,44	1,55	5,12
1001 90 99	0	1,44	1,55	5,12
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	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	2,01	2,01	7,16

B. Malt

(ECU/tonne)

CN code	Current	1st period	2nd period	3rd period	4th period
	5	6	7	8	9
1107 10 11	0	2,56	2,76	9,11	9,11
1107 10 19	0	1,92	2,06	6,81	6,81
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 (EEC) No 1032/93
of 30 April 1993
fixing the import levies on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽¹⁾, as last amended by Regulation (EEC) No 674/92⁽²⁾, and in particular Article 11 (2) thereof,

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20

and 1006 30⁽³⁾, as last amended by Regulation (EEC) No 674/91⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 764/93⁽⁵⁾, as amended by Regulation (EEC) No 967/93⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.
⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.
⁽⁵⁾ OJ No L 79, 1. 4. 1993, p. 6.
⁽⁶⁾ OJ No L 98, 24. 4. 1993, p. 26.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (*)		
	Arrangement in Regulation (EEC) No 3877/86 (†)	ACP Bangladesh (‡) (¶) (¶) (¶)	Third countries (except ACP) (¶)
1006 10 21	—	158,36	323,92
1006 10 23	—	174,04	355,29
1006 10 25	—	174,04	355,29
1006 10 27	266,47	174,04	355,29
1006 10 92	—	158,36	323,92
1006 10 94	—	174,04	355,29
1006 10 96	—	174,04	355,29
1006 10 98	266,47	174,04	355,29
1006 20 11	—	198,85	404,90
1006 20 13	—	218,45	444,11
1006 20 15	—	218,45	444,11
1006 20 17	333,08	218,45	444,11
1006 20 92	—	198,85	404,90
1006 20 94	—	218,45	444,11
1006 20 96	—	218,45	444,11
1006 20 98	333,08	218,45	444,11
1006 30 21	—	246,31	516,48
1006 30 23	—	313,15	650,08
1006 30 25	—	313,15	650,08
1006 30 27	487,56	313,15	650,08
1006 30 42	—	246,31	516,48
1006 30 44	—	313,15	650,08
1006 30 46	—	313,15	650,08
1006 30 48	487,56	313,15	650,08
1006 30 61	—	262,68	550,06
1006 30 63	—	336,09	696,89
1006 30 65	—	336,09	696,89
1006 30 67	522,67	336,09	696,89
1006 30 92	—	262,68	550,06
1006 30 94	—	336,09	696,89
1006 30 96	—	336,09	696,89
1006 30 98	522,67	336,09	696,89
1006 40 00	—	76,54	159,09

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

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

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

(¶) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulation (EEC) Nos 3491/90 and 862/91.

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

(¶) No import levy applies to products originating in the OCT pursuant to Article 101 (1) of Decision 91/482/EEC, subject to the provisions of Decision 93/127/EEC, as amended by Decision 93/211/EEC, concerning semi-milled rice falling within CN codes 1006 30 21 to 1006 30 48 originating in the Netherlands Antilles.

COMMISSION REGULATION (EEC) No 1033/93
of 30 April 1993

fixing the premiums to be added to the import levies on rice and broken rice

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 3862/92 ⁽³⁾, as last amended by Regulation (EEC) No 968/93 ⁽⁴⁾;

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 import levies fixed in advance in respect of rice and broken rice originating in third countries shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 390, 31. 12. 1992, p. 86.

⁽⁴⁾ OJ No L 98, 24. 4. 1993, p. 28.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	<i>(ECU/tonne)</i>			
	Current 5	1st period 6	2nd period 7	3rd period 8
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

COMMISSION REGULATION (EEC) No 1034/93
of 30 April 1993

fixing the export refunds on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the fourth subparagraph of Article 16 (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 674/92⁽⁴⁾, and in particular the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 and Article 17 of Regulation (EEC) No 1418/76 provide that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75⁽⁵⁾, and Article 2 of Council Regulation (EEC) No 1431/76⁽⁶⁾ laying down general rules for granting export refunds on cereals and rice respectively and criteria for fixing the amount of such refunds, provide that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals, rice and broken rice on the Community market on the one hand and prices for cereals, rice, broken rice and cereal products on the world market on the other; whereas the same Articles provide that it is also important to ensure equilibrium and the natural development of prices and trade on the markets in cereals and rice and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Article 6 of Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87⁽⁸⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas, on the basis of the criteria laid down in Regulation (EEC) No 2744/75, particular account should be taken of the prices and quantities of basic products used to calculate the variable component of the levy;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas when the refund is being calculated account should be taken of the quantities of raw materials used to determine the variable component of the levy; whereas the quantities of raw materials used for certain processed products may vary according to the end use of the product; whereas, depending on the manufacturing process used, products other than the main product are obtained, the quantity and value of which may vary with the nature and quality of the main products being manufactured; whereas cumulation of the refunds on the various products manufactured by a single process from the same basic product may make it possible, in certain cases, to export to third countries at prices which are lower than world market prices; whereas the refund on certain products should therefore be limited to an amount which, while allowing access to the world market, will ensure that the aims of the common organization of the markets are respected;

Whereas the refund to be granted in respect of certain processed products should be graduated on the basis of the ash, crude fibre, tegument, protein, fat and starch content of the individual product concerned, this content being a particularly good indicator of the quantity of basic product actually incorporated in the processed product;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁶⁾ OJ No L 166, 25. 6. 1976, p. 36.

⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.

Whereas there is no need at present to fix an export refund for manioc, other tropical roots and tubers or flours obtained therefrom, given the economic aspect of potential exports and in particular the nature and origin of these products; whereas, for certain products processed from cereals, the insignificance of Community participation in world trade makes it unnecessary to fix an export refund at the present time;

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 representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾ 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 3819/92⁽²⁾;

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

Whereas Council Regulation (EEC) No 990/93⁽³⁾ prohibits trade between the European Economic 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 certain processed maize products may undergo a heat treatment following which a refund might be granted that does not correspond to the quality of the product; whereas it should therefore be specified that on these products, containing pregelatinized starch, no export refund is to be granted;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (d) of Regulation (EEC) No 2727/75 and in Article 1 (1) (c) of Regulation (EEC) No 1418/76 and subject to Regulation (EEC) No 2744/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission
René STEICHEN
Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽³⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the export refunds on products processed from cereals and rice

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Refund (1)	Product code	Refund (1)
1102 20 10 100 (2)	128,80	1104 23 10 900	—
1102 20 10 300 (2)	110,40	1104 29 11 000	79,77
1102 20 10 900 (2)	—	1104 29 15 000	—
1102 20 90 100 (2)	110,40	1104 29 19 000	—
1102 20 90 900 (2)	—	1104 29 91 000	78,21
1102 30 00 000	—	1104 29 95 000	97,71
1102 90 10 100	124,55	1104 30 10 000	19,55
1102 90 10 900	84,69	1104 30 90 000	23,00
1102 90 30 100	181,30	1107 10 11 000	139,21
1102 90 30 900	—	1107 10 91 000	147,79
1103 12 00 100	181,30	1108 11 00 200	156,42
1103 12 00 900	—	1108 11 00 300	156,42
1103 13 10 100 (2)	165,60	1108 11 00 800	—
1103 13 10 300 (2)	128,80	1108 12 00 200	147,20
1103 13 10 500 (2)	110,40	1108 12 00 300	147,20
1103 13 10 900 (2)	—	1108 12 00 800	—
1103 13 90 100 (2)	110,40	1108 13 00 200	147,20
1103 13 90 900 (2)	—	1108 13 00 300	147,20
1103 14 00 000	—	1108 13 00 800	—
1103 19 10 000	97,71	1108 14 00 200	—
1103 19 30 100	128,70	1108 14 00 300	—
1103 19 30 900	—	1108 14 00 800	—
1103 21 00 000	79,77	1108 19 10 200	149,29
1103 29 20 000	84,69	1108 19 10 300	149,29
1103 29 30 000	—	1108 19 10 800	—
1103 29 40 000	—	1108 19 90 200	—
1104 11 90 100	124,55	1108 19 90 300	—
1104 11 90 900	—	1108 19 90 800	—
1104 12 90 100	201,44	1109 00 00 100	0,00
1104 12 90 300	161,15	1109 00 00 900	—
1104 12 90 900	—	1702 30 51 000	192,28
1104 19 10 000	79,77	1702 30 59 000	147,20
1104 19 50 110	147,20	1702 30 91 000	192,28
1104 19 50 130	119,60	1702 30 99 000	147,20
1104 19 50 150	—	1702 40 90 000	147,20
1104 19 50 190	—	1702 90 50 100	192,28
1104 19 50 900	—	1702 90 50 900	147,20
1104 19 91 000	—	1702 90 75 000	201,48
1104 21 10 100	124,55	1702 90 79 000	139,84
1104 21 10 900	—	2106 90 55 000	147,20
1104 21 30 100	124,55	2302 10 10 000	20,26
1104 21 30 900	—	2302 10 90 100	20,26
1104 21 50 100	166,06	2302 10 90 900	—
1104 21 50 300	132,85	2302 20 10 000	20,26
1104 21 50 900	—	2302 20 90 100	20,26
1104 22 10 100	161,15	2302 20 90 900	—
1104 22 10 900	—	2302 30 10 000	20,26
1104 22 30 100	171,22	2302 30 90 000	20,26
1104 22 30 900	—	2302 40 10 000	20,26
1104 22 50 000	—	2302 40 90 000	20,26
1104 23 10 100	138,00	2303 10 11 100	73,60
1104 23 10 300	105,80	2303 10 11 900	—

(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.

(2) No refund shall be granted on products given a heat treatment resulting in pregelatinization of the starch.

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

COMMISSION REGULATION (EEC) No 1035/93

of 30 April 1993

fixing the export refunds on cereal-based compound feedingstuffs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 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 within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the cereal markets;

Whereas it follows from applying these detailed rules to the present situation on the market in cereal-based compound feedingstuffs that the export refund should be fixed at an amount which will cover the difference between Community prices and world market prices;

Whereas Article 7 (1) of Council Regulation (EEC) No 2743/75 of 29 October 1975 on the system to be applied to cereal-based compound feedingstuffs⁽⁴⁾, as last amended by Regulation (EEC) No 944/87⁽⁵⁾, provides that, when export refunds on cereal-based compound

feedingstuffs are being fixed, only certain products used in the manufacture of compound feedingstuffs for which a refund may be fixed should be taken into account;

Whereas Commission Regulation (EEC) No 1913/69 of 29 September 1969 on the granting and the advance fixing of the export refund on cereal-based compound feedingstuffs⁽⁶⁾, as last amended by Regulation (EEC) No 3630/91⁽⁷⁾, provides that calculation of the export refund must be based on the averages of the refunds granted and the levies calculated on the most commonly used basic cereals, adjusted on the basis of the threshold price in force during the current month; whereas that calculation must also take account of the cereal products content; whereas, therefore, in the interest of simplification, compound feedingstuffs should be placed in categories and the refund for each category should be fixed on the basis of the quantity of cereal products content for the category concerned; whereas, furthermore, the amount of the refund must also take into account the possibilities and conditions for the sale of those products on the world market, the need to avoid disturbances on the Community market and the economic aspect of the export;

Whereas, however, in fixing the rate of refund it would seem advisable to base it at this time on the difference in the cost of raw inputs widely used in compound feedingstuffs as between the Community and world markets, allowing more accurate account to be taken of the commercial conditions under which such products are exported;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁸⁾ 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 3819/92⁽⁹⁾;

(1) OJ No L 281, 1. 11. 1975, p. 1.

(2) OJ No L 180, 1. 7. 1992, p. 1.

(3) OJ No L 281, 1. 11. 1975, p. 78.

(4) OJ No L 281, 1. 11. 1975, p. 60.

(5) OJ No L 90, 2. 4. 1987, p. 2.

(6) OJ No L 246, 30. 9. 1969, p. 11.

(7) OJ No L 344, 14. 12. 1991, p. 40.

(8) OJ No L 387, 31. 12. 1992, p. 1.

(9) OJ No L 387, 31. 12. 1992, p. 17.

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

Whereas Council Regulation (EEC) No 990/93⁽¹⁾ prohibits trade between the European Economic 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 Management Committee for Cereals has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the compound feedingstuffs covered by Regulation (EEC) No 2727/75 and subject to Regulation (EEC) No 2743/75 are hereby fixed as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the export refunds on cereal-based compound feedingstuffs

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Amount of refund (°)	Product code	Amount of refund (°)
2309 10 11 110	4,39	2309 90 53 290	7,26
2309 10 13 110	4,39	2309 10 11 310	17,55
2309 10 31 110	4,39	2309 10 13 310	17,55
2309 10 33 110	4,39	2309 10 31 310	17,55
2309 10 51 110	4,39	2309 10 33 310	17,55
2309 10 53 110	4,39	2309 10 51 310	17,55
2309 90 31 110	4,39	2309 10 53 310	17,55
2309 90 33 110	4,39	2309 90 31 310	17,55
2309 90 41 110	4,39	2309 90 33 310	17,55
2309 90 43 110	4,39	2309 90 41 310	17,55
2309 90 51 110	4,39	2309 90 43 310	17,55
2309 90 53 110	4,39	2309 90 51 310	17,55
2309 10 11 190	3,63	2309 90 53 310	17,55
2309 10 13 190	3,63	2309 10 11 390	14,52
2309 10 31 190	3,63	2309 10 13 390	14,52
2309 10 33 190	3,63	2309 10 31 390	14,52
2309 10 51 190	3,63	2309 10 33 390	14,52
2309 10 53 190	3,63	2309 10 51 390	14,52
2309 90 31 190	3,63	2309 10 53 390	14,52
2309 90 33 190	3,63	2309 90 31 390	14,52
2309 90 41 190	3,63	2309 90 33 390	14,52
2309 90 43 190	3,63	2309 90 41 390	14,52
2309 90 51 190	3,63	2309 90 43 390	14,52
2309 90 53 190	3,63	2309 90 51 390	14,52
2309 10 11 210	8,78	2309 90 53 390	14,52
2309 10 13 210	8,78	2309 10 31 410	26,33
2309 10 31 210	8,78	2309 10 33 410	26,33
2309 10 33 210	8,78	2309 10 51 410	26,33
2309 10 51 210	8,78	2309 10 53 410	26,33
2309 10 53 210	8,78	2309 90 41 410	26,33
2309 90 31 210	8,78	2309 90 43 410	26,33
2309 90 33 210	8,78	2309 90 51 410	26,33
2309 90 41 210	8,78	2309 90 53 410	26,33
2309 90 43 210	8,78	2309 10 31 490	21,78
2309 90 51 210	8,78	2309 10 33 490	21,78
2309 90 53 210	8,78	2309 10 51 490	21,78
2309 10 11 290	7,26	2309 10 53 490	21,78
2309 10 13 290	7,26	2309 90 41 490	21,78
2309 10 31 290	7,26	2309 90 43 490	21,78
2309 10 33 290	7,26	2309 90 51 490	21,78
2309 10 51 290	7,26	2309 90 53 490	21,78
2309 10 53 290	7,26	2309 10 31 510	35,11
2309 90 31 290	7,26	2309 10 33 510	35,11
2309 90 33 290	7,26	2309 10 51 510	35,11
2309 90 41 290	7,26	2309 10 53 510	35,11
2309 90 43 290	7,26	2309 90 41 510	35,11
2309 90 51 290	7,26	2309 90 43 510	35,11

<i>(ECU/tonne)</i>		<i>(ECU/tonne)</i>	
Product code	Amount of refund (1)	Product code	Amount of refund (1)
2309 90 51 510	35,11	2309 10 53 690	36,31
2309 90 53 510	35,11	2309 90 41 690	36,31
2309 10 31 590	29,04	2309 90 43 690	36,31
2309 10 33 590	29,04	2309 90 51 690	36,31
2309 10 51 590	29,04	2309 90 53 690	36,31
2309 10 53 590	29,04	2309 10 51 710	52,66
2309 90 41 590	29,04	2309 10 53 710	52,66
2309 90 43 590	29,04	2309 90 51 710	52,66
2309 90 51 590	29,04	2309 90 53 710	52,66
2309 90 53 590	29,04	2309 10 51 790	43,57
2309 10 31 610	43,89	2309 10 53 790	43,57
2309 10 33 610	43,89	2309 90 51 790	43,57
2309 10 51 610	43,89	2309 90 53 790	43,57
2309 10 53 610	43,89	2309 10 51 810	61,44
2309 90 41 610	43,89	2309 10 53 810	61,44
2309 90 43 610	43,89	2309 90 51 810	61,44
2309 90 51 610	43,89	2309 90 53 810	61,44
2309 90 53 610	43,89	2309 10 51 890	50,83
2309 10 31 690	36,31	2309 10 53 890	50,83
2309 10 33 690	36,31	2309 90 51 890	50,83
2309 10 51 690	36,31	2309 90 53 890	50,83

(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.

There are no refunds for products falling within CN codes 2309 10 11, 2309 10 13, 2309 10 31, 2309 10 33, 2309 10 51, 2309 10 53, 2309 90 31, 2309 90 33, 2309 90 41, 2309 90 43, 2309 90 51 and 2309 90 53 not included in the above table.

COMMISSION REGULATION (EEC) No 1036/93
of 30 April 1993
fixing production refunds on cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 11a ⁽⁵⁾ thereof,

Having regard to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sectors ⁽³⁾, as last amended by Regulation (EEC) No 1309/92 ⁽⁴⁾ and in particular Article 6 thereof,

Whereas Article 2 of Commission Regulation (EEC) No 2169/86 of 10 July 1986 laying down detailed rules for the control and payment of production refunds in the cereals and rice sectors ⁽⁵⁾, as last amended by Regulation (EEC) No 1398/91 ⁽⁶⁾, provides that the production refund is to be fixed one per month; whereas the same Article provides for the possibility of altering the calculated refund in the event of significant movements in the prices of maize and wheat;

Whereas the production refunds to be fixed in this Regulation should be adjusted by the coefficients listed in the

Annex to Regulation (EEC) No 2169/86 to establish the exact amount payable;

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 production refunds payable on cereals and rice in accordance with Regulation (EEC) No 1009/86 and calculated in accordance with Regulation (EEC) No 2169/86 as amended shall be ECU 141,87 per tonne.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁴⁾ OJ No L 139, 22. 5. 1992, p. 47.

⁽⁵⁾ OJ No L 189, 11. 7. 1986, p. 12.

⁽⁶⁾ OJ No L 134, 29. 5. 1991, p. 19.

COMMISSION REGULATION (EEC) No 1037/93

of 30 April 1993

fixing the export refunds on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 17 of Regulation (EEC) No 1418/76 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 within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 1431/76 of 21 June 1976 laying down general rules for granting export refunds on rice and criteria for fixing the amount of such refunds ⁽³⁾, provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of rice and broken rice on the Community market on the one hand and prices for rice and broken rice on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on the rice market and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances of the Community market;

Whereas Commission Regulation (EEC) No 1361/76 ⁽⁴⁾ lays down the maximum percentage of broken rice allowed in rice for which an export refund is fixed and specifies the percentage by which that refund is to be reduced where the proportion of broken rice in the rice exported exceeds that maximum;

Whereas Article 3 of Regulation (EEC) No 1431/76 defines the specific criteria to be taken into account when the export refund on rice and broken rice is being calculated;

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 a separate refund should be fixed for packaged long grain rice to accommodate current demand for the product on certain markets;

Whereas the refund must be fixed at least 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⁾ 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 3819/92 ⁽⁶⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in rice and in particular to quotations or prices for rice and broken rice within the Community and on the world market, that the refund should be fixed as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93 ⁽⁷⁾ prohibits trade between the European Economic 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 of Regulation (EEC) No 1418/76 with the exception of those listed in paragraph 1 (c) of that Article, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 28.

⁽⁴⁾ OJ No L 154, 15. 6. 1976, p. 11.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽⁷⁾ 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, 30 April 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1993 fixing the export refunds on rice and broken rice

<i>(ECU/tonne)</i>			<i>(ECU/tonne)</i>		
Product code	Destination (1)	Amount of refunds (2)	Product code	Destination (1)	Amount of refunds (2)
1006 20 11 000	01	221,00	1006 30 65 100	01	277,00
1006 20 13 000	01	221,00		02	283,00
1006 20 15 000	01	221,00		03	288,00
1006 20 17 000	—	—		04	277,00
1006 20 92 000	01	221,00	1006 30 65 900	01	277,00
1006 20 94 000	01	221,00		04	277,00
1006 20 96 000	01	221,00	1006 30 67 100	—	—
1006 20 98 000	—	—	1006 30 67 900	—	—
1006 30 21 000	01	221,00	1006 30 92 100	01	277,00
1006 30 23 000	01	221,00		02	283,00
1006 30 25 000	01	221,00		03	288,00
1006 30 27 000	—	—		04	277,00
1006 30 42 000	01	221,00	1006 30 92 900	01	277,00
1006 30 44 000	01	221,00		04	277,00
1006 30 46 000	01	221,00	1006 30 94 100	01	277,00
1006 30 48 000	—	—		02	283,00
1006 30 61 100	01	277,00		03	288,00
	02	283,00		04	277,00
	03	288,00	1006 30 94 900	01	277,00
	04	277,00		04	277,00
1006 30 61 900	01	277,00	1006 30 96 100	01	277,00
	04	277,00		02	283,00
1006 30 63 100	01	277,00		03	288,00
	02	283,00		04	277,00
	03	288,00	1006 30 96 900	01	277,00
	04	277,00		04	277,00
1006 30 63 900	01	277,00	1006 30 98 100	—	—
	04	277,00	1006 30 98 900	—	—
			1006 40 00 000	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII c), Canada and Zone VIII excluding Surinam, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), as last amended by Regulation (EEC) No 1525/92 (OJ No L 160, 13. 6. 1992, p. 7).

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

COMMISSION REGULATION (EEC) No 1038/93

of 30 April 1993

fixing the corrective amount applicable to the refund on rice and broken rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 674/92 ⁽²⁾, and in particular the second subparagraph of Article 17 (4) thereof,

Whereas the first subparagraph of Article 17 (4) of Regulation (EEC) No 1418/76 provides that the export refund applicable to rice and broken rice on the day on which application for an export licence is made, adjusted for the threshold price which will be in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the licence ;

Whereas Commission Regulation No 474/67/EEC ⁽³⁾, as amended by Regulation (EEC) No 1397/68 ⁽⁴⁾, lays down detailed rules for the advance fixing of the export refund on rice and broken rice ;

Whereas that Regulation provides that the refund applicable on the day on which application for an export licence is made must, when it is fixed in advance, be reduced by an amount no greater than the difference between the cif forward delivery price and the cif price, where the former exceeds the latter by more than ECU 0,30 per tonne ; whereas on the other hand, the refund must be increased by an amount no greater than the difference between the cif price and the cif forward delivery price, where the former exceeds the latter by more than ECU 0,30 per tonne ;

Whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 ; whereas

the cif forward delivery price is that determined in accordance with Article 3 (2) of Council Regulation (EEC) No 1428/76 ⁽⁵⁾, based in respect of each month for which the export licence is valid, on the cif price calculated on the basis of offers for shipment during the month of exportation ;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽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 3819/92 ⁽⁷⁾ ;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto ;

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 corrective amount referred to in Article 17 (4) of Regulation (EEC) No 1418/76 which is applicable to the export refunds fixed in advance in respect of rice and broken rice shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽³⁾ OJ No 204, 24. 8. 1967, p. 20.

⁽⁴⁾ OJ No L 222, 10. 9. 1968, p. 6.

⁽⁵⁾ OJ No L 166, 25. 6. 1976, p. 30.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the corrective amount applicable to the refund on rice and broken rice

(ECU/tonne)

Product code	Destination (1)	Current 5	1st period 6	2nd period 7	3rd period 8
1006 20 11 000	01	0	0	0	0
1006 20 13 000	01	0	0	0	0
1006 20 15 000	01	0	0	0	0
1006 20 17 000	—	—	—	—	—
1006 20 92 000	01	0	0	0	0
1006 20 94 000	01	0	0	0	0
1006 20 96 000	01	0	0	0	0
1006 20 98 000	—	—	—	—	—
1006 30 21 000	01	0	0	0	0
1006 30 23 000	01	0	0	0	0
1006 30 25 000	01	0	0	0	0
1006 30 27 000	—	—	—	—	—
1006 30 42 000	01	0	0	0	0
1006 30 44 000	01	0	0	0	0
1006 30 46 000	01	0	0	0	0
1006 30 48 000	—	—	—	—	—
1006 30 61 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 61 900	01	0	0	0	0
	04	0	0	0	0
1006 30 63 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 63 900	01	0	0	0	0
	04	0	0	0	0
1006 30 65 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 65 900	01	0	0	0	0
	04	0	0	0	0
1006 30 67 100	—	—	—	—	—
1006 30 67 900	—	—	—	—	—
1006 30 92 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 92 900	01	0	0	0	0
	04	0	0	0	0
1006 30 94 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0
1006 30 94 900	01	0	0	0	0
	04	0	0	0	0
1006 30 96 100	01	0	0	0	0
	02	0	0	0	0
	03	0	0	0	0
	04	0	0	0	0

(ECU/tonne)

Product code	Destination (1)	Current 5	1st period 6	2nd period 7	3rd period 8
1006 30 96 900	01	0	0	0	0
	04	0	0	0	0
1006 30 98 100	—	—	—	—	—
1006 30 98 900	—	—	—	—	—
1006 40 00 000	—	—	—	—	—

(1) The destinations are identified as follows:

01 Austria, Liechtenstein, Switzerland, the communes of Livigno and Campione d'Italia,

02 Zones I, II, III, VI, Ceuta and Melilla,

03 Zones IV, VII c), Canada and zone VIII, except Suriname, Guyana and Madagascar,

04 Destinations mentioned in Article 34 of Commission Regulation (EEC) No 3665/87 (OJ No L 351, 14. 12. 1987, p. 1), as last amended by Regulation (EEC) No 1525/92 (OJ No L 160, 13. 6. 1992, p. 7).

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

COMMISSION REGULATION (EEC) No 1039/93

of 30 April 1993

setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands⁽¹⁾, as amended by Regulation (EEC) No 3714/92⁽²⁾, and in particular Article 2 thereof,

Whereas, pursuant to Article 3 of Regulation (EEC) No 1601/92, the requirements of the Canary Islands for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1695/92⁽³⁾, as amended by Regulation (EEC) No 2132/92⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Canary Islands; whereas Commission Regulation (EEC) No 1997/92 of 17 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Canary Islands and establishing the forecast supply balance for these products⁽⁵⁾, as amended by Regulation (EEC) No 399/93⁽⁶⁾, lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽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 3819/92⁽⁸⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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

Pursuant to Article 3 of Regulation (EEC) No 1601/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Canary Islands shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 1.

⁽⁴⁾ OJ No L 213, 29. 7. 1992, p. 25.

⁽⁵⁾ OJ No L 199, 18. 7. 1992, p. 20.

⁽⁶⁾ OJ No L 46, 24. 2. 1993, p. 5.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 30 April 1993 setting the amounts of aid for the supply of rice products from the Community to the Canary Islands

(ECU/tonne)

Product (CN code)	Amount of aid
	Canary Islands
Milled rice (1006 30)	291,00
Broken rice (1006 40)	64,00

COMMISSION REGULATION (EEC) No 1040/93

of 30 April 1993

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 Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular the fourth subparagraph of Article 16 (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 674/92 ⁽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 16 of Regulation (EEC) No 2727/75 and in Article 17 of Regulation (EEC) No 1418/76 on export refunds are applicable *mutatis mutandis* to the above-mentioned operations;

Whereas Article 3 of Council Regulation (EEC) No 2746/75 ⁽⁶⁾ and Article 6 of Council Regulation (EEC) No 2744/75 ⁽⁷⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁸⁾, lay down specific criteria to be taken into account for calculating the refunds on cereals and on products processed from cereals; whereas specific criteria applying in the case of wheat flours are set out in Article 4 of Regulation (EEC) No 2746/75;

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 ⁽⁹⁾;

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 the refunds applicable for May 1993 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 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.
⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.
⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.
⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.
⁽⁵⁾ OJ No L 288, 25. 10. 1974, p. 1.

⁽⁶⁾ OJ No L 281, 1. 11. 1975, p. 78.
⁽⁷⁾ OJ No L 281, 1. 11. 1975, p. 65.
⁽⁸⁾ OJ No L 182, 3. 7. 1987, p. 49.
⁽⁹⁾ OJ No L 166, 25. 6. 1976, p. 36.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the refunds applicable to cereal and rice sector products supplied as Community and national food aid

<i>(ECU/tonne)</i>	
Product code	Refund
1001 10 00 400	132,00
1001 90 99 000	73,00
1002 00 00 000	96,00
1003 00 80 000	96,00
1004 00 00 400	—
1005 90 00 000	95,00
1006 20 92 000	248,00
1006 20 94 000	248,00
1006 30 42 000	—
1006 30 44 000	—
1006 30 92 100	310,00
1006 30 92 900	310,00
1006 30 94 100	310,00
1006 30 94 900	310,00
1006 30 96 100	310,00
1006 30 96 900	310,00
1006 40 00 000	—
1007 00 90 000	95,00
1101 00 00 100	97,00
1101 00 00 130	97,00
1102 20 10 100	128,80
1102 20 10 300	110,40
1102 30 00 000	—
1102 90 10 100	124,55
1103 11 30 200	140,00
1103 11 50 200	140,00
1103 11 90 200	97,00
1103 13 10 100	165,60
1103 14 00 000	—
1104 12 90 100	201,44
1104 21 50 100	166,06

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

COMMISSION REGULATION (EEC) No 1041/93

of 30 April 1993

setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 10 thereof,

Whereas, pursuant to Article 10 of Regulation (EEC) No 1600/92, the requirements of the Azores and Madeira for rice are to be covered in terms of quantity, price and quality by the mobilization, on disposal terms equivalent to exemption from the levy, of Community rice, which involves the grant of an aid for supplies of Community origin; whereas this aid is to be fixed with particular reference to the costs of the various sources of supply and in particular is to be based on the prices applied to exports to third countries;

Whereas Commission Regulation (EEC) No 1696/92 ⁽³⁾, as amended by Regulation (EEC) No 2132/92 ⁽⁴⁾, lays down common detailed rules for implementation of the specific arrangements for the supply of certain agricultural products, including rice, to the Azores and Madeira; whereas Commission Regulation (EEC) No 1983/92 of 16 July 1992 laying down detailed rules for implementation of the specific arrangements for the supply of rice products to the Azores and Madeira and establishing the forecast supply balance for these products ⁽⁵⁾ lays down detailed rules which complement or derogate from the provisions of the aforementioned Regulation;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽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 3819/92 ⁽⁷⁾;

Whereas, as a result of the application of these detailed rules to the current market situation in the rice sector, and in particular to the rates of prices for these products in the European part of the Community and on the world market the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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

Pursuant to Article 10 of Regulation (EEC) No 1600/92, the amount of aid for the supply of rice of Community origin under the specific arrangements for the supply of the Azores and Madeira shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 6.

⁽⁴⁾ OJ No L 213, 29. 7. 1992, p. 25.

⁽⁵⁾ OJ No L 198, 17. 7. 1992, p. 37.

⁽⁶⁾ OJ No L 378, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 30 April 1993 setting the amounts of aid for the supply of rice products from the Community to the Azores and Madeira

(ECU/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Milled rice (1006 30)	291,00	291,00

COMMISSION REGULATION (EEC) No 1042/93
of 30 April 1993

amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply
of cereals products from the Community to the French overseas departments

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3763/91 of 16 December 1991 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 2 (6) thereof,

Whereas the amounts of aid for the supply of cereals products to the French overseas departments (FOD) has been settled by Commission Regulation (EEC) No 391/92 ⁽³⁾, as last amended by Regulation (EEC) No 710/93 ⁽⁴⁾; whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market,

the aid for supply to the FOD should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 391/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 356, 24. 12. 1991, p. 1.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 43, 19. 2. 1992, p. 23.

⁽⁴⁾ OJ No L 74, 27. 3. 1993, p. 31.

ANNEX

to the Commission Regulation of 30 April 1993 amending Regulation (EEC) No 391/92 setting the amounts of aid for the supply of cereals products from the Community to the French overseas departments

(Ecu/tonnes)

Product (CN code)	Amount of aid			
	Destination			
	Guadeloupe	Martinique	French Guiana	Réunion
Common wheat (1001 90 99)	79,00	79,00	79,00	82,00
Barley (1003 00 80)	101,00	101,00	101,00	104,00
Maize (1005 90 00)	101,50	101,50	101,50	104,50
Durum wheat (1001 10 00)	139,00	139,00	139,00	142,00

COMMISSION REGULATION (EEC) No 1043/93

of 30 April 1993

amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

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

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Canary Islands⁽¹⁾, as amended by Regulation (EEC) No 3714/92⁽²⁾, and in particular Article 3 (4) thereof,

Whereas the amounts of aid for the supply of cereals products to the Canary Islands has been settled by Commission Regulation (EEC) No 1832/92⁽³⁾ as last amended by Regulation (EEC) No 701/93⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Canary Islands should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 1832/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 185, 4. 7. 1992, p. 26.

⁽⁴⁾ OJ No L 74, 27. 3. 1993, p. 7.

ANNEX

to the Commission Regulation of 30 April 1993 amending Regulation (EEC) No 1832/92 setting the amounts of aid for the supply of cereals products from the Community to the Canary Islands

(Ecu/tonne)

Product (CN code)	Amount of aid
Common wheat (1001 90 99)	76,00
Barley (1003 00 80)	98,00
Maize (1005 90 00)	98,50
Durum wheat (1001 10 00)	136,00
Oats (1004 00 00)	98,00

COMMISSION REGULATION (EEC) No 1044/93

of 30 April 1993

amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 introducing specific measures in respect of certain agricultural products for the benefit of the Azores and Madeira ⁽¹⁾, as amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 10 thereof,Whereas the amounts of aid for the supply of cereals products to the Azores and Madeira has been settled by Commission Regulation (EEC) No 1833/92 ⁽³⁾, as last amended by Regulation (EEC) No 709/93 ⁽⁴⁾, whereas, as a consequence of the changes of the rates and prices for cereals products in the European part of the Community and on the world market, the aid for supply to the Azores and Madeira should be set at the amounts given in the Annex;

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 Annex of amended Regulation (EEC) No 1833/92 is replaced by the Annex to the present Regulation.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 1.⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.⁽³⁾ OJ No L 185, 4. 7. 1992, p. 28.⁽⁴⁾ OJ No L 74, 27. 3. 1993, p. 29.

ANNEX

to the Commission Regulation of 30 April 1993 amending Regulation (EEC) No 1833/92 setting the amounts of aid for the supply of cereals products from the Community to the Azores and Madeira

(Ecu/tonne)

Product (CN code)	Amount of aid	
	Destination	
	Azores	Madeira
Common wheat (1001 90 99)	76,00	76,00
Barley (1003 00 80)	98,00	98,00
Maize (1005 90 00)	98,50	98,50
Durum wheat (1001 10 00)	136,00	136,00

COMMISSION REGULATION (EEC) No 1045/93

of 30 April 1993

fixing the import levies on syrups and certain other products in the sugar sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (8) thereof,

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

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

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

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

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

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

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

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 14 (1) of Council Regulation (EEC) No 2727/75 ⁽⁵⁾, as last amended by Regulation (EEC) No 1738/92 ⁽⁶⁾ for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ; whereas the levy must be fixed each month ;

Whereas, 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 ⁽⁷⁾, no levies shall apply on imports of products originating in the overseas countries and territories ;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽⁶⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽⁷⁾ OJ No L 263, 19. 9. 1991, p. 1.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾ 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 3819/92⁽²⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1993 fixing the import levies on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4382	—
1702 20 90	0,4382	—
1702 30 10	—	53,49
1702 40 10	—	53,49
1702 60 10	—	53,49
1702 60 90	0,4382	—
1702 90 30	—	53,49
1702 90 60	0,4382	—
1702 90 71	0,4382	—
1702 90 90	0,4382	—
2106 90 30	—	53,49
2106 90 59	0,4382	—

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

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

COMMISSION REGULATION (EEC) No 1046/93

of 30 April 1993

fixing the export refunds on syrups and certain other sugar products exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to the Treaty establishing the European Economic 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 (EEC) No 3814/92⁽²⁾, and in particular Article 19 (4) thereof,

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

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

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

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose ; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EEC) No 1684/92⁽⁶⁾ ;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation ; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports ; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁷⁾, as amended by Regulation (EEC) No 1714/88⁽⁸⁾ ;

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

^(?) OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 176, 30. 6. 1992, p. 31.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ 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 3819/92 ⁽²⁾;

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

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

Whereas Council Regulation (EEC) No 990/93 ⁽³⁾ prohibits trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2,

4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽³⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	35,73 ⁽²⁾ ⁽³⁾
1702 60 10 000	35,73 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 000	0,3573 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	35,73 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3573 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,3573 ⁽¹⁾ ⁽³⁾
1702 90 90 900	0,3573 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	35,73 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3573 ⁽¹⁾ ⁽³⁾

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

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

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

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

NB: The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 252/93 (OJ No L 28, 5. 2. 1993, p. 48).

COMMISSION REGULATION (EEC) No 1047/93

of 30 April 1993

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European Economic 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 (EEC) No 3814/92 ⁽²⁾, and in particular Article 16 (5) thereof,

Whereas Article 16 a (1) of Regulation (EEC) No 1785/81 provides for a reduced rate levy to apply during the period 1 January to 30 June 1993 to Portuguese imports of certain quantities of raw sugar originating in specified third countries and for use by Portuguese refineries;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽³⁾ 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 3819/92 ⁽⁴⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 24,99 per 100 kg.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 17.

COMMISSION REGULATION (EEC) No 1048/93

of 30 April 1993

fixing the amount of aid for peas, field beans and sweet lupins

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽¹⁾, as last amended by Regulation (EEC) No 1750/92⁽²⁾, and in particular Article 3 (6) (a) thereof,

Having regard to Commission Regulation (EEC) No 3540/85 of 5 December 1985 laying down detailed rules for the application of the special measures for peas, field beans and sweet lupins⁽³⁾, as last amended by Regulation (EEC) No 1734/92⁽⁴⁾, and in particular Article 26a (7) thereof,

Whereas, as provided for in Article 3 (1) of Regulation (EEC) No 1431/82, aid is granted for peas, field beans and sweet lupins harvested in the Community and used in the manufacture of feedingstuffs where the world market price of soya cake is lower than the activating price; whereas this aid is equal to a proportion of the difference between these prices; whereas this proportion of the price difference was fixed in Article 3a of Council Regulation (EEC) No 2036/82⁽⁵⁾, as last amended by Regulation (EEC) No 2206/90⁽⁶⁾;

Whereas, in accordance with Article 3 (2) of Regulation (EEC) No 1431/82, aid is granted for peas and field beans harvested in the Community where the world market price for these products is lower than the guide price; whereas this aid is equal to the difference between the two prices;

Whereas the threshold price activating the aid for peas, field beans and sweet lupins for the 1992/93 marketing year was fixed by Council Regulation (EEC) No 1751/92⁽⁷⁾; whereas, as provided for in Article 2a of Regulation (EEC) No 1431/82, the activating price for the aid for peas, field beans and sweet lupins is increased monthly as from the beginning of the third month of the marketing year; whereas the amount of the monthly

increases in the threshold price was fixed by Council Regulation (EEC) No 1752/92⁽⁸⁾;

Whereas the abatement of the subsidy which arises from the system of maximum guaranteed quantities for the 1992/93 year, has been fixed by Commission Regulation (EEC) No 2512/92⁽⁹⁾, as amended by Regulation (EEC) No 2752/92⁽¹⁰⁾;

Whereas, pursuant to Article 4 of Regulation (EEC) No 1431/82, the world market price for soya cake must be determined on the basis of the most favourable purchase possibilities, excepting offers and quotations which cannot be considered representative of the real market trend; whereas account must be taken both of all offers on the world market and of the prices quoted on exchanges that are important for international trade;

Whereas, pursuant to Article 1 of Commission Regulation (EEC) No 2049/82⁽¹¹⁾, as last amended by Regulation (EEC) No 1238/87⁽¹²⁾, the price must be determined per 100 kilograms of bulk soya cake of the standard quality defined in Article 1 (2) of Council Regulation (EEC) No 1464/86⁽¹³⁾ delivered to Rotterdam; whereas the necessary adjustments, notably those referred to in Article 2 of Regulation (EEC) No 2049/82, must be made for offers and quotations not of the type referred to above;

Whereas Commission Regulation (EEC) No 3328/92⁽¹⁴⁾ limits the validity of the certificate provided for in Article 4 of Council Regulation (EEC) No 2036/82 to 30 June 1993;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁵⁾ 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 3819/92⁽¹⁶⁾;

⁽¹⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 17.

⁽³⁾ OJ No L 342, 19. 12. 1985, p. 1.

⁽⁴⁾ OJ No L 179, 1. 7. 1992, p. 120.

⁽⁵⁾ OJ No L 219, 28. 7. 1982, p. 1.

⁽⁶⁾ OJ No L 201, 31. 7. 1990, p. 11.

⁽⁷⁾ OJ No L 180, 1. 7. 1992, p. 18.

⁽⁸⁾ OJ No L 180, 1. 7. 1992, p. 20.

⁽⁹⁾ OJ No L 250, 29. 8. 1992, p. 15.

⁽¹⁰⁾ OJ No L 279, 23. 9. 1992, p. 18.

⁽¹¹⁾ OJ No L 219, 28. 7. 1982, p. 36.

⁽¹²⁾ OJ No L 117, 5. 5. 1987, p. 9.

⁽¹³⁾ OJ No L 133, 21. 5. 1986, p. 21.

⁽¹⁴⁾ OJ No L 334, 19. 11. 1992, p. 17.

⁽¹⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁶⁾ OJ No L 387, 31. 12. 1992, p. 17.

Whereas the world market price for peas and field beans and the amount of aid referred to in Article 3 (2) of Regulation (EEC) No 1431/82 were fixed by Commission Regulation (EEC) No 1899/91⁽¹⁾; whereas in terms of Article 2a of Regulation (EEC) No 1431/82 the guide price is increased monthly as from the beginning of the third month of the marketing year;

Whereas, pursuant to Article 26a of Regulation (EEC) No 3540/85, the gross aid expressed in ecus that results from Article 3 of Regulation (EEC) No 1431/82 shall be weighted by the differential amount referred to in Article 12a of Regulation (EEC) No 2036/82 and then converted into the final aid in the currency of the Member State in which the products are harvested using the agricultural conversion rate of that Member State;

Whereas Article 26a of Regulation (EEC) No 3540/92 has been repealed in accordance with Article 2 of Commission Regulation (EEC) No 3820/92⁽²⁾; whereas the Commission therefore publishes in the *Official Journal*

of the *European Communities* only the gross amount of aid, expressed in ecus, to be granted for 100 kilograms of the product, as soon as it is fixed; whereas the gross aid in ecus resulting from Article 3 of Regulation (EEC) No 1431/82 is to be converted directly into the national currencies at the agricultural conversion rate valid on the day of identification in the Member State in which the products are used,

HAS ADOPTED THIS REGULATION:

Article 1

The amounts of aid provided for in Article 3 (1) of Regulation (EEC) No 1431/82 is indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 169, 29. 6. 1991, p. 29.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 22.

ANNEX

Gross aid

Products intended for human consumption :

	<i>(ECU per 100 kg)</i>	
	Current 5	1st period 6
Peas used :		
— in Portugal	11,824	11,824
— in another Member State	11,824	11,824
Field beans used :		
— in Portugal	11,824	11,824
— in another Member State	11,824	11,824

Products used in animal feed :

	<i>(ECU per 100 kg)</i>	
	Current 5	1st period 6
A. Peas used :		
— in Portugal	12,967	13,057
— in another Member State	12,967	13,057
B. Field beans used :		
— in Portugal	12,967	13,057
— in another Member State	12,967	13,057
C. Sweet lupins used :		
— in Portugal	15,170	15,290
— in another Member State	15,170	15,290

COMMISSION REGULATION (EEC) No 1049/93
of 30 April 1993
fixing the aid for cotton

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

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

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton⁽²⁾, as last amended by Regulation (EEC) No 2053/92⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 3868/92⁽⁴⁾, as last amended by Regulation (EEC) No 956/93⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 3868/92 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton referred to in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 70,069 per 100 kilograms.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 12.

⁽⁴⁾ OJ No L 390, 31. 12. 1992, p. 106.

⁽⁵⁾ OJ No L 97, 23. 4. 1993, p. 28.

COMMISSION REGULATION (EEC) No 1050/93

of 30 April 1993

altering the export refunds on white sugar and raw sugar exported in the natural state

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 (EEC) No 3814/92 ⁽²⁾, and in particular the second subparagraph of Article 19 ⁽⁴⁾ thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 996/93 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 866/93 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁴⁾ 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 3819/92 ⁽⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 866/93 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 104, 29. 4. 1993, p. 18.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 30 April 1993 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	32,87 ⁽¹⁾
1701 11 90 910	29,64 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	32,87 ⁽¹⁾
1701 12 90 910	29,64 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3573
	— ECU/100 kg —
1701 99 10 100	35,73
1701 99 10 910	35,73
1701 99 10 950	35,73
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3573

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

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

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

COMMISSION REGULATION (EEC) No 1051/93

of 30 April 1993

fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 5 (3) thereof,

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

Whereas the guide price in the dried fodder sector was fixed by Council Regulation (EEC) No 1015/93⁽³⁾ for the period 1 to 31 May 1993;

Whereas Council Regulation (EEC) No 2065/92⁽⁴⁾ sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1993/94 marketing year at 70 %;

Whereas Commission Regulation (EEC) No 3824/92⁽⁵⁾, as amended by Regulation (EEC) No 784/93⁽⁶⁾, lays down the list of prices and amounts fixed in ecus to be amended as a result of the monetary alignments and which are reduced from the beginning of the 1993/94 marketing year by a factor of 1,012674 fixed by Commission Regulation (EEC) No 537/93⁽⁷⁾ as part of the automatic dismantling system of the negative monetary gaps; whereas this factor must be taken into account when calculating the aid from the beginning of the aforementioned marketing year;

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

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁸⁾, as last amended by Regulation (EEC) No 1110/89⁽⁹⁾, the average

world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽¹⁰⁾, as last amended by Regulation (EEC) No 810/93⁽¹¹⁾;

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

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

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

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 105, 30. 4. 1993, p. 12.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 48.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁶⁾ OJ No L 79, 1. 4. 1993, p. 54.

⁽⁷⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁸⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁹⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽¹⁰⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽¹¹⁾ OJ No L 82, 3. 4. 1993, p. 14.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ 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 3819/92 ⁽²⁾;

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

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid

for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 1 May 1993.

It is applicable from 1 to 31 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the rate of the aid for dried fodder

Aid applicable from 1 May 1993 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates	Fodder otherwise dried
Aid	79,309	54,619

COMMISSION REGULATION (EEC) No 1052/93

of 30 April 1993

fixing the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds ⁽³⁾,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence ; whereas, in this case, a corrective amount must be applied to the refund ;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice ⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87 ⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (c) of Regulation (EEC) No 2727/75 ;

Whereas Commission Regulation (EEC) No 1281/75 ⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals ;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and possibilities and conditions for the sale of cereals and cereal products on the world market on the other ; whereas the same Regulation provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of exports and the need to avoid disturbances on the Community market ;

Whereas for the products listed in Article 1 (c) of Regulation (EEC) No 2727/75 account should be taken of the specific criteria laid down in Article 2 (2) of Regulation (EEC) No 1281/75 ;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure ; whereas it may be altered in the period between fixings ;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽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 3819/92 ⁽⁸⁾ ;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto ;

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 17.

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

export refunds fixed in advance in respect of cereals shall be as set out in the Annex hereto.

HAS ADOPTED THIS REGULATION:

Article 1

The corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1993 fixing the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (1)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		5	6	7	8	9	10	11
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	01	0	- 100,00	- 100,00	- 100,00	- 100,00	—	—
1001 90 91 000	01	0	0	- 70,00	- 70,00	- 70,00	—	—
1001 90 99 000	01	0	0	- 70,00	- 70,00	- 70,00	—	—
1002 00 00 000	01	0	0	- 70,00	- 70,00	- 70,00	—	—
1003 00 10 000	01	0	- 70,00	- 70,00	- 70,00	- 70,00	—	—
1003 00 20 000	01	0	- 70,00	- 70,00	- 70,00	- 70,00	—	—
1003 00 80 000	01	0	- 70,00	- 70,00	- 70,00	- 70,00	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	- 70,00	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	- 100,00	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 130	01	0	- 100,00	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 150	01	0	- 100,00	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 170	01	0	- 100,00	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 180	01	0	- 100,00	- 100,00	- 100,00	- 100,00	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	- 100,00	- 100,00	- 100,00	- 100,00	—	—
1102 10 00 700	01	0	- 100,00	- 100,00	- 100,00	- 100,00	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 30 200	01	0	- 160,00	- 160,00	- 160,00	- 160,00	- 160,00	- 160,00
1103 11 30 900	—	—	—	—	—	—	—	—
1103 11 50 200	01	0	- 160,00	- 160,00	- 160,00	- 160,00	- 160,00	- 160,00
1103 11 50 400	01	0	- 160,00	- 160,00	- 160,00	- 160,00	- 160,00	- 160,00
1103 11 50 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	- 100,00	- 100,00	- 100,00	- 100,00	- 100,00	- 100,00
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all third countries.

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

COMMISSION REGULATION (EEC) No 1053/93

of 30 April 1993

fixing the corrective amount applicable to the refund on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Council Regulation (EEC) No 1738/92⁽²⁾,

Having regard to Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾,

Whereas Article 16 (4) of Regulation (EEC) No 2727/75 provides that the export refund applicable to cereals on the day on which application for an export licence is made, adjusted for the threshold price in force during the month of exportation, must be applied on request to exports to be effected during the period of validity of the export licence; whereas, in this case, a corrective amount must be applied to the refund;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, made possible the fixing of a corrective amount for certain products listed in Article 1 (d) of Regulation (EEC) No 2727/75;

Whereas Commission Regulation (EEC) No 1281/75⁽⁶⁾ laid down detailed rules for the advance fixing of export refunds for cereals and certain products processed from cereals;

Whereas, pursuant to that Regulation, when the corrective amount is being fixed in respect of malt, account must be taken of the existing situation and the future trend with regard to the possibilities and conditions for the sale of

the cereals concerned and of malt on the world market; whereas the same Regulation also provides that account must be taken of the quantity of cereals needed for making malt, the economic aspect of exports and the need to avoid disturbances on the Community market;

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

Whereas the corrective amount must be fixed at the same time as the refund and according to the same procedure; whereas it may be altered in the period between fixings;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽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 3819/92⁽⁸⁾;

Whereas it follows from applying the provisions set out above that the corrective amount must be as set out in the Annex hereto;

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 corrective amount referred to in Article 16 (4) of Regulation (EEC) No 2727/75 which is applicable to export refunds fixed in advance in respect of malt shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 131, 22. 5. 1975, p. 15.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 17.

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

Done at Brussels, 30 April 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1993 fixing the corrective amount applicable to the refund on malt

(ECU/tonne)

Product code	Current	1st period	2nd period	3rd period	4th period	5th period
	5	6	7	8	9	10
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

(ECU/tonne)

Product code	6th period	7th period	8th period	9th period	10th period	11th period
	11	12	1	2	3	4
1107 10 11 000	0	0	0	0	0	0
1107 10 19 000	0	0	0	0	0	0
1107 10 91 000	0	0	0	0	0	0
1107 10 99 000	0	0	0	0	0	0
1107 20 00 000	0	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1054/93

of 30 April 1993

fixing the rates of the refunds applicable to certain cereal and rice-products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the first sentence of the fourth subparagraph of Article 16 (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 674/92⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 16 (1) of Regulation (EEC) No 2727/75 and Article 17 (1) of Regulation (EEC) No 1418/76 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽⁵⁾, as last amended by Regulation (EEC) No 3381/90⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas in the absence of evidence that no production refund was granted pursuant to Council Regulation (EEC) No 1009/86 of 25 March 1986 establishing general rules applying to production refunds in the cereals and rice sector⁽⁷⁾, as last amended by Regulation (EEC) No 1309/92⁽⁸⁾, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁹⁾, as amended by Regulation (EEC) No 2026/83⁽¹⁰⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽¹¹⁾, as last amended by Regulation (EEC) No 1525/92⁽¹²⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽¹³⁾, it is necessary to differentiate the refund on goods falling within CN codes

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁶⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁷⁾ OJ No L 94, 9. 4. 1986, p. 6.

⁽⁸⁾ OJ No L 139, 22. 5. 1992, p. 47.

⁽⁹⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽¹⁰⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽¹¹⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽¹²⁾ OJ No L 160, 13. 6. 1992, p. 7.

⁽¹³⁾ OJ No L 275, 29. 9. 1987, p. 36.

1902/11/00 and 1902/19 according to their destination ;

Whereas, for the application of Article 4 (2) (b) of Regulation (EEC) No 3035/80, it is necessary to differentiate the refunds ;

Whereas Council Regulation (EEC) No 990/93⁽¹⁾ prohibits trade between the European Economic 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 in particular the export refund for unprocessed starches falling within CN code 1108 is granted only if the dry matter content is at least 77 % in the case of potato starch and at least 84 % in the case of cereal starches ;

Whereas with regard to potatoes, only potato starches are subject to common organization of the market, consequently steps should be taken to specify the terms that these potato starches should meet in order to qualify for refunds ;

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

HAS ADOPTED THIS REGULATION :

Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 2727/75 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 2727/75 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1009/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1009/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund :

- (a) applicable on the date of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, where the rate is not fixed in advance ;
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1009/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

1. The refund for starches and potato starch falling within CN code 1108 or products falling within Annex A to Regulation (EEC) No 2727/75 resulting from the processing of these starches and potato starch is granted only on production of a declaration from the suppliers of those products attesting that they have been directly produced from cereals, potatoes or rice excluding all use of subproducts obtained in the production of other agricultural products or goods.

The above declaration can be considered valid, until revocation, for all supplies from the same producer ; it shall be verified in accordance with the provisions of Article 8 (1) and the first indent of paragraph 2 of Regulation (EEC) No 3035/80.

2. Where the dry-extract content of potato starch assimilated to maize starch pursuant to Article 1 (2) (a) of Regulation (EEC) No 3035/80 is 80 % or higher, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 80 % the rate of the refund shall be the amount laid down in the Annex multiplied by 1/80th of the actual dry-extract percentage.

For all other starches with a dry-extract content of 87 % or more, the rate of the export refund shall be as laid down in the Annex ; where the dry-extract content is less than 87 % the amount of the refund shall be the rate laid down in the Annex multiplied by 1/87th of the actual dry-extract percentage.

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

3. For the purposes of paragraph 1 above, the dryextract content of starches shall be determined using the method applied to flour in Annex II to Commission Regulation (EEC) No 1908/84⁽¹⁾, as last amended by Regulation (EEC) No 2507/87⁽²⁾.

4. At the time of application for the export refund for the goods the applicant must declare the dry-extract

content of the starches concerned, unless this information has been recorded by the competent authorities referred to in Article 3 (2) of Regulation (EEC) No 3035/80, in accordance with the provisions of that paragraph.

Article 3

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 178, 5. 7. 1984, p. 22.

⁽²⁾ OJ No L 235, 20. 8. 1987, p. 10.

CN code	Description of products ⁽¹⁾	Rate of refund per 100 kg of basic product ⁽²⁾
1004 00 00	Oats : — used unprocessed — used in the form of : — — pellets of CN code 1103, and pearled grains of CN code 1104 — — rolled or flaked grains and hulled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 19 90 — — gluten of CN code 2303 10 90 — — other ⁽³⁾	10,072 6,043 9,065 3,220 9,200 — 10,072
1005 90 00	Maize (Corn) : — used unprocessed — used in the form of : — — flours of CN codes 1102 20 10 and 1102 20 90 — — groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 — — pellets of CN code 1103 — — hulled or perled grains of CN code 1104 — — germs of CN code 1104 — — starch of CN code 1108 12 00 — — gluten of CN code 2303 10 11 — — other	9,200 6,440 7,360 5,520 8,280 3,220 9,200 3,680 9,200 ⁽³⁾
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	25,872 27,527 27,527
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	33,581 37,000 37,000
1006 40 00	Broken rice : — used unprocessed — used in the form of : — — flour of CN code 1102 30, groats and meal or pellets of CN code 1103 — — flaked grains of CN 1104 19 91 — — starch of CN code 1108 19 10 — — other	9,822 9,822 5,893 9,822 —
1007 00 90	Sorghum	6,339
1101 00 00	Wheat or meslin flour : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 5,074 9,225
1102 10 00	Rye flour	19,448
1103 11 30	Durum wheat groats :	
1103 11 50	Durum wheat meal : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 11,622 21,130
1103 11 90	Common wheat groats and spelt : — on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America — in all other cases	 5,074 9,225

⁽¹⁾ The quantities of semi-processed products used must be multiplied, as the case may be, by the coefficients shown in Annex I to Regulation (EEC) No 2744/75.

⁽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⁾ For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EEC) No 1055/93
of 30 April 1993

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 (EEC) No 2071/92 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 3381/90 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products in question on the Community market and the prices ruling on the world markets;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;

- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward-processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EEC) No 3774/92 ⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 990/93 ⁽⁹⁾ prohibits trade between the European Economic 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;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 383, 29. 12. 1992, p. 48.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

Whereas the Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

HAS ADOPTED THIS REGULATION :

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

Article 2

Where Article 8 (2) of Regulation (EEC) No 3035/80 is applied to exports of one of the goods referred to in Article 4 (1), (2) or (3) of Regulation (EEC) No 570/88, the rate of the refund on milk products shall be that applicable to the use of reduced price butter, unless the exporter provides proof that the product does not contain reduced-price butter.

Article 3

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1993 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

<i>(ECU/100 kg)</i>		
CN code	Description	Rate of refund (*)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501	—
	b) On exportation of other goods	60,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	51,69
	b) On exportation of other goods	112,00
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	23,00
	b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat	174,00
	c) On exportation of other goods	168,00

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

COMMISSION REGULATION (EEC) No 1056/93

of 30 April 1993

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar⁽¹⁾, as last amended by Regulation (EEC) No 3814/92⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds for certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽³⁾, as last amended by Regulation (EEC) No 3381/90⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EEC) No 3035/80, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month; and whereas, in accordance with paragraph 2 of that Article, that rate must be determined with particular reference to:

- (a) the average costs incurred by processing industries in obtaining supplies of the basic products on the Community market and the prices ruling on the world market;
- (b) the level of the refunds on exports of processed agricultural products covered by Annex II to the Treaty which are manufactured under similar conditions;
- (c) the need to ensure equality of competition for the industries which use Community products and those which use third-country products under inward processing arrangements;

Whereas Article 4 (3) of Regulation (EEC) No 3035/80 provides that, when the rate of the refund is being fixed, account should be taken, where appropriate, of refunds, aids or other measures having equivalent effect, applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question, to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Council Regulation (EEC) No 1010/86 of 26 March 1986 laying down general rules for production refunds on certain products of the chemical industry⁽⁵⁾, as last amended by Regulation (EEC) 464/91⁽⁶⁾, provides for the granting of production refunds of white sugar, raw sugar, certain sucrose syrups falling within CN codes ex 1702 60 90 and ex 1702 90 90 having a certain purity, and unprocessed isoglucose falling within CN codes 1702 30 10, 1702 40 10, 1702 60 10 and 1702 90 30, which are used in the manufacture of the chemical products listed in the Annex thereto; whereas this production refunds' scheme has been established in particular to bring the conditions under which Community processors operate progressively into line with those of processors employing sugar at world market prices; whereas, therefore, in the absence of proof that the basic product has not benefited from the production refund, the amount of the export refund must be reduced by the amount of the production refund applicable to the basic product on the day of acceptance of the export declaration; whereas this system is the only one which discards the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products⁽⁷⁾, as amended by Regulation (EEC) No 2026/83⁽⁸⁾, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products⁽⁹⁾, as last amended by Regulation (EEC) No 1525/92⁽¹⁰⁾, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

⁽¹⁾ OJ No L 94, 9. 4. 1986, p. 9.

⁽²⁾ OJ No L 54, 28. 2. 1991, p. 22.

⁽³⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁴⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁵⁾ OJ No L 351, 14. 12. 1987, p. 1.

⁽⁶⁾ OJ No L 160, 13. 6. 1992, p. 7.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 7.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

Whereas Council Regulation (EEC) No 990/93⁽¹⁾ prohibits trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

2. For the chemical products listed in the Annex to Regulation (EEC) No 1010/86, the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the

basic products used in the manufacture of the chemical products to be exported have not benefited from the production refund provided for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1010/86, and that no application for such refund will be made.

3. When the proof referred to in paragraph 2 is not provided, the export refund:

- (a) applicable on the date of export of the goods, when the rate is not fixed in advance; or
- (b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable under Regulation (EEC) No 1010/86 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 3 (2) of Commission Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 30 April 1993 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg(*) —
White sugar:	35,73
Raw sugar:	32,87
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose):	$35,73 (*) \times \frac{S (*)}{100}$ or
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion:	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses:	—
Isoglucose (?):	35,73 (?)

(*) 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.

(1) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(2) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(3) Amount of refund per 100 kilograms of dry matter.

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

COMMISSION REGULATION (EEC) No 1057/93

of 29 April 1993

opening individual sales by invitation to tender for the export of vinous alcohol held by intervention agencies

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1756/92 ⁽²⁾,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾,

Whereas Commission Regulation (EEC) No 377/93 ⁽⁴⁾ lays down detailed rules for the disposal of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas, in view of the cost of storing alcohol, individual sales by invitation to tender should be opened for vinous alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Italian and Spanish intervention agencies;

Whereas individual sales by invitation to tender should be organized for the export of alcohol to certain third countries for end use as motor fuel; whereas these countries should be given an assurance of greater continuity of supply;

Whereas the invitations to tender opened by this Regulation relate to certain third countries where there is some guarantee that exports of vinous alcohol will not disturb their markets in alcohol and spirituous beverages; whereas the amount of and detailed rules for the release of the performance security may be adapted accordingly;

Whereas sales should be organized separately for dispatch to certain countries in Central America and to Caribbean countries covered by the Caribbean Basin Initiative, in particular to take account of certain extra costs resulting from the difference in distance and the possibilities of securing onward or return freight in the countries concerned by the countries concerned by the Caribbean Basin Initiative;

Whereas, to simplify the tender procedure, the location and characteristics of the wine placed on sale as well as certain specific conditions figuring previously in a separate notice should henceforth be mentioned in the Annex to the Regulation on tendering;

Whereas Commission Regulation (EEC) No 3821/92 ⁽⁵⁾ provides for the use of the agricultural conversion rate in force on the day before the date of publication of the notice of invitation to tender for converting the payments and guarantees concerned into national currencies; whereas as a result of the insertion of this notice into the Annex to the Regulation on tendering the agricultural conversion rate to be used is that in force on the day before the publication of the said Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Two individual sales by invitation to tender Nos 94/93 to 95/93 shall be held of a total quantity of 300 000 hl of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the Italian and Spanish intervention agencies.

Each of the individual invitations to tender Nos 94/95 and 95/93 shall cover 150 000 hl of alcohol at 100 % vol.

2. The alcohol offered for sale:

— shall be for export to outside the European Economic Community,

— must be imported into and dehydrated in one of the following third countries:

— Guatemala,

— Belize,

— Honduras, including the Swan Islands,

— El Salvador,

— Costa Rica,

— must be used only as motor fuel.

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 43, 20. 2. 1993, p. 6.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 84.

Article 2

The location and reference numbers of the vats concerned, the quantity of alcohol contained in each vat, the alcoholic strength and the characteristics of the alcohol as well as certain specific conditions are given in the Annex hereto.

Article 3

The sales shall take place in accordance with Regulation (EEC) No 377/93, and in particular Articles 10 to 18 and 30 to 38 thereof.

However :

- one half of the performance security shall be released by the intervention agency holding the alcohol on removal of the quantity concerned from the agency's stores when the successful tenderer furnishes proof that that quantity has been placed under customs

supervision in the territory of one of the third countries listed in Article 1 (2),

- the remainder of the performance security shall be released in accordance with Article 34 (3) (b) of Regulation (EEC) No 377/93.

In addition, to be admissible, tenders must indicate the place where end use of the alcohol awarded is to take place and must include an undertaking by the tenderer to the effect that the alcohol will be sent to that destination and used for that purpose. Tenders must also include a statement by the tenderer to the effect that he has binding commitments with an operator in the motor fuel sector in one of the third countries listed in Article 1 (2) who has undertaken to dehydrate the alcohol awarded in one of these countries and to export it for use solely in the motor fuel sector.

Article 4

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

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

Done at Brussels, 29 April 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

INDIVIDUAL INVITATION TO TENDER No 94/93 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
1. ITALY	Dicovisa (Sardaigne)		3 200	35, 36, 39	Raw alcohol
	Bertolino (Sicile)		7 100	35, 36, 39	Raw alcohol
	Rodi (Pouilles)		1 100	35, 36, 39	Raw alcohol
	Ge. Dis (Sicile)		4 500	35, 36, 39	Raw alcohol
	De Luca (Pouilles)		6 200	35, 36, 39	Raw alcohol
	Neri (Émilie-Romagne)		17 800	35, 36, 39	Raw alcohol
	Tampieri (Émilie-Romagne)		1 100	35, 36, 39	Raw alcohol
	Villapana (Émilie-Romagne)		5 800	35, 36, 39	Raw alcohol
	D'Auria (Abruzzes)		7 100	35, 36, 39	Raw alcohol
	SAPIS (Campanie)		8 500	35, 36, 39	Raw alcohol
	Salento (Pouilles)		3 500	35, 36, 39	Raw alcohol
	Del Sud (Pouilles)		7 400	35, 36, 39	Raw alcohol
	Cipriani (Trentin)		3 700	35, 36, 39	Raw alcohol
	Vinum (Sicile)		12 200	35, 36, 39	Raw alcohol
	Kronion (Sicile)		7 000	35, 36, 39	Raw alcohol
	Saig (Abruzzes)		2 500	35, 36, 39	Raw alcohol
	CVA (Abruzzes)		3 500	35, 36, 39	Raw alcohol
Balice (Pouilles)		14 700	35, 36, 39	Raw alcohol	
Deta (Toscane)		3 100	35, 36, 39	Raw alcohol	
Caviro (Émilie-Romagne)		3 600	35, 36, 39	Neutral alcohol – Of good flavour	

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
	Trani (Campanie)		4 000	35, 36, 39	Neutral alcohol – Of good flavour
	Ge.Dis (Sicile)		3 600	35, 36, 39	Neutral alcohol – Of good flavour
	Sapis (Campanie)		3 000	35, 36, 39	Neutral alcohol – Of good flavour
	Vinum (Sicile)		5 000	35, 36, 39	Neutral alcohol – Of good flavour
	Mazzari (Émilie-Romagne)		3 200	35, 36, 39	Neutral alcohol – Of good flavour
	Rodi (Pouilles)		4 000	35, 36, 39	Neutral alcohol – Of good flavour
	Cipriani (Trentin)		3 600	35, 36, 39	Neutral alcohol – Of good flavour
	Total		150 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2 per litre or the equivalent thereof in Italian lire, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 1 (2) of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 150 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

— be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi, B-1049 Brussels, or

— be submitted at the reception of the Loi 120 building of the Commission of the European Communities, 130 rue de la Loi, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 94/93 EC (alcohol), DG VI-E-3 — to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 18 May 1993.

5. Tenders must state the name and address of the tenderer and must :
- (a) include a reference to individual sale by tender No 94/93 EC ;
 - (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol ;
 - (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93 and the final destination of the alcohol awarded, and the statement referring to the engagement of an operator for dehydration and use solely in the motor fuel sector provided for in Article 3 of this Regulation.
6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency :
- AIMA, Via Palestro 81, I-00185 Roma (tel. : 47 49 91 ; telex : 62 03 31, 62 02 52, 61 30 03 ; fax : 445 39 40, 495 39 40).
- This security must correspond to a sum of ECU 3 per hectolitre of alcohol at 100 % vol.

IV. Award of contract

At the same time as he provides evidence of the lodging of a performance security of ECU 20 per hectolitre of alcohol at 100 % vol, the successful tenderer will obtain a statement of award from the intervention agency concerned within 20 days of the date of receipt of the Commission's decision awarding the lot in question.

INDIVIDUAL INVITATION TO TENDER No 95/93 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
SPAIN	Tarancón (Cuenca)	F-3	26 134	35 + 36	Raw alcohol
	Tarancón (Cuenca)	E-2	26 224	35 + 36	Raw alcohol
	Tarancón (Cuenca)	F-1	26 599	35 + 36	Raw alcohol
	Tarancón (Cuenca)	F-2	26 747	35 + 36	Raw alcohol
	Tarancón (Cuenca)	E-3	26 391	35 + 36	Raw alcohol
	Tarancón (Cuenca)	E-4	11 080	35 + 36	Raw alcohol
	Tarancón (Cuenca)	F-10	6 825	39	Raw alcohol
	Total		150 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2 per litre or the equivalent thereof in Spanish pesetas, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 1 (2) of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 150 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must :

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi, B-1049 Brussels, or
- be submitted at the reception of the Loi 120 building of the Commission of the European Communities, 130 rue de la Loi, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 95/93 EC (alcohol), DG VI-E-3 — to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 18 May 1993.

5. Tenders must state the name and address of the tenderer and must :

- (a) include a reference to individual sale by tender No 95/93/EC ;
- (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol ;
- (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93 and the final destination of the alcohol awarded, and the statement referring to the engagement of an operator for dehydration and use solely in the motor fuel sector provided for in Article 3 of this Regulation.

6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency :

— SENPA, Beneficiencia 8, E-28004 Madrid (tel. : 347 65 00 ; telex : 23427 SENPA ; fax : 521 98 32).

This security must correspond to a sum of ECU 3 per hectolitre of alcohol at 100 % vol.

IV. Award of contract

At the same time as he provides evidence of the lodging of a performance security of ECU 20 per hectolitre of alcohol at 100 % vol, the successful tenderer will obtain a statement of award from the intervention agency concerned within 20 days of the date of receipt of the Commission's decision awarding the lot in question.

**COMMISSION REGULATION (EEC) No 1058/93
of 29 April 1993**

**opening individual sales by invitation to tender for the export of vinous alcohol
held by intervention agencies**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987 on the common organization of the market in wine ⁽¹⁾, as last amended by Regulation (EEC) No 1756/92 ⁽²⁾,

Having regard to Council Regulation (EEC) No 3877/88 of 12 December 1988 laying down general rules for the disposal of alcohol obtained from the distillation operations referred to in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies ⁽³⁾,

Whereas Commission Regulation (EEC) No 377/93 ⁽⁴⁾ lays down detailed rules for the disposal of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by intervention agencies;

Whereas, in view of the cost of storing alcohol, individual sales by invitation to tender should be opened for vinous alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the French and Spanish intervention agencies;

Whereas individual sales by invitation to tender should be organized for the export of alcohol to certain third countries for end use as motor fuel; whereas these countries should be given an assurance of greater continuity of supply;

Whereas the invitations to tender opened by this Regulation relate to certain third countries where there is some guarantee that exports of vinous alcohol will not disturb their markets in alcohol and spirituous beverages; whereas the amount of and detailed rules for the release of the performance security may be adapted accordingly;

Whereas sales should be organized separately for dispatch to certain countries in Central America and to Caribbean countries covered by the Caribbean Basin Initiative, in particular to take account of certain extra costs resulting from the difference in distance and the possibilities of securing onward or return freight in the countries concerned by the countries concerned by the Caribbean Basin Initiative;

Whereas, to simplify the tender procedure, the location and characteristics of the wine placed on sale as well as certain specific conditions figuring previously in a separate notice should henceforth be mentioned in the Annex to the Regulation on tendering;

Whereas Commission Regulation (EEC) No 3821/92 ⁽⁵⁾ provides for the use of the agricultural conversion rate in force on the day before the date of publication of the notice of invitation to tender for converting the payments and guarantees concerned into national currencies; whereas as a result of the insertion of this notice into the Annex to the Regulation on tendering the agricultural conversion rate to be used is that in force on the day before the publication of the said Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Two individual sales by invitation to tender Nos 96/93 to 97/93 shall be held of a total quantity of 300 000 hl of alcohol obtained from distillation as provided for in Articles 35, 36 and 39 of Regulation (EEC) No 822/87 and held by the French and Spanish intervention agencies.

Each of the individual invitations to tender Nos 96/93 and 97/93 shall cover 150 000 hl of alcohol at 100 % vol.

2. The alcohol offered for sale:

— shall be for export to outside the European Economic Community,

— must be imported into and dehydrated in one of the following third countries:

— St Christopher and Nevis,

— Haiti,

— Bahamas,

— Dominican Republic,

— Antigua and Barbuda,

— Dominica,

— British Virgin Islands and Montserrat,

⁽¹⁾ OJ No L 84, 27. 3. 1987, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 27.

⁽³⁾ OJ No L 346, 15. 12. 1988, p. 7.

⁽⁴⁾ OJ No L 43, 20. 2. 1993, p. 6.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 84.

- Jamaica,
 - St Lucia,
 - St Vincent, including the Northern Grenadines,
 - Barbados,
 - Trinidad and Tobago,
 - Grenada, including the Southern Grenadines,
 - Aruba,
 - Netherlands Antilles: Curaçao, Bonaire, St Eustace, Saba and the southern part of St Martin,
 - Guyana,
 - Virgin Islands of the United States,
- must be used only as motor fuel.

Article 2

The location and reference numbers of the vats concerned, the quantity of alcohol contained in each vat, the alcoholic strength and the characteristics of the alcohol as well as certain specific conditions are given in the Annex hereto.

Article 3

The sales shall take place in accordance with Regulation (EEC) No 377/93 and in particular Articles 10 to 18 and 30 to 38 thereof.

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

Done at Brussels, 29 April 1993.

However:

- one half of the performance security shall be released by the intervention agency holding the alcohol on removal of the quantity concerned from the agency's stores when the successful tenderer furnishes proof that that quantity has been placed under customs supervision in the territory of one of the third countries listed in Article 1 (2),
- the remainder of the performance security shall be released in accordance with Article 34 (3) (b) of Regulation (EEC) No 377/93.

In addition, to be admissible, tenders must indicate the place where end use of the alcohol awarded is to take place and must include an undertaking by the tenderer to the effect that the alcohol will be sent to that destination and used for that purpose. Tenders must also include a statement by the tenderer to the effect that he has binding commitments with an operator in the motor fuel sector in one of the third countries listed in Article 1 (2) who has undertaken to dehydrate the alcohol awarded in one of these countries and to export it for use solely in the motor fuel sector.

Article 4

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

For the Commission

René STEICHEN

Member of the Commission

ANNEX

INDIVIDUAL INVITATION TO TENDER No 96/93 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
FRANCE	Longuefuye 53200 — Château Gontier		22 485	35	Raw alcohol + 92°
	Miroline 14600 — Honfleur		52 515	35	Raw alcohol + 92°
	Provence Mazout 13230 — Port-Saint- Louis-du-Rhône		19 030	35	Raw alcohol + 92°
	Provence Mazout 13230 — Port-Saint- Louis-du-Rhône		55 970	35	Raw alcohol + 92°
	Total		150 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2 per litre or the equivalent thereof in French francs, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 1 (2) of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

1. Tenders should be submitted for a quantity of 150 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.

Any tender relating to a smaller quantity will not be considered.

2. Tenders must:

- be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi, B-1049 Brussels, or
- be submitted at the reception of the Loi 120 building of the Commission of the European Communities, 130 rue de la Loi, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.

3. Tenders must be enclosed in a sealed envelope marked "Tender for individual sale No 96/93 EC (alcohol), DG VI-E-3 — to be opened only at the meeting of the group", which itself must be enclosed in an envelope addressed to the Commission.

4. Tenders must reach the Commission not later than 12 noon (Brussels time) on 18 May 1993.

5. Tenders must state the name and address of the tenderer and must:
- (a) include a reference to individual sale by tender No 96/93 EC;
 - (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol;
 - (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93 and the final destination of the alcohol awarded, and the statement referring to the engagement of an operator for dehydration and use solely in the motor fuel sector provided for in Article 3 of this Regulation.
6. Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency:
- SAV par délégation de l'Onivins, zone industrielle, avenue de la Ballastière, boîte postale 231, F-33505 Libourne Cedex (tel. 57 51 03 03; telex: 572 025; fax: 57 25 07 25).
- This security must correspond to a sum of ECU 3 per hectolitre of alcohol at 100 % vol.

IV. Award of contract

At the same time as he provides evidence of the lodging of a performance security of ECU 20 per hectolitre of alcohol at 100 % vol, the successful tenderer will obtain a statement of award from the intervention agency concerned within 20 days of the date of receipt of the Commission's decision awarding the lot in question.

INDIVIDUAL INVITATION TO TENDER No 97/93 EC

I. Place of storage, volume and characteristics of the alcohol offered for sale

Member State	Location	Reference number of vat	Volume in hectolitres of pure alcohol	Reference to Regulation (EEC) No 822/87	Type of alcohol
SPAIN	Tarancón (Cuenca)	F-10	19 879	39	Raw alcohol
	Villarrobledo (Albacete)	26	41 863	35 + 36	Raw alcohol
	Villarrobledo (Albacete)	21	41 795	35 + 36	Raw alcohol
	Tomelloso (Ciudad Real)	1	46 463	35 + 36	Raw alcohol
	Total		150 000		

Any interested party may, on application to the intervention agency concerned and on payment of ECU 2 per litre or the equivalent thereof in Spanish pesetas, obtain samples of the alcohol offered for sale. Such samples shall be taken by a representative of the intervention agency concerned.

II. Destination and use of the alcohol

The alcohol offered for sale must be exported from the Community. It must be imported into and dehydrated in one of the non-member countries listed in Article 1 (2) of this Regulation as for use exclusively as motor fuel.

Evidence relating to the destination and use of the alcohol is to be obtained by an international security company and transmitted to the intervention agency concerned.

The costs thus incurred are to be borne by the successful tenderer.

III. Submission of tenders

- Tenders should be submitted for a quantity of 150 000 hectolitres of alcohol, expressed in hectolitres of alcohol at 100 % vol.
Any tender relating to a smaller quantity will not be considered.
- Tenders must :
 - be sent by registered mail to the Commission of the European Communities, 200 rue de la Loi, B-1049 Brussels, or
 - be submitted at the reception of the Loi 120 building of the Commission of the European Communities, 130 rue de la Loi, B-1049 Brussels, between 11 a.m. and 12 noon on the date mentioned in point 4.
- Tenders must be enclosed in a sealed envelope marked 'Tender for individual sale No 97/93 EC (alcohol), DG VI-E-3 — to be opened only at the meeting of the group', which itself must be enclosed in an envelope addressed to the Commission.
- Tenders must reach the Commission not later than 12 noon (Brussels time) on 18 May 1993.
- Tenders must state the name and address of the tenderer and must :
 - (a) include a reference to individual sale by tender No 97/93 EC ;
 - (b) specify the price tendered, expressed in ecus per hectolitre of alcohol at 100 % vol ;
 - (c) include all the undertakings and statements referred to in Article 31 of Regulation (EEC) No 377/93 and the final destination of the alcohol awarded, and the statement referring to the engagement of an operator for dehydration and use solely in the motor fuel sector provided for in Article 3 of this Regulation.
- Each tender must be accompanied by attestations of the lodging of a tendering security, issued by the following intervention agency :
 - SENPA, Beneficiencia 8, E-28004 Madrid (tel. : 347 65 00 ; telex : 23427 SENPA ; fax : 521 98 32).
 This security must correspond to a sum of ECU 3 per hectolitre of alcohol at 100 % vol.

IV. Award of contract

At the same time as he provides evidence of the lodging of a performance security of ECU 20 per hectolitre of alcohol at 100 % vol, the successful tenderer will obtain a statement of award from the intervention agency concerned within 20 days of the date of receipt of the Commission's decision awarding the lot in question.

COMMISSION REGULATION (EEC) No 1059/93
of 30 April 1993
on the supply of milk products as food aid

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

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

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

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 397 tonnes of milk powder;

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

Whereas, notably for logistical reasons, certain supplies are not awarded within the first and second deadlines for submissions of tenders; whereas, in order to avoid re-publication of the notice of invitation to tender, a third deadline for submission of tenders should be opened,

HAS ADOPTED THIS REGULATION:

Article 1

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

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

Article 2

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, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.
⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.
⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.
⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.
⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX

LOT A

1. **Operation No** (1): 1530/92
2. **Programme**: 1992
3. **Recipient** (2): Fédération Internationale des Sociétés de la Croix-Rouge et du Croissant-Rouge (IFRC) département approvisionnements et logistique, Case Postale 372, CH-1211 Genève 19; (tel (41-22) 730 42 22; telefax 733 03 95; telex 412133 LRC CH)
4. **Representative of the recipient**: The Guyana Red Cross Society, Eve Leary, PO Box 10524, Georgetown-Guyana; (tel.: 65174; fax: 66523; telex FERNA 2226 GY 'For Guayna Red Cross')
5. **Place or country of destination** (3): Guyana
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (6) (8): See OJ No C 114, 29. 4. 1991, p. 1 (I.B.1)
8. **Total quantity**: 50 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (10) (11): See OJ No C 114, 29. 4. 1991, p. 1 (I.B.2, I.A.2.3, I.B.3)
Markings in English
Supplementary markings: 'IFRC-Georgetown'
11. **Method of mobilization**: the Community market
The skimmed-milk powder must be manufactured and the vitamins incorporated after the award of the tender
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Georgetown
16. **Address of the warehouse and, if appropriate, port of landing**: Red Cross warehouse — Georgetown (Eve Leary)
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 7 — 20. 6. 1993
18. **Deadline for the supply**: 30. 7. 1993
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 17. 5. 1993
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 1. 6. 1993
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 21. 6 — 4. 7. 1993
 - (c) deadline for the supply: 13. 8. 1993**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 14. 6. 1993
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 5 — 18. 7. 1993
 - (c) deadline for the supply: 27. 8. 1993
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B / 25670 AGREC B; telefax: (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** (9): refund applicable on 28. 4. 1993, fixed by Commission Regulation (EEC) No 885/93 (OJ No L 92, 16. 4. 1993, p. 28)

LOT B

1. **Operation No** (1): 1531/92
2. **Programme**: 1992
3. **Recipient** (2): Fédération internationale des sociétés de la Croix-Rouge et du Croissant-Rouge (IFRC), Département approvisionnements et logistique, Case postale 372, CH-1211 Genève 19 (tel (41-22) 730 42 22; fax 733 03 95; telex 412133 LRC CH)
4. **Representative of the recipient**: Cruz Roja Hondureña, 7a Calle, entre 1a y 2a, Avenidas-Comayaguela, DC, Honduras, Centroamerica (tel. (22) 8876/4628, fax 22-38 01 85; telex 1437 CRUZ R HO)
5. **Place or country of destination** (3): Honduras
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (4) (5) (6) (7):
See OJ No C 114, 29. 4. 1991, p. 1 (under I.B.1)
8. **Total quantity**: 100 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (8) (9): 25 kg
OJ No C 114, 29. 4. 1991, p. 1 (under I.A.2.3, I.B.2 and I.B.3)
Markings in Spanish; supplementary markings: 'IFRC-Puerto Cortes'
11. **Method of mobilization of product**: the Community market
The manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: Puerto Cortes
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 7 — 20. 6. 1993
18. **Deadline for the supply**: 30. 7. 1993
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) 17. 5. 1993
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 1. 6. 1993
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 21. 6 — 4. 7. 1993
 - (c) deadline for the supply: 13. 8. 1993**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 14. 6. 1993
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 5 — 18. 7. 1993
 - (c) deadline for the supply: 27. 8. 1993
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (10): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B/25670 AGREC B; telefax (32 2) 296 20 05/295 01 32/296 10 97/295 01 30/296 33 04)
25. **Refund payable on request by the successful tenderer** (11): refund applicable on 28. 4. 1993, fixed by Commission Regulation (EEC) No 885/93 (OJ No L 92, 16. 4. 1993, p. 28)

LOT C

1. **Operation No** ⁽¹⁾: 1579/92
2. **Programme**: 1990
3. **Recipient** ⁽²⁾: Honduras
4. **Representative of the recipient**: Ambassade du Honduras, av. des Gallois, 3, B-1040 Bruxelles (tel. 734 00 00) Honduras: SECPLAN (Secretaría de Planificación, Coordinación y Presupuesto), Sr. Orlando Funez Cruz, Edificio Bonadesa, Comayagua, Apartado Postal 1327 (fax (504) 38 17 17)
5. **Place or country of destination** ⁽³⁾: Honduras
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽⁵⁾ ⁽⁶⁾: See OJ No C 114, 29. 4. 1991, p. 1 (I.B.1)
8. **Total quantity**: 247 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽¹⁰⁾ ⁽¹¹⁾: See OJ No C 114, 29. 4. 1991, p. 1 (I.B.2, I.A.2.3, I.B.3)
Markings in Spanish
11. **Method of mobilization**: the Community market
The skimmed-milk powder must be manufactured and the vitamins incorporated after the award of the tender
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**:
Cia Almacenadora (COALSA), Bufalo, Villanueva Km. 8, San Pedro de Sula (Sr. Douglas Ramirez tel. (504) 53 18 88)
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 7 — 20. 6. 1993
18. **Deadline for the supply**: 30. 7. 1993
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 17. 5. 1993
21. **A. In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 1. 6. 1993
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 21. 6 — 4. 7. 1993
 - (c) deadline for the supply: 13. 8. 1993**B. In the case of a third invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 14. 6. 1993
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 5 — 18. 7. 1993
 - (c) deadline for the supply: 27. 8. 1993
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B / 25670 AGREC B; telefax: (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** ⁽⁷⁾: refund applicable on 28. 4. 1993, fixed by Commission Regulation (EEC) No 885/93 (OJ No L 92, 16. 4. 1993, p. 28)

Notes :

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

The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

- (4) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund and, where appropriate, the accession compensatory amounts. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 8 to 12 of Commission Regulation (EEC) No 3819/92 (OJ No L 387, 31. 12. 1992, p. 17) shall not apply to this amount.

- (5) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33. (Lots B and C : See Costa Rica).
- (6) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :
- health certificate,
 - lots B and C : veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing.
- (7) The shipping documents must be authenticates by the diplomatic representative in the exporting country.
- (8) Documents and certificates in English (lot A) and in Spanish (lots B and C).
- (9) The bags shall be stacked, maximum 40, on wooden pallets (made of pine, fir, or poplar wood) measuring not more than 1 200 × 1 400 mm, and with the following features :
- four-way entry, non reversible, with wings,
 - a top deck consisting of a minimum of seven planks,
 - a bottom deck consisting of three planks (width : 100 mm ; thickness : 22 mm),
 - three bearers (width : 100 mm ; thickness : 22 mm),
 - nine dowels : 100 × 100 × 78 mm minimum.
- The palletized bags shall be covered by a shrink film of a thickness of at least 150 microns. The whole of the above must be bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.
- The bags are further protected by board or wood placed between the bags and the straps.
- (10) The bags must be placed in 20-foot containers. The free holding period for containers must be at least 15 days.
- (11) Notwithstanding OJ No C 114, point I.A(3)(c) is replaced by the following : 'the words "European Community".'

COMMISSION REGULATION (EEC) No 1060/93

of 29 April 1993

re-establishing the levying of customs duties on products falling within CN codes 8527, 8528 and 8529, originating in China, to which the preferential tariff arrangements set out in Council Regulation (EEC) No 3831/90 apply

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

the countries and territories concerned may at any time be re-established;

Having regard to the Treaty establishing the European Economic Community,

Whereas, in the case of products falling within CN codes 8527, 8528 and 8529, originating in China the individual ceiling was fixed at ECU 4 631 000; whereas on 13 January 1993, imports of these products into the Community originating in China reached the ceiling in question after being charged thereagainst; whereas, it is appropriate to re-establish the levying of customs duties in respect of the products in question against China,

Having regard to Council Regulation (EEC) No 3831/90 of 20 December 1990 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries⁽¹⁾, extended for 1993 by Regulation (EEC) No 3917/92⁽²⁾, and in particular Article 9 thereof,

Whereas, pursuant to Articles 1 and 6 of Regulation (EEC) No 3831/90, suspension of customs duties shall be accorded for 1993 to each of the countries or territories listed in Annex III other than those listed in column 4 of Annex I, within the framework of the preferential tariff ceilings fixed in column 6 of Annex I;

HAS ADOPTED THIS REGULATION:

Article 1

Whereas, as provided for in Article 7 of that Regulation, as soon as the individual ceilings in question are reached at Community level, the levying of customs duties on imports of the products in question originating in each of

As from 4 May 1993, the levying of customs duties, suspended for 1993 pursuant to Council Regulation (EEC) No 3831/90, shall be re-established on imports into the Community of the following products, originating in China:

Order No	CN code	Description
10.1060	8527 11 10 8527 11 90 8527 21 10 8527 21 90 8527 29 00 8527 31 10 8527 31 91 8527 31 99 8527 32 90 8527 39 10 8527 39 91 8527 39 99 8527 90 91 8527 90 99	Reception apparatus for radio-telephony, radio-telegraphy or radio-broadcasting, whether or not combined in the same housing with recording or reproducing apparatus or a clock

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 1.

⁽²⁾ OJ No L 396, 31. 12. 1992, p. 1.

Order No	CN code	Description
10.1060 <i>(continued)</i>	8528 10 61	Television receivers (including video monitors and video projectors), whether or not combined in the same housing, with radio-broadcast receivers or sound or video recording or reproduction apparatus, excluding video recording or reproducing apparatus incorporating a video tuner and goods of subheadings 8528 10 40, 8528 10 50, 8528 10 71, 8528 10 73, 8528 10 75, 8528 10 78
	8528 10 69	
	8528 10 80	
	8528 10 91	
	8528 10 98	
	8528 20 20	
	8528 20 71	
	8528 20 73	
	8528 20 79	
	8528 20 91	
	8528 20 99	
	8529 10 20	
	8529 10 31	
	8529 10 39	
	8529 10 40	
	8529 10 50	
	8529 10 70	
	8529 10 90	
	8529 90 70	
	8529 90 98	

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, 29 April 1993.

For the Commission
René STEICHEN
Member of the Commission

**COMMISSION REGULATION (EEC) No 1061/93
of 30 April 1993**

**adopting derogatory arrangements in the beef and veal sector as a result of the
outbreak of foot-and-mouth disease in Italy**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal⁽¹⁾, as last amended by Regulation (EEC) No 125/93⁽²⁾, and in particular Article 23 thereof,

Whereas the first indent of Article 6 (4) of Commission Regulation (EEC) No 3619/92 of 15 December 1992 introducing management measures for imports of certain bovine animals for 1993⁽³⁾ provides for the issue of a certain number of import licences between 15 and 26 February 1993; whereas Article 1 of Commission Regulation (EEC) No 179/93 of 29 January 1993 specifying the extent to which applications lodged in January 1993 for import licences in respect of young male bovine animals for fattening may be accepted⁽⁴⁾ also provides for the issue of a certain number of import licences for live animals; whereas the first indent of Article 3 (5) of Commission Regulation (EEC) No 3589/92 of 11 December 1992 laying down detailed rules for the year 1993 for the application of the import arrangements for fresh, chilled or frozen beef provided for in the Interim Association Agreements between the Community and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic for 1993⁽⁵⁾ provides for the issue on 25 January 1993 of the import licences for part of the meat covered by those Association Agreements; whereas the term of validity of the licences referred to above is restricted to 90 days in accordance with Article 4 (b) and (c) of Commission Regulation (EEC)

No 2377/80⁽⁶⁾, as last amended by Regulation (EEC) No 3662/92⁽⁷⁾; whereas, in the light of the situation as regards imports resulting from the outbreak of foot-and-mouth disease in Italy, the term of validity of the said licences may be suitably extended;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. Notwithstanding the provisions of Article 4 (b) and (c) of Regulation (EEC) No 2377/80, the term of validity of the licences issued in accordance with the first indent of Article 6 (4) of Regulation (EEC) No 3619/92, Article 1 of Regulation (EEC) No 179/93 and the first indent of Article 3 (5) of Regulation (EEC) No 3589/92 shall be extended by 60 days at the request of the operator in question.
2. The request referred to in paragraph 1 above must be accompanied by the original of the licence concerned.

Article 2

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

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

Done at Brussels, 30 April 1993.

For the Commission
René STEICHEN
Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 367, 16. 12. 1992, p. 17.

⁽⁴⁾ OJ No L 22, 30. 1. 1993, p. 51.

⁽⁵⁾ OJ No L 364, 12. 12. 1992, p. 28.

⁽⁶⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁷⁾ OJ No L 370, 19. 12. 1992, p. 43.

COMMISSION REGULATION (EEC) No 1062/93

of 30 April 1993

on the transport and sale of fodder grain held by the Spanish intervention agency for disposal to stockfarmers established in certain regions of Spain

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 7 (5) thereof,

Having regard to Council Regulation (EEC) No 3492/90 of 27 November 1990 laying down the factors to be taken into consideration in the annual accounts for the financing of intervention measures in the form of public storage by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽³⁾, and in particular Article 1 thereof,

Whereas Article 3 of Council Regulation (EEC) No 1581/86 of 23 May 1986 laying down general rules for intervention on the market in cereals ⁽⁴⁾, as last amended by Regulation (EEC) No 2203/90 ⁽⁵⁾, provides that cereals held by the intervention agency are to be disposed of by invitation to tender;

Whereas Commission Regulation (EEC) No 1836/82 ⁽⁶⁾, as last amended by Regulation (EEC) No 966/93 ⁽⁷⁾, lays down the procedure and the conditions for the disposal of cereals held by intervention agencies;

Whereas, as a result of the persisting drought, certain regions of Spain are suffering from a severe shortage of fodder and fodder grain; whereas this situation is a threat to stockfarmers, who, being unable to obtain fodder at a reasonable price, may be forced to sell their livestock prematurely; whereas appropriate action should be taken in order to avoid such negative consequences;

Whereas Spain has large intervention stocks, part of which are stored in regions other than those affected; whereas Spain has notified the reasons necessitating the transport to the affected regions of quantities of fodder grain taken over by this intervention agency; whereas

these reasons justify the approval of such transport at the lowest cost;

Whereas stockfarming has been particularly affected by the drought; whereas the use of the cereals should therefore be limited to drought-stricken stockfarmers established in those regions; whereas all necessary measures must be taken by the Member State to monitor such use;

Whereas a security must be put up to guarantee the performance of the operation;

Whereas the provision of fodder grain is insufficient to resolve the existing difficulties facing stockfarmers; whereas, in view of the special circumstances, deferred payment for cereals purchased should be permitted;

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 Spanish intervention agency, hereinafter known as SENPA, shall, under the conditions laid down in Regulation (EEC) No 1836/82, issue a standing invitation to tender for the resale of 120 000 tonnes of barley and 30 000 tonnes of rye held by it with a view to disposal to drought-stricken stockfarmers in Cádiz, Badajoz, Cáceres, Córdoba, Granada, Málaga, Sevilla, Ciudad Real, Toledo, Jaén, Salamanca, Ávila, Zamora and Huelva.

2. Without prejudice to the provisions of Regulation (EEC) No 1836/82, the following special rules shall apply to this invitation to tender:

- the cereals shall be disposed of by invitation to tender in drought-stricken regions in the form of a mixture prepared by the SENPA of approximately 15 % rye and 85 % barley,
- only stockfarmers in the regions listed or their authorized agents may submit tenders,
- the offers are made with reference to the actual quality of the corresponding lot,
- the security referred to in Article 13 (4) second indent of Regulation (EEC) No 1836/82 is not to be furnished,

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 337, 14. 12. 1990, p. 3.

⁽⁴⁾ OJ No L 139, 24. 5. 1986, p. 33.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 5.

⁽⁶⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽⁷⁾ OJ No L 98, 24. 4. 1993, p. 25.

- the tender selected must be at least 95 % of the intervention price referred to in Article 7 of Regulation (EEC) No 2727/75, applicable on the last day on which tenders may be submitted,
- a security equal to the intervention price must be furnished by the successful tenderer to guarantee payment for the cereals disposed of by invitation to tender; the security is released on payment,
- the final date for the invitation to tender shall be 31 May 1993.

Article 2

By way of derogation from the first paragraph of Article 16 of Regulation (EEC) No 1836/82, cereals disposed of by invitation to tender shall be paid for at the end of the sixth month following the month in which the contract was awarded.

Article 3

The quantities of cereals for which tenders are invited shall be made available to tenderers by SENPA without delay, SENPA shall be responsible for the transport of the

cereals from the place of storage to the place of disposal. This shall be approved in accordance with Article 1 of Regulation (EEC) 3492/90. SENPA shall reimburse transport costs on presentation of transport invoices up to ECU 20 per tonne as well as, where necessary, the costs of additional entries and removals.

Article 4

1. The Spanish authorities shall take the necessary steps to guarantee the performance of the operation and inform the Commission of them.
2. SENPA shall keep separate accounts for this operation.
3. Successful tenderers must be prepared to undergo all the checks which SENPA may wish to carry out in order to assure itself that the tenderer is actually a stockfarmer or an authorized representative.

Article 5

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, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1063/93

of 30 April 1993

amending Regulation (EEC) No 2496/78 on detailed rules for the granting of private storage aid for Provolone cheese

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic 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 (EEC) No 2071/92 ⁽²⁾, and in particular Article 8 ⁽⁵⁾ thereof,Whereas Article 4 (2) of Commission Regulation (EEC) No 2496/78 ⁽³⁾, as last amended by Regulation (EEC) No 1650/90 ⁽⁴⁾, sets the amount of the aid; whereas this amount should be altered to take into account trends on the market for the cheese 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

In Article 4 (2) of Regulation (EEC) No 2496/78, 'ECU 2,56' is replaced by 'ECU 1,92'.

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

It shall apply to storage contracts concluded as from the date of entry into force.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.⁽³⁾ OJ No L 300, 27. 10. 1978, p. 24.⁽⁴⁾ OJ No L 154, 20. 6. 1990, p. 25.

COMMISSION REGULATION (EEC) No 1064/93

of 30 April 1993

introducing private storage premium for peas and field beans

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, as last amended by Regulation (EEC) No 364/93⁽²⁾, and in particular Article 16 thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rate to be applied for the purpose of the common agricultural policy⁽³⁾, and in particular Article 6 (2) thereof,

Whereas the support arrangements foreseen in Regulation (EEC) No 1431/82 of 18 May 1982 laying down special measures for peas, field beans and sweet lupins⁽⁴⁾, as last amended by Regulation (EEC) No 1750/92⁽⁵⁾, expire on 30 June 1993; whereas Regulation (EEC) No 1765/92 introduces a compensatory payment to arable producers, including pea and field bean producers; whereas the transition between the two support arrangements could give rise to considerable disturbance of the market for peas and field beans and pose substantial difficulties to the disposal of the 1992/93 pea and field bean crop;

Whereas it is necessary to establish specific measures which can facilitate the transition; whereas introducing a private storage premium for peas and field beans could facilitate the transition between the two support arrangements;

Whereas, contracts shall be concluded only with first buyers or approved users; whereas, to make the scheme more effective, contracts must relate to a certain minimum quantity; whereas in order to facilitate application of the system of contracts, a maximum quantity to be stored should be fixed per Member State, with the possibility of a redistribution of the quantities within these limits not taken up in any Member State;

Whereas the period during which contracts may be concluded should be restricted;

Whereas the amount of the security designed to ensure compliance with the contractual obligations should be fixed at an amount per 100 kilograms;

Whereas the contract shall include the obligations to be fulfilled by the co-contracting party, in particular those enabling the competent authority to make an effective inspection of storage, must be specified;

Whereas the peas or field beans may not be removed from storage before 1 July 1993; whereas the removal of peas or field beans from storage should be discouraged; whereas the entitlement to the aid and 50 % of the security shall be forfeited if the peas or field beans are removed from storage before the end of the contract period;

Whereas, pursuant to Article 6 (2) of Regulation (EEC) No 3813/92, it should be specified that, in the case of a storage premium, the operative event to determine the amount of the security and the aid in national currency is the latest day for the lodging of applications;

Whereas provision should be made for a system of checks to ensure that aid is not granted unduly; whereas for this purpose the Member States should make checks appropriate to the various stages of storage;

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

HAS ADOPTED THIS REGULATION:

I

Article 1

The competent authorities in the Member States shall conclude storage contracts, for peas or field beans harvested on their territory in the 1992/93 marketing year, as provided for in this Regulation.

Article 2

1. Storage contracts (hereinafter called 'contracts') shall be concluded only with first buyers or approved users.

2. Contracts shall be made only in respect of peas or field beans, in lots of at least 500 tonnes, for which a minimum price certificate has been issued according to Article 6 of Commission Regulation (EEC) No 3540/85⁽⁶⁾.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 42, 19. 2. 1993, p. 3.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 162, 12. 6. 1982, p. 28.

⁽⁵⁾ OJ No L 180, 1. 7. 1992, p. 17.

⁽⁶⁾ OJ No L 342, 19. 12. 1985, p. 1.

3. Contracts shall be concluded for a period of 200 days starting from 17 May or 14 June 1993. Contracts may not be renewed.

4. The maximum quantity that may be covered by contracts shall be 100 000 tonnes, distributed as follows :

- 70 000 tonnes in France,
- 10 000 tonnes in Denmark,
- 20 000 tonnes in the United Kingdom,
- 0 tonnes in other Member States.

If the quantities covered by contract in a Member State at 1 June are below the ceiling set, the balance may be reallocated by the Commission.

Article 3

1. With a view to conclusion of a contract, a written application must be lodged with the competent authority of the Member State in which the peas and field beans are located. It must be accompanied by proof that a security of ECU 0,5 per 100 kilograms of peas and field beans has been lodged.

2. Applications must be lodged by the end of :

10 May 1993 for storage commencing on 17 May 1993, or
4 June 1993 for storage commencing on 14 June 1993.

3. Member States shall notify the Commission of the quantities for which valid applications have been made, by the end of the first working day following the deadline for lodging applications.

4. The Commission shall total the quantities for which applications are made and shall, until exhaustion of the maximum quantity specified in Article 2 (4), authorize Member States to accept the applications made. Should there be a risk of exhaustion of the quantity it shall authorize acceptance of quantities applied for proportionally to the quantity available.

5. After authorization by the Commission, contracts shall be concluded without discrimination and as rapidly as possible. In all cases, the date of conclusion of the contract shall be before the first day of the relevant storage period.

II

Article 4

1. Contract applications and contracts shall relate to only those peas and field beans for which premium may be granted.

2. Contract applications shall not be acceptable unless they include the particulars referred to in paragraph 4 and

proof has been furnished that a security has been provided.

3. Contracts shall include a declaration by which the co-contracting party undertakes to place in storage and to store only products for which a minimum price certificate according to Article 7 of Regulation (EEC) No 3540/85 has been issued.

4. Contracts shall be drawn up in two copies and shall include the following information :

- (a) the business name of the co-contracting party ;
- (b) its full postal address ;
- (c) the name and address of the competent authority ;
- (d) the exact location of the place of storage ;
- (e) the number and individual particulars of the lots covered by the contract and the weight of each lot ;
- (f) the consent of the owner of the stored peas or field beans, if the contracting party is not the owner ;
- (g) the date of commencement of storage ;
- (h) the reference to this regulation ;
- (i) the date of conclusion of the contract ;
- (j) the amount of the aid per unit of weight ;
- (k) the amount of the security.

5. Contracts shall make the following obligations incumbent upon the co-contracting party :

- (a) that of holding in store during the period stipulated of the agreed quantity of peas or field beans on their own behalf and at their own risk, any change to be authorized by the competent authority ;
- (b) that of authorizing the competent authority to verify at any time that the obligations laid down in the contract are being complied with.

6. The co-contracting party may, after 1 July 1993, cancel the contract by notifying the competent authority. Thereby the co-contracting party shall lose entitlement to the premium for the whole storage period and shall forfeit 50 % of the security lodged pursuant to Article 3 (1).

The co-contracting party may under no circumstance cancel the contract or remove contracted peas or field beans from stores before 1 July 1993.

7. The obligation of compliance with the quantity shown in the contract shall be met if at least 98 % of that quantity has been maintained in store.

Article 5

1. For each of the 200 day storage periods a premium of ECU 3 per 100 kilograms shall be granted.

2. The rate applicable for the conversion into national currency for the storage premium shall be the agricultural conversion rate in force on the latest day for the lodging of applications.

3. The amount of premium shall be calculated by reference to the quantity identified.

Article 6

Subject to the provisions of Article 7, the premium shall be paid only where all the obligations in the contract have been complied with.

The aid shall be paid, and the securities specified in Article 3 (1) released after verification of compliance with the said obligations, within 60 days following expiry of the contract.

Article 7

1. In the cases of *force majeure*, the competent authority shall determine what action is necessary given the circumstances invoked. Such action may, in particular, involve payment of the premium due pro rata for the quantity stored and the actual period of storage.

2. Member States shall inform the Commission immediately of all cases that they deem to be cases of *force majeure* and of the action taken in each case.

III

Article 8

1. Member States shall ensure that the conditions giving rise to entitlements to aid are fulfilled. For this purpose they shall designate the national authority or other delegated competent authority to be responsible for checking storage operations. If such delegation takes place, the Member State shall ensure that the delegated competent authority is independent of the co-contracting party.

2. The co-contracting party shall make available to the authority responsible for checking storage operations all documentation, for each contract, permitting in particular the following information on the products placed under contract to be verified :

- (a) the ownership at the time of placing in storage ;
- (b) the date of placing in storage ;
- (c) the weight ;
- (d) the presence of products in the storage.

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

When the products are placed in storage, the authority responsible for checking operations shall verify the identification referred to in the first subparagraph and shall seal the products placed in storage.

4. The authority responsible for checking operations shall undertake :

- (a) for each contract, a check on the compliance with all the obligations laid down in Article 4 ;
- (b) a compulsory check to ensure that the products are present in the warehouse during the final week of the contractual storage period ;
- (c) an unannounced check on a representative proportion of the contracts and the contracted produce.

The sealing or handling costs of the check are born by the co-contracting party.

5. Failure to comply with the contractual obligations shall entail forfeiture of the security, specified in Article 3 (1), without prejudice to any other penalties applicable.

6. Member States shall notify the Commission of all national measures adopted in implementation of this Regulation, with a specimen of the contract, and the means of assurance of sealing the peas and field beans into store.

Article 9

Member States shall notify the Commission of :

- the quantities of peas and field beans for which contracts have been concluded, before the start of each storage period,
- the quantities of peas and field beans for which the contractual obligations were met and in respect of which the premium has been paid, within 90 days of the end of each storage period.

Article 10

1. By derogation the conclusion of a storage contract shall in the meaning of Article 17 of Regulation (EEC) No 3540/85, shall be considered as a request for identification, and the aid payable will be the aid of the day according to the second subparagraph, second indent of Article 18 (2) on the day of application.

2. By derogation from Article 3 of Commission Regulation (EEC) No 3328/92 (1) and Article 19 (1) of Regulation (EEC) No 3540/85 the obligation of using the products within the meaning of Article 9 of Regulation (EEC) No 3540/85 must be complied with no later than three months later the ending of the contract within the Member State of harvest.

Member States shall establish all the necessary control measures for the provisions foreseen in this Article, and which shall include a specific bookkeeping for the contracted peas.

Article 11

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 334, 19. 11. 1992, p. 17.

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

Done at Brussels, 30 April 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EEC) No 1065/93

of 30 April 1993

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 Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 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 Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾ provides that when refunds are being fixed, account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand, and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports and the need to avoid disturbances on the Community market;

Whereas export possibilities exist for a quantity of 50 000 tonnes of rye flour and 70 000 tonnes of wheat flour and soft wheat flour to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89⁽⁴⁾, as last amended by Regulation (EEC) No 3570/92⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas Article 3 of Regulation (EEC) No 2746/75 defines the specific criteria to be taken into account when the refund on cereals is being calculated;

Whereas these specific criteria are defined, as far as wheat and rye flour, groats and meal are concerned, in Article 4 of Regulation (EEC) No 2746/75; whereas furthermore, 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 Commission Regulation No 162/67/EEC⁽⁶⁾, as last amended by Regulation (EEC) No 468/92⁽⁷⁾;

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⁽⁸⁾ 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 3819/92⁽⁹⁾;

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⁽¹⁰⁾ prohibits trade between the European Economic 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 2727/75, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 362, 11. 12. 1992, p. 51.

⁽⁶⁾ OJ No 128, 27. 6. 1967, p. 2574/67.

⁽⁷⁾ OJ No L 53, 28. 2. 1992, p. 15.

⁽⁸⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽¹⁰⁾ 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, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1993 fixing export refunds on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>			<i>(ECU/tonne)</i>		
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	97,00 (*)
1001 10 00 400	04	50,00	1101 00 00 130	01	91,00
	02	20,00	1101 00 00 150	01	84,00
1001 90 91 000	01	0	1101 00 00 170	01	78,00
1001 90 99 000	04	62,00	1101 00 00 180	01	74,00
	05	0	1101 00 00 190	—	—
	02	20,00	1101 00 00 900	—	—
1002 00 00 000	03	21,00	1102 10 00 500	01	125,00 (3)
	02	20,00	1102 10 00 700	—	—
1003 00 10 000	01	0	1102 10 00 900	—	—
1003 00 20 000	04	85,00	1103 11 30 200	01	140,00
	02	20,00	1103 11 30 900	01	0
1003 00 80 000	04	85,00	1103 11 50 200	01	140,00
	02	20,00	1103 11 50 400	01	120,00
1004 00 00 200	—	—	1103 11 50 900	01	0
1004 00 00 400	—	—	1103 11 90 200	01	97,00 (*)
1005 10 90 000	—	—	1103 11 90 800	—	—
1005 90 00 000	04	85,00			
	06	10,00			
	07	15,00			
	02	0			

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria and Liechtenstein,
- 04 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 05 Romania,
- 06 Zones I, VIII a), Albania, Romania and Cuba,
- 07 Bulgaria.

(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) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 50 000 tonnes of rye flour destined for all third countries.

(4) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 40 000 tonnes of wheat flour and soft wheat flour destined for third countries.

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

COMMISSION REGULATION (EEC) No 1066/93

of 30 April 1993

fixing the export refunds on malt

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals⁽¹⁾, as last amended by Regulation (EEC) No 1738/92⁽²⁾, and in particular the fourth subparagraph of Article 16 (2) thereof,

Whereas Article 16 of Regulation (EEC) No 2727/75 provides that the difference between quotations or prices on the world market for the products listed in Article 1 of those Regulations and prices for those products within the Community may be covered by an export refund;

Whereas Article 2 of Council Regulation (EEC) No 2746/75 of 29 October 1975 laying down general rules for granting export refunds on cereals and criteria for fixing the amount of such refunds⁽³⁾ provides that when refunds are being fixed account must be taken of the existing situation and the future trend with regard to prices and availabilities of cereals on the Community market on the one hand and prices for cereals and cereal products on the world market on the other; whereas the same Article provides that it is also important to ensure equilibrium and the natural development of prices and trade on cereal markets and, furthermore, to take into account the economic aspect of the proposed exports, and the need to avoid disturbances on the Community market;

Whereas Council Regulation (EEC) No 2744/75 of 29 October 1975 on the import and export system for products processed from cereals and from rice⁽⁴⁾, as last amended by Regulation (EEC) No 1906/87⁽⁵⁾, defines the specific criteria to be taken into account when the refund on these products is being calculated;

Whereas it follows from applying these detailed rules to the present situation on the market in products processed from cereals and rice that the export refund should be

fixed at an amount which will cover the difference between Community prices and world market prices;

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 representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽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 3819/92⁽⁷⁾;

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

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾ prohibits trade between the European Economic 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 malt listed in Article 1 (d) of Regulation (EEC) No 2727/75 subject to Regulation (EEC) No 2744/75 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 281, 1. 11. 1975, p. 78.

⁽⁴⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁵⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽⁸⁾ 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, 30 April 1993.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 30 April 1993 fixing the export refunds on malt

<i>(ECU/tonne)</i>	
Product code	Refund (1)
1107 10 19 000	69,00
1107 10 99 000	116,00
1107 20 00 000	134,00

(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 (EEC) No 1067/93

of 30 April 1993

fixing the export refunds on beef

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 18 thereof,

Whereas Article 18 of Regulation (EEC) No 805/68 provides that the difference between prices on the world market 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 885/68 ⁽³⁾, as last amended by Regulation (EEC) No 427/77 ⁽⁴⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas Regulation (EEC) No 32/82 ⁽⁵⁾, as last amended by Regulation (EEC) No 3169/87 ⁽⁶⁾, Regulation (EEC) No 1964/82 ⁽⁷⁾, as amended by Regulation (EEC) No 3169/87, and Regulation (EEC) No 2388/84 ⁽⁸⁾, as last amended by Regulation (EEC) No 3661/92 ⁽⁹⁾; lay down the conditions for granting special export refunds on certain cuts of beef and veal and certain preserved beef and veal products;

Whereas it follows from applying those rules and criteria to the foreseeable situation on the market in beef and veal that the refund should be as set out below;

Whereas, given the current market situation in the Community and the possibilities of disposal in certain

third countries in particular, export refunds should be granted on adult bovine animals of a live weight of at least 300 kilograms; whereas experience gained in recent years has shown that live pure-bred breeding animals weighing at least 250 kilograms in the case of females and 300 kilograms in that of males should be treated in the same way as other bovine animals, subject to certain special administrative formalities;

Whereas export refunds should be granted for certain destinations on some fresh or chilled meat listed in the Annex under CN code 0201, on some frozen meat listed in the Annex under CN code 0202, on some meat or offal listed in the Annex under CN code 0206 and on some other prepared or preserved meat or offal listed in the Annex under CN code 1602 50 10;

Whereas, in view of the wide differences in products covered by CN codes 0201 20 90 700 and 0202 20 90 100 used for refund purposes, refunds should only be granted on cuts in which the weight of bone does not exceed one third;

Whereas, in the case of meat of bovine animals, boned or boneless, salted and dried, there are traditional trade flows to Switzerland; whereas, to allow this trade to continue, the refund should be set to cover the difference between prices on the Swiss market and export prices in the Member States; whereas there are possibilities for exporting such meat and also salted, smoked and dried meat to certain African, Near and Middle Eastern countries; whereas a refund should accordingly be set;

Whereas, in the case of certain other cuts and preserves of meat or offal shown in the Annex under CN codes 1602 50 31 to 1602 50 80, the Community share of international trade may be maintained by granting a refund corresponding to that at present available;

Whereas, in the case of other beef and veal products, a refund need not be fixed since the Community's share of world trade is not significant;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 156, 4. 7. 1968, p. 2.

⁽⁴⁾ OJ No L 61, 5. 3. 1977, p. 16.

⁽⁵⁾ OJ No L 4, 8. 1. 1982, p. 11.

⁽⁶⁾ OJ No L 301, 24. 10. 1987, p. 21.

⁽⁷⁾ OJ No L 212, 21. 7. 1982, p. 48.

⁽⁸⁾ OJ No L 221, 18. 8. 1984, p. 28.

⁽⁹⁾ OJ No L 370, 19. 12. 1992, p. 16.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽¹⁾ 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 3819/92 ⁽²⁾;

Whereas Commission Regulation (EEC) No 3846/87 ⁽³⁾, as last amended by Regulation (EEC) No 425/93 ⁽⁴⁾, establishes the agricultural product nomenclature for the purposes of export refunds;

Whereas, in order to simplify customs export formalities for operators, the refunds on all frozen cuts should be brought in line with those on fresh or chilled cuts other than those from adult male bovine animals;

Whereas experience has shown that in certain cases it is often difficult to determine the relevant quantities of beef, veal and other meat contained in prepared or preserved meat covered by CN code 1602 50; whereas exclusively beef and veal products should accordingly be set apart and a new heading should be created for mixtures of meats or offals; whereas checks on products other than mixtures of meat or offal should be stepped up by making the granting of refunds on these products conditional on manufacture under the arrangements provided for in Article 4 of Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products ⁽⁵⁾, as amended by Regulation (EEC) No 2026/83 ⁽⁶⁾;

Whereas refunds on female animals should vary depending on their age in order to prevent abuses in the export of certain pure-bred breeding animals;

Whereas Council Regulation (EEC) No 990/93 ⁽⁷⁾ prohibits trade between the European Economic 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, notwithstanding the subdivision of the combined nomenclature for prepared and preserved meat, other than uncooked, falling within CN code 1602 50, experience has shown that it is possible to delete from the refund nomenclature several products falling within CN code 1602 50 31 and to amend the list of products falling within CN code 1602 50 80;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products on which export refunds as referred to in Article 18 of Regulation (EEC) No 805/68 are granted and the amount thereof shall be as set out in Annex I hereto.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 17.

⁽³⁾ OJ No L 366, 24. 12. 1987, p. 1.

⁽⁴⁾ OJ No L 48, 26. 2. 1993, p. 26.

⁽⁵⁾ OJ No L 62, 7. 3. 1980, p. 5.

⁽⁶⁾ OJ No L 199, 22. 7. 1983, p. 12.

⁽⁷⁾ OJ No L 102, 26. 2. 1993, p. 14.

ANNEX

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>		
Product code	Destination (°)	Refund (°) (10)	Product code	Destination (°)	Refund (°) (10)
		— Live weight —			— Net weight —
0102 10 10 120	01	96,00	0201 20 20 120	02	126,50
0102 10 10 130	02	85,50		03	88,00
	03	55,50		04	44,00
	04	25,50	0201 20 30 110 (1)	02	124,50
0102 10 30 120	01	96,00		03	85,00
0102 10 30 130	02	85,50		04	42,50
	03	55,50	0201 20 30 120	02	92,00
	04	25,50		03	65,00
0102 10 90 120	01	96,00		04	32,50
0102 90 51 000	02	85,50	0201 20 50 110 (1)	02	218,50
	03	55,50		03	146,00
	04	25,50		04	73,00
0102 90 59 000	02	85,50	0201 20 50 120	02	161,00
	03	55,50		03	110,50
	04	25,50		04	56,00
0102 90 61 000	02	85,50	0201 20 50 130 (1)	02	124,50
	03	55,50		03	85,00
	04	25,50		04	42,50
0102 90 69 000	02	85,50	0201 20 50 140	02	92,00
	03	55,50		03	65,00
	04	25,50		04	32,50
0102 90 71 000	02	101,50	0201 20 90 700	02	92,00
	03	73,00		03	65,00
	04	34,50		04	32,50
0102 90 79 000	02	101,50	0201 30 00 050 (4)	05	112,00
	03	73,00	0201 30 00 100 (2)	02	312,00
	04	34,50		03	208,50
		— Net weight —		04	104,50
0201 10 00 110 (1)	02	124,50		06	266,50
	03	85,00	0201 30 00 150 (6)	02	165,00
	04	42,50		03	125,00
0201 10 00 120	02	92,00		04	62,50
	03	65,00		06	144,50
	04	32,50		07	90,00
0201 10 00 130 (1)	02	171,50	0201 30 00 190 (6)	02	128,00
	03	115,00		03	84,00
	04	57,50		04	42,00
0201 10 00 140	02	126,50		06	102,50
	03	88,00		07	90,00
	04	44,00			
0201 20 20 110 (1)	02	171,50			
	03	115,00			
	04	57,50			

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>		
Product code	Destination (?)	Refund (°) (1°)	Product code	Destination (?)	Refund (°) (1°)
		— Net weight —			— Net weight —
0202 10 00 100	02	92,00	1602 50 10 120	02	134,50 (°)
	03	65,00		03	108,00 (°)
	04	32,50		04	108,00 (°)
0202 10 00 900	02	126,50	1602 50 10 140	02	119,50 (°)
	03	88,00		03	96,00 (°)
	04	44,00		04	96,00 (°)
0202 20 10 000	02	126,50	1602 50 10 160	02	96,00 (°)
	03	88,00		03	77,00 (°)
	04	44,00		04	77,00 (°)
0202 20 30 000	02	92,00	1602 50 10 170	02	63,50 (°)
	03	65,00		03	51,00 (°)
	04	32,50		04	51,00 (°)
0202 20 50 100	02	161,00	1602 50 10 190	02	63,50
	03	110,50		03	51,00
	04	56,00		04	51,00
0202 20 50 900	02	92,00	1602 50 10 240	02	36,00
	03	65,00		03	36,00
	04	32,50		04	36,00
0202 20 90 100	02	92,00	1602 50 10 260	02	26,00
	03	65,00		03	26,00
	04	32,50		04	26,00
0202 30 90 100 (°)	05	112,00	1602 50 10 280	02	16,00
0202 30 90 400 (°)	02	165,00		03	16,00
	03	125,00		04	16,00
	04	62,50	1602 50 31 125	01	116,00 (°)
	06	144,50	1602 50 31 135	01	73,00 (°)
	07	90,00	1602 50 31 195	01	36,00
0202 30 90 500 (°)	02	128,00	1602 50 31 325	01	103,00 (°)
	03	84,00	1602 50 31 335	01	65,00 (°)
	04	42,00	1602 50 31 395	01	36,00
	06	102,50	1602 50 39 125	01	116,00 (°)
	07	90,00	1602 50 39 135	01	73,00 (°)
0202 30 90 900	07	90,00	1602 50 39 195	01	36,00
0206 10 95 000	02	128,00	1602 50 39 325	01	103,00 (°)
	03	84,00	1602 50 39 335	01	65,00 (°)
	04	42,00	1602 50 39 395	01	36,00
	06	102,50	1602 50 39 425	01	77,00 (°)
0206 29 91 000	02	128,00	1602 50 39 435	01	48,50 (°)
	03	84,00	1602 50 39 495	01	36,00
	04	42,00	1602 50 39 505	01	36,00
	06	102,50	1602 50 39 525	01	77,00 (°)
0210 20 90 100	08	102,50	1602 50 39 535	01	48,50 (°)
	09	60,50	1602 50 39 595	01	36,00
0210 20 90 300	02	128,00			
0210 20 90 500 (°)	02	128,00			

<i>(ECU/100 kg)</i>			<i>(ECU/100 kg)</i>		
Product code	Destination (7)	Refund (8) (10)	Product code	Destination (7)	Refund (8) (10)
		— Net weight —			— Net weight —
1602 50 39 615	01	36,00	1602 50 80 495	01	36,00
1602 50 39 625	01	16,00	1602 50 80 505	01	36,00
1602 50 39 705	01	36,00	1602 50 80 515	01	16,00
1602 50 39 805	01	26,00	1602 50 80 535	01	48,50 (9)
1602 50 39 905	01	16,00	1602 50 80 595	01	36,00
1602 50 80 135	01	73,00 (9)	1602 50 80 615	01	36,00
1602 50 80 195	01	36,00	1602 50 80 625	01	16,00
1602 50 80 335	01	65,00 (9)	1602 50 80 705	01	36,00
1602 50 80 395	01	36,00	1602 50 80 805	01	26,00
1602 50 80 435	01	48,50 (9)	1602 50 80 905	01	16,00

(1) Entry under this subheading is subject to the submission of the certificate appearing in the Annex to Commission Regulation (EEC) No 32/82.

(2) Entry under this subheading is subject to compliance with the condition laid down in Commission Regulation (EEC) No 1964/82.

(3) The refund on beef in brine is granted on the net weight of the meat, after deduction of the weight of the brine.

(4) OJ No L 336, 29. 12. 1979, p. 44.

(5) OJ No L 221, 19. 8. 1984, p. 28.

(6) The lean bovine meat content excluding fat is determined in accordance with the procedure described in the Annex to Commission Regulation (EEC) No 2429/86.

(7) The destinations are as follows:

01 Third countries.

02 North African, Near and Middle East third countries, West, Central East and South African third countries, except Cyprus, Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

03 European third countries, Ceuta, Melilla, Cyprus, Greenland, Pakistan, Sri Lanka, Burma, Thailand, Vietnam, Indonesia, the Philippines, China, North Korea and Hong Kong and the destinations referred to in Article 34 of Commission Regulation (EEC) No 3665/87, except Austria, Sweden and Switzerland.

04 Austria, Sweden and Switzerland.

05 The United States of America, carried out in accordance with Commission Regulation (EEC) No 2973/79.

06 French Polynesia and New Caledonia.

07 Canada.

08 North, West, Central, East and Southern African third countries, except Botswana, Kenya, Madagascar, Swaziland, Zimbabwe and Namibia.

09 Switzerland.

(8) Article 7 of Regulation (EEC) No 885/68 provides that no export refunds shall be granted on products imported from third countries and re-exported to third countries.

(9) The refund is granted only on products manufactured under the arrangement provided for in Article 4 of Council Regulation (EEC) No 565/80.

(10) 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 countries are as defined in Commission amended Regulation (EEC) No 3518/91.

The descriptions corresponding to the product codes and the footnotes are set out in Commission Regulation (EEC) No 3846/87 as amended.

COMMISSION REGULATION (EEC) No 1068/93

of 30 April 1993

on detailed rules for determining and applying the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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⁽¹⁾, and in particular point (d) of Article 1 and Articles 3 (3), 4 (2), 5 (3), 6 (2) and 12 thereof,

Whereas it has been found that certain aspects of Commission Regulation (EEC) No 3819/92 of 28 December 1992 on detailed rules for determining and applying the agricultural conversion rates⁽²⁾ must be expanded and made more explicit; whereas, in order to facilitate implementation of the agrimonetary arrangements, that Regulation should be repealed and the relevant provisions should be amended and expanded and included in a single Regulation;

Whereas the representative market rates defined in Article 1 of Regulation (EEC) No 3813/92 are used to convert amounts expressed in the national currencies of third countries and form the basis for fixing the agricultural conversion rates for Member States' currencies; whereas it is necessary to define the rules for their calculation in the case of floating currencies and in particular in respect of third countries' currencies whose value in ecus is not published in the *Official Journal of the European Communities*;

Whereas, in order to provide better information to traders and to avoid the risks of market distortion, the representative market rates for floating currencies should be adjusted on fixed dates immediately following the end of each basic reference period; whereas, however, in the event of major currency fluctuations the representative market rates of currencies fluctuating outside certain limits need to be established quickly on the basis of a brief reference period;

Whereas, in order to guarantee a uniform approach throughout the Community and to simplify administration of trade arrangements, the rates fixed by Commission Regulation (EEC) No 1766/85 of 27 June 1985 on the rates of exchange to be used in the determination of

customs value⁽³⁾, as amended by Regulation (EEC) No 593/91⁽⁴⁾, should be used by Member States to convert amounts expressed in third countries' currencies directly into their own national currency;

Whereas the agricultural conversion rate should be applicable as quickly as possible after the reference period on the basis of which it is calculated in order to avoid risks of market distortion or commercially unjustified profit-taking; whereas the agricultural conversion rate applicable at the beginning of a month should be adjusted in order to take account of the development of the representative market rate in the event of major currency fluctuations;

Whereas the order of adjustments to agricultural conversion rates should be indicated if they occur simultaneously, except as part of a currency realignment; whereas, in accordance with Article 4 (3) of Regulation (EEC) No 3813/92, priority should be accorded to the adjustment of the agricultural conversion rate referred to in paragraph 1 of that Article and then, if relevant, to that referred to in paragraph 3 of that Article, taking account of the basic reference period; whereas the same priority shall then apply taking account of the result thus obtained and of the derogation referred to in Article 2 (2);

Whereas data for the world market must be established in ecus at frequent intervals and with a high degree of accuracy; whereas in respect of those data expressed in the national currencies of Member States a special agricultural conversion rate equal to the representative market rate should be used;

Whereas in the event of a currency realignment the reference period used to establish the new agricultural conversion rates for floating currencies must be as brief as possible in order to prevent speculative movements of products; whereas, in order to alter agricultural conversion rates quickly, the Commission should fix the new rates for fixed currencies at the same time as those for floating currencies in accordance with the minimum dismantlements stipulated by Article 4 (2) of Regulation (EEC) No 3813/92; whereas, in order to achieve the objective in pursuit of which the correcting factor was introduced, changes in agricultural conversion rates caused by roundings-off in the calculation of the representative market rate for the fixed currencies which undergo the greatest revaluation should be avoided;

(1) OJ No L 387, 31. 12. 1992, p. 1.

(2) OJ No L 387, 31. 12. 1992, p. 17.

(3) OJ No L 168, 26. 6. 1985, p. 21.

(4) OJ No L 66, 13. 3. 1991, p. 14.

Whereas it is necessary to establish the operative events for the agricultural conversion rates applicable, in the absence of advance fixing, after the transitional measures laid down in Article 1 of Commission Regulation (EEC) No 3820/92⁽¹⁾, without prejudice to any details or exemptions provided for in the rules for the sectors concerned on the basis of the criteria mentioned in Article 6 of Regulation (EEC) No 3813/92;

Whereas for all the prices or amounts involved in trading transactions the acceptance of the customs declaration represents a suitable operative event; whereas in the case of prices and amounts linked to those prices the commercial objective is attained in the case of buying or selling operations when the product is paid for or taken over and, in the case of withdrawal operations by producer groups, on the first day of the month concerned; whereas, in the case of aid paid for a given quantity of product and in particular where the aid is conditional on a specific use of that product such as its processing, preservation, packaging or consumption, the commercial objective is attained when the product is taken over by the relevant operator and, where relevant, when the particular use of that product is guaranteed; whereas, in the case of private storage aid, products are no longer available on the market from the first day for which the aid is granted;

Whereas, in the case of aid granted per hectare, the commercial objective is attained when the product is harvested, usually at the beginning of the marketing year; whereas, in the case of structural aid financed exclusively by the EAGGF Guarantee Section, an operative event similar to that laid down in Article 6 (3) of Regulation (EEC) No 3813/92 should be established;

Whereas, for amounts not linked to the market prices of agricultural products, the operative event can be established as a date to be determined on the basis of the period during which the operation occurs; whereas it should be stated that the operative event applicable for the recording of prices or offers on the market is to occur on the day on which the prices or offers themselves are applicable; whereas, in the case of advances and securities, the agricultural conversion rate must approximate to that applicable to the prices or amounts in question where this is known at the time the advances or securities are paid;

Whereas, pursuant to the second subparagraph of Article 6 (1) of Regulation (EEC) No 3813/92, it is necessary to establish a strict relationship between the request for advance fixing of the agricultural conversion rate and that of the amount concerned in ecus; whereas, to avoid the risk of speculation, it is necessary to restrict the validity of certificates fixing agricultural conversion rates in advance to the territory of the Member State stipulated by the interested party, for the duration of the advance fixing of that rate;

Whereas it is necessary to indicate in the various Community languages the wording to appear on the

appropriate documents indicating the advance fixing of the agricultural conversion rate and the duration of its validity;

Whereas the agricultural conversion rates are determined according to very precise rules which allow for a degree of anticipation of their results prior to each fixing of those rates; whereas, in order to avoid the risk of speculation, the value of the agricultural conversion rate fixed in advance should be adjusted during the period which brings about the change in that rate; whereas Regulation (EEC) No 3813/92 specifies the need to overstep a permitted monetary gap in order to avoid significant market disturbance; whereas, therefore, it is necessary to adjust the advance fixing of an agricultural conversion rate which would produce a sizeable monetary gap with the rates in force;

Whereas the advance fixing of agricultural conversion rates may bring about the risk of speculation in the event of major exchange rate fluctuations; whereas, therefore, it is necessary to provide for the suspension of advance fixing by means of a rapid procedure where necessary; whereas where advance fixing is suspended, applications may be submitted subject to special conditions and in accordance with the provisions of Articles 13, 14 and 15 of Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽²⁾, as last amended by Regulation (EEC) No 2101/92⁽³⁾;

Whereas the method of calculating the correcting factor to be modified in the event of currency realignment and the rules for rounding off the values which are calculated in order to determine conversion rates should be specified;

Whereas the entry into force of this Regulation may allow its application for as many sectors as possible from the beginning of the 1993/94 marketing year;

Whereas the relevant Management Committees have not delivered an opinion within the time laid down by their chairmen,

HAS ADOPTED THIS REGULATION:

TITLE I

Representative market rates

Article 1

1. The exchange rates from which representative market rates for floating currencies are established shall be the daily ecu rates published in the 'C' series of the *Official Journal of the European Communities*.

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 22.

⁽²⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽³⁾ OJ No L 210, 25. 7. 1992, p. 18.

2. Where the ecu rate for a third country's currency is not published in the *Official Journal of the European Communities*, the representative market rate for that currency shall be established taking account of exchange rates reflecting as effectively as possible the current value of the currency in question in commercial transactions.

Article 2

1. The representative market rate for a floating currency shall be calculated on the basis of basic reference periods. These shall be the periods running from the 1st to the 10th, the 11th to the 20th and the 21st to the last day of each month, reduced if necessary in accordance with paragraphs 2 and 3.

2. By way of derogation from paragraph 1, in cases where the absolute value of the difference between the monetary gaps in two Member States, calculated, in the case of floating currencies, from the average of the ecu rates for three consecutive quotation days not interrupted by a currency realignment, exceeds six points:

- the representative market rates for each currency in question in respect of which a monetary gap exceeding two points exists shall be adjusted on the basis of the three quotation days in question, and
- the basic reference period concerned for the currency or currencies in question shall be adjusted so as to commence on the day following the three quotation days referred to in the first indent; the end of the said period shall not be affected by this provision.

3. In the event of a currency realignment:

- the reference period referred to in the second indent of the first subparagraph of Article 4 (2) of Regulation (EEC) No 3813/92 shall be equal to the two quotation days following the date of the realignment, and
- the basic reference period concerned shall be adjusted so as to commence on the day following the two quotation days referred to in the first indent; the end of the said period shall not be affected by this provision.

Article 3

The representative market rate shall be used from the day following the period on the basis of which it was calculated until the end of the following period for which a new representative market rate may be calculated.

Article 4

By way of derogation from use of the representative market rate in applying trade arrangements, conversion into the national currency of a Member State of an amount expressed in the national currency of a third country shall be effected by the Member State concerned using the conversion rate to be used in the determination of the customs value.

TITLE II

Agricultural conversion rates

Article 5

1. Notwithstanding Article 3 (2) of Regulation (EEC) No 3813/92 with regard to measures financed by the EAGGF Guidance Section, the agricultural conversion rates for floating currencies shall be adjusted in accordance with Article 4 (1) of that Regulation at the end of each month, on the basis of the final reference period of the month as referred to in Article 2 of this Regulation.

2. The agricultural conversion rates shall be adjusted in accordance with Article 4 (3) of Regulation (EEC) No 3813/92 in line with the monetary gaps for the representative market rates based on the reference periods referred to in Article 2 of this Regulation.

3. Where conditions are fulfilled for several types of adjustment to the agricultural conversion rate for a floating currency to be made on the same day, the procedure shall be as follows:

- (a) adjustments shall first of all be made on the basis of the representative market rate calculated on the basis of the basic reference period,
 - pursuant to paragraph 1, and then
 - pursuant to paragraph 2;
- (b) where appropriate, adjustments shall then be made on the basis of the representative market rate calculated pursuant to Article 2 (2), taking account of the agricultural conversion rate resulting from the application of (a) above,
 - pursuant to paragraph 1, and then
 - pursuant to paragraph 2.

Article 6

The agricultural conversion rate for a floating currency shall apply from the first day following the reference period on the basis of which it was determined.

Article 7

Amounts relating to world market data expressed in the national currency of a Member State shall be converted into ecus using a special agricultural conversion rate equal to the representative market rate.

Article 8

1. In the event of a currency realignment, the Commission shall set:

- the agricultural conversion rates with effect from the day following the reference period referred to in the first indent of Article 2 (3), and

- the correcting factor with effect from the quotation day following the realignment.

The operation referred to in the first indent of the first subparagraph shall be carried out without prejudice to the possibility of deciding as soon as possible, in accordance with the procedure referred to in Article 12 of Regulation (EEC) No 3813/92, on a subsequent further dismantling of monetary gaps. Where a Member State makes such a request before 4.30 p.m., Belgian time, on the quotation day following the realignment, the matter will be raised at the Management Committees concerned by their chairmen on the following quotation day.

2. In the case referred to in the first subparagraph of paragraph 1, the agricultural conversion rate determined for each fixed currency shall be :

- unchanged if the absolute value of the monetary gap is not more than 0,5 points after the realignment, or
- equal to the new representative market rate where the realignment produces a gap whose absolute value is more than 0,5 points and not more than 4 points, or
- set on the basis of a new monetary gap of an absolute value of 2 points where the realignment produces a gap whose absolute value is greater than 4 points.

3. However, the agricultural conversion rate shall be unchanged for all currencies whose revaluation in relation to the ecu, determined in accordance with Article 18 with rounding off to the second decimal place, is equal to the highest revaluation.

TITLE III

Operative events for the agricultural conversion rates

Article 9

The operative event for the agricultural conversion rate shall be the acceptance of the customs declaration with regard to the prices and amounts fixed in ecus under Community rules and to be applied in trade with third countries.

Article 10

1. For prices or, without prejudice to Article 9 and paragraph 2 of this Article, amounts linked to those prices,

- fixed in ecus in Community legislation, or
- fixed in ecus by a tender procedure, the operative event for the agricultural conversion rate shall be :
- in the case of purchases or sales, the taking over by the purchaser of the batch of products concerned or the transfer of the first payment, whichever is earlier,

- in the case of withdrawals of products in the fruit and vegetable or fishery product sectors, the first day of the month in which the withdrawal takes place.

For the purposes of this Regulation, for purchases by intervention agencies, taking-over shall be the commencement of physical delivery of the batch concerned or, where there is no physical movement, provisional acceptance of the seller's tender.

2. For aid granted by quantity of marketed product or by quantity of product to be used in a specific way, the operative event for the agricultural conversion rate shall be the first operation which :

- guarantees the appropriate use of the products in question and entails grant of the aid, and
- occurs after the date of taking over of the products by the operator concerned and, where appropriate, before the date of specific use.

3. For private storage aid the operative event for the agricultural conversion rate shall be the first day in respect of which the aid relating to one and the same contract is granted.

Article 11

1. Notwithstanding paragraph 2, in the case of aid per hectare the operative event for the agricultural conversion rate shall be the commencement of the marketing year in respect of which the aid is granted.

2. In the case of amounts of a structural or environmental character, in particular those granted under environmental protection, early retirement or afforestation schemes, the operative event for the agricultural conversion rate shall be 1 January of the year during which the decision to grant the aid is taken.

However, notwithstanding Article 6 (3) of Council Regulation (EEC) No 3813/92, in cases where, in line with Community rules, payment of the amounts referred to in the first subparagraph is staggered over several years, the annual instalments shall be converted using the agricultural conversion rates applicable on 1 January of the year in respect of which the instalment in question is paid.

Article 12

1. For costs of transport, processing or, without prejudice to Article 10 (3), storage and for amounts allocated to studies or promotional measures and determined under a tendering procedure, the operative event for the agricultural conversion rate shall be the final day for the submission of tenders.

2. For the recording of market rates for prices, amounts or tenders, the operative event for the agricultural conversion rate shall be the day in respect of which the price, amount or tender is recorded.

3. For advances :

- (a) the operative event for the agricultural conversion rate shall be :
- the event applicable to the price or amount to which the advance relates, where this event has occurred by the time the advance is paid, or
 - the date of fixing in ecus of the advance or, in other cases, the date of payment of the advance ;
- (b) where the agricultural conversion rate applicable to the price or amount concerned is fixed in advance, the adjustments referred to in Article 15 shall not apply ;
- (c) the operative event for the agricultural conversion rate shall be applied without prejudice to application to the entire price or amount in question of the operative event determined for that price or amount.

4. The operative event for the agricultural conversion rate for securities shall be, for each separate operation :

- in respect of advances, that defined for the amount of the advance, where this event has occurred by the time the security is paid,
- in respect of the submission of tenders, the day on which the tender is submitted,
- in respect of the execution of tenders, the closing date of the invitation to tender,
- in other cases, the date on which the security takes effect.

TITLE IV

Advance fixing of agricultural conversion rates

Article 13

1. The agricultural conversion rate shall be fixed in advance on the conditions referred to in the second subparagraph of Article 6 (1) of Regulation (EEC) No 3813/92 at the request of the interested party provided the application is lodged at the same time as :

- the application for a certificate or equivalent document attesting the advance fixing of the amount concerned in ecus,
- or, as the case may be,
- submission of a tender in response to an invitation to tender.

In the case of an invitation to tender, the application for advance fixing of the agricultural conversion rate shall be considered subject to all or part of the tender being accepted.

2. The duration of validity of the advance fixing of the agricultural conversion rate shall be the same as that of the advance fixing of the amount concerned in ecus, or as that of the award of the tender. However, the duration of

validity for agricultural conversion rates shall be restricted to the end of the third month following the month of advance fixing, without prejudice to the duration for the amount concerned, in ecus.

After the end of the duration of validity of the advance fixing of the agricultural conversion rate, the operative event for the agricultural conversion rate applicable to the amount concerned shall be that fixed in the first subparagraph of Article 6 (1) of Regulation (EEC) No 3813/92.

3. For the duration of validity of the advance fixing of the agricultural conversion rate, the relevant certificate or equivalent document shall only be valid in a single Member State, to be nominated by the applicant at the time of submitting the application for advance fixing of the agricultural conversion rate.

Article 14

1. If advance fixing of the agricultural conversion rate is requested, the application for a certificate or equivalent document, or the tender, shall bear one of the following entries :

- 'Fijación anticipada del tipo de conversión agrario'
- 'Forudfastsættelse af landbrugsomregningskursen'
- 'Vorausfestsetzung des landwirtschaftlichen Umrechnungskurses'
- 'Προκαθορισμός της γεωργικής ισοτιμίας'
- 'Advance fixing of the agricultural conversion rate'
- 'Fixation à l'avance du taux de conversion agricole'
- 'Fissazione anticipata del tasso di conversione agricolo'
- 'Vaststelling vooraf van de landbouwmrekeningskoers'
- 'Fixação antecipada da taxa de conversão agrícola'

The application shall also indicate the Member State in which the certificate is to be used.

2. The certificate or equivalent document, or the statement of award of tender, shall bear one of the following entries :

- 'Hasta el ... (último día de validez de la fijación anticipada del tipo de conversión agrario) :
- Tipo de conversión agrario fijado por anticipado el ... (fecha de la fijación anticipada), el cual se ajustará, en su caso.
- Certificado válido únicamente en ... (Estado miembro designado por el solicitante)'
- 'Indtil den ... (datoen for udløbet af gyldighedsperioden for landbrugsomregningskursens forudfastsættelse) :
- Landbrugsomregningskurs forudfastsat den ... (dato for forudfastsættelsen) justeres eventuelt.
- Licens gyldig i ... (den medlemsstat, der er angivet af ansøgeren)'

— 'Gültig bis ... (Datum des Endes der Gültigkeitsdauer der Vorausfestsetzung des landwirtschaftlichen Umrechnungskurses):

- Am ... (Vorausfestsetzungsdatum) im voraus festgesetzter landwirtschaftlicher Umrechnungskurs; muß gegebenenfalls angepaßt werden.
- Lizenz gilt nur in ... (vom Antragsteller angegebener Mitgliedstaat)

— 'Έως ... (ημερομηνία λήξεως της ισχύος του προκαθορισμού της γεωργικής ισοτιμίας):

- Γεωργική ισοτιμία προκαθοριζόμενη στις ... (ημερομηνία προκαθορισμού), που ενδέχεται να αναπροσαρμοστεί,
- Πιστοποιητικό που ισχύει στο ... (κράτος μέλος υποδεικνυόμενο από τον αιτούντα)

— 'Until ... (date of end of validity of the advance fixing of the agricultural conversion rate):

- Agricultural conversion rate fixed in advance on ... (date of advance fixing), to be adjusted as appropriate;
- Certificate valid only in ... (Member State designated by the applicant)

— 'Jusqu'au ... (date de la fin de validité de la préfixation du taux de conversion agricole):

- taux de conversion agricole fixé à l'avance le ... (date de préfixation), à ajuster éventuellement,
- validité du certificat limité à ... (État membre désigné par le demandeur)

— 'Fino a ... (data di scadenza della validità della fissazione anticipata del tasso di conversione agricolo):

- tasso di conversione agricolo fissato in anticipo il ... (data della fissazione anticipata), da modificarsi se del caso;
- validità del titolo limitata a ... (Stato membro designato dal richiedente)

— 'Tot en met ... (einddatum van de geldigheidsduur van de vaststelling vooraf van de landbouwmrekeningskoers):

- Landbouwmrekeningskoers vooraf vastgesteld op ... (datum van de vaststelling vooraf), eventueel aan te passen;
- Certificaat slechts geldig in ... (door de aanvrager opgegeven Lid-Staat)

— 'Até ... (prazo de validade da prefixação da taxa de conversão agrícola):

- Taxa de conversão agrícola fixada antecipadamente em ... (data de prefixação), a ajustar eventualmente,
- Validade do certificado limitada a ... (Estado-membro designado pelo requerente)

Article 15

1. If the agricultural conversion rate of a fixed currency is altered in accordance with Article 8, the rate fixed in advance for that currency after the day of the realignment and prior to the day on which the new agricultural conversion rate takes effect shall be adjusted so as to be replaced by the latter.

2. If the agricultural conversion rate of a floating currency is altered, the rate fixed in advance for that currency during the reference period on which the new agricultural conversion rate is based shall be adjusted so as to be replaced by the new rate with effect from the date of its applicability.

3. In the event that the absolute value of the monetary gap between the agricultural conversion rate fixed in advance, where necessary adjusted in accordance with paragraphs 1 and 2, and the agricultural conversion rate in force at the time of the operative event referred to in the first subparagraph of Article 6 (1) of Regulation (EEC) No 3813/92 exceeds four points, the agricultural conversion rate fixed in advance shall be adjusted to bring it closer to the rate in force until it reaches the level of a four-point gap with that rate.

Article 16

1. Where a study of the monetary or market situation indicates the existence of difficulties as a result of application of the provisions relating to the advance fixing of the agricultural conversion rate or if there is the risk of such difficulties, a decision may be taken to suspend application of the provisions to the products concerned in accordance with the procedure referred to in Article 12 of Regulation (EEC) No 3813/92.

2. In extreme emergencies the Commission may, after studying the situation on the basis of all available information, decide to suspend the advance fixing of the agricultural conversion rate for a maximum of three quotation days.

3. During the period when advance fixing of the agricultural conversion rate is suspended, applications for advance fixing of the agricultural conversion rate shall not be accepted.

An application for advance fixing of the agricultural conversion rate submitted prior to suspension of the advance fixing shall not be affected by the suspension decision.

4. The provisions of this Article shall not affect applications for certificates and equivalent documents or tenders involving advance fixing of the amounts concerned in ecus.

Article 17

1. With regard to a currency to which the suspension referred to in Article 16 applies, an application for advance fixing of the agricultural conversion rate may be

submitted during the seven days following the end of the period of suspension in respect of amounts fixed in advance in ecus during that period.

2. Applications for advance fixing shall refer to the agricultural conversion rate applicable on the day of its submission to the body to which the application for a certificate or an equivalent document or the tender with advance fixing of the amount in ecus has previously been submitted. Applications for advance fixing of the agricultural conversion rate shall be accompanied by the originals of the certificates, equivalent documents or statements of award of tender issued for the amounts in question.

Articles 13, 14 (1) and 15 of Regulation (EEC) No 3719/88 shall apply to applications for advance fixing of the agricultural conversion rate.

3. The body referred to in paragraph 2 shall retain the originals of the documents accompanying the application for advance fixing and issue the applicant with a replacement document. The replacement document shall bear the entry referred to in Article 14 (2), the information and entries contained in the original document it replaces and the number of that original document.

The replacement document shall be issued for a quantity of product which, plus the tolerance, corresponds to the available quantity indicated in the document it replaces.

TITLE V

General provisions

Article 18

1. For the calculation of the correcting factor, the revaluation relative to the ecu shall be determined by the difference between the old and the new central rate for the ecu with respect to the currency concerned, expressed in a percentage of that new central rate.

2. The correcting factor shall be calculated to six decimal places by dividing former representative market rate for the fixed currency which has undergone the greatest revaluation by the new central ecu rate for that currency.

Article 19

For the purposes of this Regulation a quotation day is understood to be any day in respect of which the

Commission determines a rate for the ecu, with the exception of 31 December.

Article 20

Amounts quoted in tenders submitted in response to invitations to tender organized under an instrument forming part of the common agricultural policy shall, with the exception of amounts the Community contribution to which is financed from the EAGGF Guidance Section, be expressed in ecus.

Article 21

1. Monetary gaps shall be established to three decimal places, the third decimal being rounded off.

Representative market rates and agricultural conversion rates shall be established to six significant figures, the sixth figure being rounded off.

2. For the purposes of this Regulation 'significant figures' means:

- all figures, in the case of a number whose absolute value is greater than or equal to 1, or
- all decimal places starting from the first one which is not zero, in other cases.

The roundings-off referred to in this Article shall be effected by increasing by one unit the figure concerned in cases where the following figure would be greater than or equal to five and by leaving it unchanged in other cases.

Article 22

Regulation (EEC) No 3819/92 is hereby repealed.

Article 23

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

However, Articles 9 to 12 shall apply from:

- 1 January 1993 with regard to the amounts referred to in Council Regulations (EEC) No 2078/92⁽¹⁾, (EEC) No 2079/92⁽²⁾ and (EEC) No 2080/92⁽³⁾,
- 1 July 1993 with regard to products, or amounts other than those referred to in the first indent, for which there is no marketing year,
- the beginning of the 1994/95 marketing year with regard to sheepmeat and goatmeat, fishery products, tomatoes, cucumbers, courgettes and aubergines,
- the beginning of the 1993/94 marketing year for other products.

⁽¹⁾ OJ No L 215, 30. 7. 1992, p. 85.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 91.

⁽³⁾ OJ No L 215, 30. 7. 1992, p. 96.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1069/93
of 30 April 1993

amending Regulation (EEC) No 1528/78 laying down detailed rules for the application of the system of aid for dried fodder

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

Having regard to Council Regulation (EEC) No 1117/78 on the common organization for the market in dried fodder⁽¹⁾, as last amended by Council Regulation (EEC) No 2275/89⁽²⁾, and in particular Article 12 thereof,

Having regard to Council Regulation (EEC) No 3813/92 on the unit of account and the conversion rates to be applied for the purpose of the common agricultural policy⁽³⁾, and in particular Article 6 (2) thereof,

Whereas the aid for dried fodder has as its objective to guarantee its producers a fair return on the sale of their products; whereas this objective has been met at the departure from the processing undertaking, therefore in conformity with Article 6 of Regulation (EEC) No 3813/93 the operative event for the agricultural conversion rate applicable to the aid for dried fodder, without prejudice to the possibility of prefixing this rate provided for in Articles 13 to 17 of Regulation (EEC) No 1068/93⁽⁴⁾ shall be the departure from the processing undertaking;

Whereas Commission Regulation (EEC) No 1518/78 of 30 June 1978 defining the events in which aid for dried fodder becomes due and payable⁽⁵⁾ should be repealed;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following Article 13a is inserted in Commission Regulation (EEC) No 1528/78⁽⁶⁾:

Article 13a

The operative event of the agricultural conversion rate shall, in respect of the aid for dried fodder, be considered to occur on the date on which the dried fodder leaves the processing undertaking.

Article 2

Regulation (EEC) No 1518/78 is repealed.

Article 3

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 218, 28. 7. 1989, p. 1.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ See page 106 of this Official Journal.

⁽⁵⁾ OJ No L 178, 1. 7. 1978, p. 78.

⁽⁶⁾ OJ No L 179, 1. 7. 1978, p. 10.

COMMISSION REGULATION (EEC) No 1070/93

of 30 April 1993

laying down certain additional detailed rules for the application of the supplementary trade mechanism (STM) to trade in fruit and vegetables between Spain and the Community as constituted on 31 December 1985 as regards tomatoes, artichokes, melons, strawberries, apricots and peaches

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

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

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

Whereas Commission Regulation (EEC) No 674/93⁽⁷⁾ lays down that the periods referred to in Article 2 of Regulation (EEC) No 3210/89 shall be up to 2 May 1993 for the above products; whereas in view of last expected exports from Spain to the rest of the Community with the exception of Portugal, and of the Community market situation, a period I should be fixed for the melons and the artichokes;

Whereas, on the basis of the abovementioned criteria a period I and II should be determined for tomatoes, a period II and III should be determined for strawberries, a period I and II should be determined for apricots and a period I and II should be determined for peaches respectively until 20 June; whereas indicative ceilings should be determined pursuant to Article 3 of Regulation (EEC) No 3210/89 for very short periods, given the sensitivity of these products;

Whereas it should be stipulated that the provisions of Regulation (EEC) No 3944/89 relating to statistical moni-

toring, to the use of exit documents for Spanish consignments and to the various communications from the Member States apply in order to ensure that the STM operates;

Whereas the need for accurate information justifies communications on the statistical monitoring of trade at more frequent intervals;

Whereas, on application of Article 2 of Council Regulation (EEC) No 1911/91 of 26 June 1991 on the application of the provisions of Community law to the Canary Islands⁽⁸⁾, as amended by Regulation (EEC) No 284/92⁽⁹⁾, the rules in force for mainland Spain shall apply to products originating in the Canary Islands and sent to other parts of the Community from 1 July 1991; consequently the information concerning products from the Canary Islands should be taken into account for the application of the supplementary trade mechanisms;

Whereas the Management Committee for Fruit and Vegetables, has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. For melons and artichokes covered by the CN code set out in the Annex, the periods provided for in Article 2 of Regulation (EEC) No 3210/89 shall be as set out in the Annex hereto.

2. For strawberries covered by CN codes 0810 10 90 and CN code 0810 10 10, tomatoes covered by CN code 0702 00 10, apricots covered by CN code 0809 10 00 and peaches covered by CN code ex 0809 30 00:

- the indicative ceilings provided for in Article 83 (1) of the Act of Accession, and
- the periods provided for in Article 2 of Regulation (EEC) No 3210/89

shall be as set out in the Annex hereto.

Article 2

1. For consignments of the products referred to in Article 1 from Spain to the rest of the Community

⁽¹⁾ OJ No L 312, 27. 10. 1989, p. 6.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 15.

⁽³⁾ OJ No L 86, 31. 3. 1989, p. 35.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 47.

⁽⁵⁾ OJ No L 379, 28. 12. 1989, p. 20.

⁽⁶⁾ OJ No L 313, 14. 11. 1991, p. 13.

⁽⁷⁾ OJ No L 72, 25. 3. 1993, p. 15.

⁽⁸⁾ OJ No L 171, 29. 6. 1991, p. 1.

⁽⁹⁾ OJ No L 31, 7. 2. 1992, p. 6.

market, with the exception of Portugal, Regulation (EEC) No 3944/89, with the exception of Articles 5 and 7 thereof, shall apply.

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

2. The notification provided for in the first paragraph of Article 9 of Regulation (EEC) No 3944/89 for products mentioned in Article 1 (2) subject to a period II or to a

period III shall be forwarded to the Commission on Tuesday each week at the latest in respect of the preceding week.

During the application of a period I, those notifications shall be made once a month, on the fifth day of each month at the latest in respect of data from the preceding month; where appropriate, that notification shall bear the word 'nil'.

Article 3

This Regulation shall enter into force on 3 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

**Determination of the periods provided for in Article 2 of Regulation (EEC) No 3210/89 and
the ceilings provided for in Article 83 of the Act of Accession**

Period from 3 May to 20 June 1993

Description of product	CN code	Period
Artichokes	0709 10 00	I
Melons	0807 10 90	I

Description of product	CN code	Indicative ceiling (tonnes)	Period
Tomatoes	0702 10 10	3. 5. — 9. 5. 1993 : 5 000	II
		10. 5. — 16. 5. 1993 : 5 000	II
		17. 5. — 20. 6. 1993 : —	I
Strawberries	0810 10 90 and 0810 10 10	3. 5. — 9. 5. 1993 : 18 400	III
		10. 5. — 16. 5. 1993 : 11 000	III
		17. 5. — 23. 5. 1993 : 8 000	II
		24. 5. — 20. 6. 1993 : —	I
Apricots	0809 10 00	3. 5. — 30. 5. 1993 : —	I
		31. 5. — 6. 6. 1993 : 4 600	II
		7. 6. — 13. 6. 1993 : 4 600	II
		14. 6. — 20. 6. 1993 : 4 600	II
Peaches (excluding nectarines)	ex 0809 30 00	3. 5. — 23. 5. 1993 : —	I
		24. 5. — 30. 5. 1993 : 9 900	II
		31. 5. — 6. 6. 1993 : 9 200	II
		7. 6. — 13. 6. 1993 : 8 000	II
		14. 6. — 20. 6. 1993 : 7 500	II

COMMISSION REGULATION (EEC) No 1071/93

of 30 April 1993

reducing the basic prices and the buying-in prices for cauliflowers for May 1993 as a result of the monetary realignments of September and November 1992 and January 1993 and the overrun of the intervention threshold fixed for the 1992/93 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular Article 16b(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⁾, and in particular Article 9 (1) thereof,

Having regard to Commission Regulation (EEC) No 3824/92 of 28 December 1992 laying down the prices and amounts fixed in ecus to be amended as a result of the monetary realignments⁽⁴⁾, amended by Regulation (EEC) No 784/92⁽⁵⁾, and in particular Article 2 thereof,

Whereas Article 1 of Commission Regulation (EEC) No 3820/92 of 28 December 1992 on transitional measures for the application of the agrimonetary arrangements laid down in Council Regulation (EEC) No 3813/92⁽⁶⁾ establishes a link between the agrimonetary arrangements applicable with effect from 1 January 1993 and those applying previously;

Whereas Regulation (EEC) No 3824/92 lays down the list of prices and amounts in the fruit and vegetables sector which are to be divided by the reducing coefficient of 1,012674, fixed by Commission Regulation (EEC) No 537/93⁽⁷⁾, with effect from the beginning of the 1993/94 marketing year, under the arrangements for the automatic dismantlement of negative monetary gaps; whereas Article 2 of Regulation (EEC) No 3824/92 provides that the resulting reductions in the prices and amounts are to be specified for each sector concerned and the value of the reduced prices and amounts are to be fixed; whereas

the basic and the buying-in prices for cauliflowers for May 1993 have been fixed by Council Regulation (EEC) No 1016/93 of 27 April 1993 fixing the basic price and the buying-in price for cauliflowers for the period 1 to 31 May 1993⁽⁸⁾;

Whereas Commission Regulation (EEC) No 1411/92⁽⁹⁾ fixes the level of the intervention threshold for cauliflowers for the 1992/93 marketing year at 64 900 tonnes;

Whereas Article 2 (2) and (3) of Council Regulation (EEC) No 1121/89 of 27 April 1989 on the introduction of an intervention threshold for apples and cauliflowers⁽¹⁰⁾, as last amended by Regulation (EEC) No 1754/92⁽¹¹⁾, provides that the overrun of the intervention threshold for cauliflowers, assessed on the basis of withdrawals made, pursuant to Articles 15, 15 b, 19 and 19 a of Regulation (EEC) No 1035/72, over a period of 12 consecutive months, is to result, for the following marketing year, in a reduction in the basic and buying-in prices of 1 % for every 20 000 tonnes by which the threshold is exceeded;

Whereas Article 2 (1) of Regulation (EEC) No 1411/92 provides that the overrun of the intervention threshold for cauliflowers for the 1992/93 marketing year is to be calculated on the basis of withdrawals between 1 February 1992 and 31 January 1993; whereas, according to the information provided by the Member States, these withdrawals totalled 172 165 tonnes; whereas an overrun of 107 265 tonnes of the intervention threshold fixed for the 1992/93 marketing year has been established therefore by the Commission;

Whereas in consequence of the above the basic and the buying-in prices for cauliflowers for May 1993 fixed by Regulation (EEC) No 1016/93 must be reduced by 5 %; whereas this reduction is to be added to that arising from the monetary realignments of September and November 1992 and January 1993;

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

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 387, 31. 12. 1992, p. 29.

⁽⁵⁾ OJ No L 79, 1. 4. 1993, p. 54.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 22.

⁽⁷⁾ OJ No L 57, 10. 3. 1993, p. 18.

⁽⁸⁾ OJ No L 105, 30. 4. 1993, p. 13.

⁽⁹⁾ OJ No L 146, 28. 5. 1992, p. 67.

⁽¹⁰⁾ OJ No L 118, 29. 4. 1989, p. 21.

⁽¹¹⁾ OJ No L 180, 1. 7. 1992, p. 23.

HAS ADOPTED THIS REGULATION:

Article 1

The basic and the buying-in prices for cauliflowers for the period 1 to 31 May 1993 fixed by Regulation (EEC) No 1016/93 are hereby reduced by 6,19 % and shall be as follows:

basic price: ECU 29,23/100 kg net

buying-in price: ECU 12,73/100 kg net.

These prices refer to trimmed cauliflowers in quality Class I, put up in packaging. They do not include the effect of the cost of the packaging in which the product is put up.

Article 2

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

It shall apply for the period 1 to 31 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1072/93

of 30 April 1993

fixing the maximum buying-in price and the quantities of beef bought in for the 90th partial invitation to tender within the general intervention measures under Regulation (EEC) No 1627/89

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 6 (8) thereof,

Whereas, pursuant to Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of general and special intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 685/93 ⁽⁴⁾, an invitation to tender was opened by Article 1 (1) of Commission Regulation (EEC) No 1627/89 of 9 June 1989 on the buying in of beef by invitation to tender ⁽⁵⁾, as last amended by Regulation (EEC) No 813/93 ⁽⁶⁾;

Whereas, in accordance with Article 11 (1) of Regulation (EEC) No 859/89, a maximum buying-in price is to be fixed for quality R3, where appropriate, for each partial invitation to tender in the light of the tenders received; whereas, in accordance with Article 12 of that Regulation, only tenders lower than or equal to the maximum price are to be accepted, without, however, exceeding the average national or regional market price plus the amount mentioned in paragraph 1; whereas, however, pursuant to Article 5 of that Regulation, where the intervention agencies in Member States are offered meat in quantities greater than they are able to take over forthwith, such intervention agencies may limit buying in to the quantities they can take over;

Whereas, after the tenders submitted for the 90th partial invitation to tender have been examined and taking account, pursuant to Article 6 (1) of Regulation (EEC) No 805/68, of the requirements for reasonable support of the market and the seasonal trend in slaughterings, the maximum buying-in price and the quantities which may be accepted into intervention should be fixed;

Whereas the quantities offered at present exceed the quantities which may be bought in; whereas a reducing coefficient or, where appropriate depending on the

differences in prices and the quantities tendered for, several reducing coefficients should accordingly be applied to the quantities which may be bought in in accordance with Article 11 (3) of Regulation (EEC) No 859/89;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 90th partial invitation to tender opened by Article 1 (1) of Regulation (EEC) No 1627/89:

(a) for category A:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 246,45 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity of carcasses or half-carcasses accepted is hereby fixed at 5 300 tonnes; the quantities offered are hereby reduced by 30 % pursuant to Article 11 (3) of Regulation (EEC) No 859/89;

(b) for category C:

in the Member States or regions of Member States which meet the conditions laid down in Article 6 (2) of Regulation (EEC) No 805/68:

- the maximum buying-in price is hereby fixed at ECU 241,50 per 100 kilograms of carcasses or half-carcasses of quality R3,
- the maximum quantity accepted of carcasses or half-carcasses is hereby fixed at 5 942 tonnes; the quantities offered are hereby reduced by 30 and 80 % in Northern Ireland pursuant to Article 11 (3) of Regulation (EEC) No 859/89.

Article 2

This Regulation shall enter into force on 3 May 1993.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 73, 26. 3. 1993, p. 9.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 82, 3. 4. 1993, p. 18.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1073/93**of 30 April 1993****not to accept tenders submitted in response to the fourth partial invitation to tender opened as a special intervention measure pursuant to Regulation (EEC) No 1627/89**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EEC) No 125/93 ⁽²⁾, and in particular Article 6a (4) thereof,

Whereas Commission Regulation (EEC) No 859/89 of 29 March 1989 laying down detailed rules for the application of intervention measures in the beef and veal sector ⁽³⁾, as last amended by Regulation (EEC) No 685/93 ⁽⁴⁾, lays down, in particular, the detailed rules for the tendering procedure; whereas, in particular, in accordance with Article 11 (1) and (2) of the aforementioned Regulation, on the basis of the tenders received, a maximum buying-in price must be fixed or a decision must be taken not to proceed with the tendering procedure;

Whereas, on the basis of the tenders received in response to the fourth partial invitation to tender opened as a

special intervention measure pursuant to Commission Regulation (EEC) No 1627/89 ⁽⁵⁾, as last amended by Regulation (EEC) No 813/93 ⁽⁶⁾, it has been decided not to proceed with the tendering procedure;

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

HAS ADOPTED THIS REGULATION:

Article 1

No award shall be made against the fourth partial invitation to tender opened as a special intervention measure pursuant to Regulation (EEC) No 1627/89.

Article 2

This Regulation shall enter into force on 3 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 18, 27. 1. 1993, p. 1.

⁽³⁾ OJ No L 91, 4. 4. 1989, p. 5.

⁽⁴⁾ OJ No L 73, 26. 3. 1993, p. 9.

⁽⁵⁾ OJ No L 159, 10. 6. 1989, p. 36.

⁽⁶⁾ OJ No L 82, 3. 4. 1993, p. 18.

COMMISSION REGULATION (EEC) No 1074/93

of 30 April 1993.

amending Regulation (EEC) No 846/93 introducing a countervailing charge on apples originating in Chile

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 846/93⁽³⁾, as last amended by Regulation (EEC) No 971/93⁽⁴⁾, introduced a countervailing charge on apples originating in Chile;

Whereas Article 26 (1) of Regulation (EEC) No 1035/72 laid down the conditions under which a charge intro-

duced in application of Article 25 of that Regulation is amended; whereas, if those conditions are taken into consideration, the countervailing charge on the import of apples originating in Chile, must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 846/93 'ECU 9,47' is hereby replaced by 'ECU 12,28'.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 88, 8. 4. 1993, p. 30.

⁽⁴⁾ OJ No L 98, 24. 4. 1993, p. 33.

COMMISSION REGULATION (EEC) No 1075/93**of 30 April 1993****introducing a countervailing charge on tomatoes originating in Morocco**

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

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 938/93⁽³⁾ introduced a countervailing charge on tomatoes originating in Morocco;

Whereas for tomatoes originating in Morocco there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of tomatoes originating in Morocco can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 938/93 is hereby repealed.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 96, 22. 4. 1993, p. 25.

COMMISSION REGULATION (EEC) No 1076/93

of 30 April 1993

altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2727/75 of 29 October 1975 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EEC) No 1738/92 ⁽²⁾, and in particular Article 14 (4) 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 674/92 ⁽⁴⁾, and in particular Article 12 (4) thereof,

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

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 987/93 ⁽⁶⁾;

Whereas Council Regulation (EEC) No 1906/87 ⁽⁷⁾, amended Council Regulation (EEC) No 2744/75 ⁽⁸⁾, as regards products falling within CN codes 2302 10, 2302 20, 2302 30 and 2302 40;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 29 April 1993, as regards floating currencies, should be used to calculate the levies;

Whereas the aforesaid corrective factor affects the entire calculation basis for the levies, including the equivalence coefficients;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74 ⁽⁹⁾, as last amended by Regulation (EEC) No 1740/78 ⁽¹⁰⁾, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 2744/75 as fixed in the Annex to Regulation (EEC) No 987/93 are hereby altered to the amounts set out in the Annex.

Article 2

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 281, 1. 11. 1975, p. 1.

⁽²⁾ OJ No L 180, 1. 7. 1992, p. 1.

⁽³⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 73, 19. 3. 1992, p. 7.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 102, 28. 4. 1993, p. 6.

⁽⁷⁾ OJ No L 182, 3. 7. 1987, p. 49.

⁽⁸⁾ OJ No L 281, 1. 11. 1975, p. 65.

⁽⁹⁾ OJ No L 168, 25. 6. 1974, p. 7.

⁽¹⁰⁾ OJ No L 202, 26. 7. 1978, p. 8.

ANNEX

to the Commission Regulation of 30 April 1993 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (*)	
	ACP	Third countries (other than ACP)
1102 30 00	167,29	170,31
1103 14 00	167,29	170,31
1103 29 50	167,29	170,31
1104 19 91	284,08	290,12
1108 19 10	239,89	270,12

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

COMMISSION REGULATION (EEC) No 1077/93
of 30 April 1993
fixing the agricultural conversion rates

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Whereas the agricultural conversion rates were fixed by Commission Regulation (EEC) No 981/93 ⁽²⁾;

Whereas Article 4 (1) of Regulation (EEC) No 3813/92 provides that the agricultural conversion rate for a floating currency shall be adjusted where the monetary gap with the representative market rate for the last reference period of a month exceeds two points; whereas, in that case, the new agricultural conversion rate is fixed so as to reduce that monetary gap by half;

Whereas the representative market rates are determined on the basis of reference periods determined in accordance with Commission Regulation (EEC) No 1068/93 of 30 April 1993, on detailed rules for determining and applying the agricultural conversion rates ⁽³⁾;

Whereas, as a consequence of the exchange rates recorded during the reference period 21 to 30 April 1993, it is necessary to fix a new agricultural conversion rate for the Italian lira;

Whereas Article 15 (2) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance shall be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the

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

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 15 (2) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

- Table A, where the latter rate is higher than the rate fixed in advance,
- or
- Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EEC) No 981/93 is hereby repealed.

Article 4

This Regulation shall enter into force on 1 May 1993.

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

Done at Brussels, 30 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 101, 27. 4. 1993, p. 10.

⁽³⁾ See page 106 of this Official Journal.

ANNEX I

Agricultural conversion rates

ECU 1 =	48,5563	Belgian and Luxembourg francs
	8,97989	Danish kroner
	2,35418	German marks
	314,412	Greek drachmas
	169,628	Spanish pesetas
	7,89563	French francs
	0,957268	Irish punt
	2 230,20	Italian lire
	2,65256	Dutch guilders
	214,525	Portuguese escudos
	0,964017	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	46,6888	Belgian and Luxembourg francs	ECU 1 =	50,5795	Belgian and Luxembourg francs
	8,63451	Danish kroner		9,35405	Danish kroner
	2,26363	German marks		2,45227	German marks
	302,319	Greek drachmas		327,513	Greek drachmas
	163,104	Spanish pesetas		176,696	Spanish pesetas
	7,59195	French francs		8,22461	French francs
	0,920450	Irish punt		0,997154	Irish punt
	2 144,42	Italian lire		2 323,13	Italian lire
	2,55054	Dutch guilders		2,76308	Dutch guilders
	206,274	Portuguese escudos		223,464	Portuguese escudos
	0,926939	Pound sterling		1,00418	Pound sterling

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 April 1993

amending Council Decision 79/542/EEC drawing up a list of third countries from which the Member States authorize imports of bovine animals, swine, equidae, sheep and goats, fresh meat and meat products

(93/237/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 72/462/EEC of 12 December 1972 on health and veterinary inspection problems upon importation of bovine, ovine and caprine animals and swine, fresh meat and meat products from third countries ⁽¹⁾, as last amended by Council Regulation (EEC) No 1601/92 ⁽²⁾, and in particular Article 3 thereof,

Whereas by Council Decision 79/542/EEC ⁽³⁾, as last amended by Commission Decision 92/100/EEC ⁽⁴⁾, a list of third countries from which Member States authorize imports of bovine and porcine animals, equidae, sheep and goats, fresh meat and meat products has been established;

Whereas the Brazilian authorities have presented results for the research of residues in fresh meat carried out last year and establishing that the number of analyses for the growth promoters and the nitrofurans are clearly inferior to the number foreseen in the Brazilian plan adopted by the Commission; whereas a period of time of six months is given to the Brazilian authorities to remedy the existing deficiencies;

Whereas certain guarantees have been received from the competent authorities of Russia and it is appropriate, as a first step, to add Russia on the list in relation to the introduction into the Community of equidae;

Whereas, it is necessary to modify the Commission Decision 79/542/EEC accordingly;

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

The Annex of Decision 79/542/EEC is replaced by the Annex to this Decision.

Article 2

This Decision is addressed to Member States.

Done at Brussels, 6 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽⁴⁾ OJ No L 40, 17. 2. 1993, p. 23.

ANNEX

PART 1

LIVE ANIMALS, FRESH MEAT AND MEAT PRODUCTS

Country ISO code	Country	Fresh meat and meat products						Fresh meat			Live animals				Special Remarks			Country ISO Codes	
		Domestic			Wild			B	CH	E	B	S/G	P	E	Fresh meat	Meat products	Live animals		Residues
		B	S/G	P	E	B	S/G												
AL	Albania	0	x	x	x	x	0	0	x	0	x	0	x	0	0	(1)	0	AL	
AR	Argentina	x	x	0	x	x	x	0	x	x	x	x	x	x	x	(1)	XR	AR	
AT	Austria	x	x	x	x	x	x	x	x	x	x	x	x	x	x		XR	AT	
AU	Australia	x	x	x	x	x	x	x	x	x	x	x	x	x	x		XR	AU	
BG	Bulgaria	x	x	x	x	x	x	x	x	x	x	x	x	x	x		XR	BG	
BR	Brazil	x	x	x	x	x	x	x	x	x	x	x	x	x	x	(1)	XR(e)	BR	
BW	Botswana	x	x	0	x	x	0	0	x	0	0	0	0	0	0	(1)(2)	XR	BW	
BY	Belarus	x	x	x	x	x	x	x	x	x	x	x	x	x	x	(1)	0	BY	
BZ	Belize	x	0	0	x	0	0	0	x	0	0	0	0	0	0	(1)	0	BZ	
CA	Bosnia-Herzegovina	x	x	x	x	x	x	x	x	x	x	x	x	x	x	(1)	0	CA	
CH	Canada	x	x	x	x	x	x	x	x	x	x	x	x	x	x		XR(a)(b)	CH	
CL	Switzerland	x	x	x	x	x	x	x	x	x	x	x	x	x	x	(1)	XR	CL	
CN	Chile	x	x	0	x	0	0	0	x	0	0	0	0	0	0	(1)	0	CN	
CO	People's Republic of China	0	0	x	x	x	0	0	x	0	0	0	0	0	0	(1)	0	CO	
CR	Costa Rica	x	0	0	x	0	0	0	x	0	0	0	0	0	0	(1)	0	CR	
CS	Czechoslovakia	x	x	x	x	x	x	x	x	x	x	x	x	x	x	(1)	XR	CS	
CU	Cuba	x	0	0	x	0	0	0	x	0	0	0	0	0	0	(1)	0	CU	
CY	Cyprus	x	x	x	x	x	0	0	x	0	0	0	0	0	0		0	CY	
DZ	Algeria	0	0	0	0	0	0	0	0	0	0	0	0	0	0		0	DZ	
EE	Estonia	x	x	x	x	x	x	x	x	x	x	x	x	x	x	(1)	0	EE	
ET	Ethiopia	0	0	0	0	0	0	0	0	0	0	0	0	0	0	(1)	0	ET	
FI	Finland	x	x	x	x	x	x	x	x	x	x	x	x	x	x		XR	FI	
GL	Greenland	x	x	0	x	0	0	0	x	0	0	0	0	0	0	(1)	XR	GL	
GT	Guatemala	x	0	0	x	0	0	0	0	0	0	0	0	0		0	0	GT	
HK	Hong Kong	0	0	0	0	0	0	0	0	0	0	0	0	0		0	0	HK	
HN	Honduras	x	0	0	x	0	0	0	0	0	0	0	0	0		0	0	HN	
HR	Croatia	x	x	x	x	x	x	x	x	x	x	x	x	x	x	(1)	XR(f)	HR	
HU	Hungary	x	x	x	x	x	x	x	x	x	x	x	x	x	x		XR	HU	

Country ISO code	Country	Fresh meat and meat products						Fresh meat			Live animals				Special Remarks				Country ISO Codes
		Domestic			Wild			E	C H	E	B	S/G	P	E	Meat products	Live animals	Residues		
		B	S/G	P	E	B	S/G											P	
IL	Israel	X	O	O	X	O	X	O	X	O	O	O	O	X	(3)		O	IL	
IN	India	O	O	O	O	O	O	O	O	O	O	O	O	O	(3)		O	IN	
IS	Iceland	X	X	X	X	X	X	X	X	X	X	X	X	X			XR	IS	
KE	Kenya	O	O	O	O	O	O	O	O	O	O	O	O	O	(3)		O	KE	
LI	Lithuania	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		(d)	LI	
LV	Latvia	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		O	LV	
MA	Morocco	O	O	O	O	O	O	O	O	O	O	O	O	O	(3)		O	MA	
MG	Madagascar	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR	MG	
MT	Malta	X	O	X	X	X	X	X	X	X	X	X	X	X	(3)		XR	MT	
MU	Mauritius	O	O	O	O	O	O	O	O	O	O	O	O	O	(3)		O	MU	
MX	Mexico	X	O	O	X	O	O	O	O	O	O	O	O	O	(3)		XR	MX	
NA	Namibia	X	X	O	X	O	O	O	O	O	O	O	O	O	(3)		XR	NA	
NI	Nicaragua	X	O	O	X	O	O	O	O	O	O	O	O	O	(3)		O	NI	
NO	Norway	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR	NO	
NZ	New Zealand	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR	NZ	
PA	Panama	X	O	O	X	O	O	O	O	O	O	O	O	O	(3)		O	PA	
PL	Poland	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR	PL	
PY	Paraguay	X	X	O	X	O	O	O	O	O	O	O	O	O	(3)		XR	PY	
RO	Romania	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR	RO	
RU	Russia	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		d	RU	
SE	Sweden	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR	SE	
SG	Singapore	O	O	O	O	O	O	O	O	O	O	O	O	O	(3)		O	SG	
SI	Slovenia	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR (f)	SI	
SV	El Salvador	X	X	O	X	O	O	O	O	O	O	O	O	O	(3)		O	SV	
SZ	Swaziland	X	O	O	X	O	O	O	O	O	O	O	O	O	(3)		XR	SZ	
TH	Thailand	O	O	O	O	O	O	O	O	O	O	O	O	O	(3)		O	TH	
TN	Tunisia	O	O	O	O	O	O	O	O	O	O	O	O	O	(3)		O	TN	
TR	Turkey	O	O	O	O	O	O	O	O	O	O	O	O	O	(3)		O	TR	
UA	Ukraine	O	O	O	O	O	O	O	O	O	O	O	O	O	(3)		O	UA	
US	United States of America	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR (c)	US	
UY	Uruguay	X	X	O	X	O	O	O	O	O	O	O	O	O	(3)		XR	UY	
YU	Yugoslav Republics	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR	YU	
ZA	South Africa	X	X	X	X	X	X	X	X	X	X	X	X	X	(3)		XR	ZA	
ZW	Zimbabwe	X	O	O	X	O	O	O	O	O	O	O	O	O	(3)		XR	ZW	

- B = Bovines (including buffalo)
 S/G = Sheep/Goat
 P = Pig
 C/H = Clovenhoofed
 E = Equidae
 X = Authorized in principle
 O = Not authorized

Special remarks

- (1) Excluding meat of wild swine.
 (2) Excluding bone-in meat and offal of wild clovenhoofed animals.
 (3) Notwithstanding any restrictions indicated in the above list, meat products which have undergone a heat treatment in a hermetically sealed container to a F. value of 3 or more are authorized.
 (4) Notwithstanding any restrictions indicated in the above list, meat products which have undergone a heat treatment so that a centre temperature of at least 80 °C has been achieved are authorized.
 (5) Member States shall only import equidae in accordance with Commission Decision 92/160/EEC establishing the regionalization.
 (6) Until specific provisions under Article 13 (2) of Directive 90/426/EEC have been adopted, Member States shall not import equidae coming from this country.
 (7) Member States may import live sheep for immediate slaughter from this country direct to their territory until 1 July 1993.

Additional notes

- XR The plan concerning the residues in live animals and fresh meat for substances having a thyrostatic, oestrogenic, androgenic or gestogenic action and for substances other than those having a hormonal action has been approved by the Commission.
 Equidae other than equidae for slaughter shall be imported without the third country concerned being obliged to present a plan.
- (a) As regards imports of meat of bovine animals intended for human consumption these are restricted to meat obtained from cows which have been used only for dairy production.
 (b) Imports of live bovine animals are restricted to animals intended for reproduction and to veal calves of less than 15 days of age intended for fattening.
 (c) As regards imports of meat of bovine animals intended for human consumption these are restricted to :
 (i) either meat obtained from cows which have only been used for dairy production,
 (ii) or meat :
 — complying with the conditions agreed between the United States of America and the European Economic Community ;
 and
 — which has been obtained from fresh meat establishments supplied with animals from holdings approved by the Commission. The names of such establishments are subject to specific communication from the Commission to the Member States.
- (d) As regards imports of live horses for slaughter sufficient guarantees have been received to allow importations.
 (e) Fresh meat and meat products must be unloaded onto the territory of the Community by 31 July 1993 at the latest.
 (f) Provisionally approved plan until 30 June 1993.

PART 2

SPECIAL COLUMN FOR REGISTERED HORSES

Country ISO Codes	Country	Registered horses	Special remarks
AE	United Arab Emirates	x	
BB	Barbados	x	
BH	Bahrain	x	
BM	Bermuda	x	
BO	Bolivia	x	
CO	Colombia	x	(¹)
CR	Costa Rica	x	(¹)
CU	Cuba	x	
EC	Ecuador	x	(¹)
EG	Egypt	x	(¹)
HK	Hong Kong	x	
JM	Jamaica	x	
JO	Jordan	x	
JP	Japan	x	
KW	Kuwait	x	
LY	Libya	x	
OM	Oman	x	
PE	Peru	x	(¹)
TR	Turkey	x	(¹)
VE	Venezuela	x	(¹)

x = Authorized in principle.

(¹) Member States shall only import equidae in accordance with Commission Decision 92/160/EEC establishing the regionalization.

COMMISSION DECISION

of 7 April 1993

amending the boundaries of the less-favoured areas in France within the meaning of Council Directive 75/268/EEC

(Only the French text is authentic)

(93/238/EEC)

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

Having regard to Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming in certain less-favoured areas⁽¹⁾, as last amended by Regulation (EEC) No 797/85⁽²⁾, and in particular Article 2 (3) thereof,

Whereas Council Directive 75/271/EEC of 28 April 1975 concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC⁽³⁾, as last amended by Directive No 89/587/EEC⁽⁴⁾, specifies the regions of France included in the Community list of less-favoured areas within the meaning of Article 3 (3), (4) and (5) of Directive 75/268/EEC;

Whereas the French Government has requested, in accordance with Article 2 (1) of Directive 75/268/EEC, an amendment to the boundaries of the less-favoured areas listed in the Annex to Directive 75/271/EEC;

Whereas the transfer of certain areas included in the list of areas within the meaning of Article 3 (4) and (5) of Directive 75/268/EEC to the list of areas within the meaning of Article 3 (3) complies with the criteria and the figures, including the special criteria, applied pursuant to Council Directive 76/401/EEC⁽⁵⁾, to determine mountain areas;

Whereas the series of amendments requested by the French Government pursuant to Article 2 (3) of Directive

75/268/EEC does not involve an increase in the total utilized agricultural area of the less-favoured areas and has therefore no effect on the limit fixed in that Article;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee on Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

Article 1

The list of less-favoured areas in France, given in the Annex to Directive 75/271/EEC, is hereby amended in accordance with the Annex to this Decision.

Article 2

This Decision is addressed to the French Republic.

Done at Brussels, 7 April 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 128, 19. 5. 1975, p. 1.

⁽²⁾ OJ No L 93, 30. 3. 1985, p. 1.

⁽³⁾ OJ No L 128, 19. 5. 1975, p. 33.

⁽⁴⁾ OJ No L 330, 15. 11. 1989, p. 31.

⁽⁵⁾ OJ No L 108, 24. 4. 1976, p. 22.

ANNEX

LESS-FAVOURED AREAS WITHIN THE MEANING OF ARTICLE 3 (3) OF DIRECTIVE 75/268/EEC

Areas to be added

Cantons	Communes ou parties de communes
	38 — Département de l'Isère <i>Arrondissement de La Tour-du-Pin</i>
Le Grand-Lemps	Biol (partie), Belmont (partie)
	46 — Département du Lot <i>Arrondissement de Figeac</i>
Lacapelle-Marival	Leyme
	73 — Département de la Savoie <i>Arrondissement de Chambéry</i>
Le Pont-de-Beauvoisin	Dommessin (partie)

LESS-FAVOURED AREAS WITHIN THE MEANING OF ARTICLE 3 (4) OF DIRECTIVE 75/268/EEC

Areas to be deleted

Cantons	Communes ou parties de communes
	38 — Département de l'Isère <i>Arrondissement de La Tour-du-Pin</i>
Le Grand-Lemps	Biol (partie), Belmont (partie)
	46 — Département du Lot <i>Arrondissement de Figeac</i>
Lacapelle-Marival	Leyme
	73 — Département de la Savoie <i>Arrondissement de Chambéry</i>
Le Pont-de-Beauvoisin	Dommessin (partie)