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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 1856/93
of 12 July 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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular Article 10 (5) and Article 11 (3) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy⁽²⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1680/93⁽³⁾ 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 9 July

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 1680/93 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 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 July 1993.

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

Done at Brussels, 12 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 8.

ANNEX

to the Commission Regulation of 12 July 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries (*)
0709 90 60	133,40 ⁽²⁾ ⁽³⁾
0712 90 19	133,40 ⁽²⁾ ⁽³⁾
1001 10 00	153,16 ⁽¹⁾ ⁽³⁾
1001 90 91	132,23
1001 90 99	132,23 ⁽³⁾
1002 00 00	135,78 ⁽⁴⁾
1003 00 10	124,84
1003 00 20	124,84
1003 00 80	124,84 ⁽⁵⁾
1004 00 00	75,11
1005 10 90	133,40 ⁽²⁾ ⁽³⁾
1005 90 00	133,40 ⁽²⁾ ⁽³⁾
1007 00 90	142,33 ⁽⁴⁾
1008 10 00	29,78 ⁽⁶⁾
1008 20 00	81,11 ⁽⁴⁾
1008 30 00	62,89 ⁽³⁾
1008 90 10	(7)
1008 90 90	62,89
1101 10 00	211,87 ⁽⁸⁾
1102 10 00	219,09
1103 11 30	242,62
1103 11 50	242,62
1103 11 90	238,84
1107 10 11	246,25
1107 10 19	186,75
1107 10 91	233,10
1107 10 99	176,92
1107 20 00	204,38

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

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

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

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

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

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

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

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

(9) Products falling within this code, imported from Poland, 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 1857/93**of 12 July 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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, 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⁽²⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93⁽³⁾ 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 9 July

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 to be added to the levies fixed in advance for the import in respect of the products listed in Article 1 (1) (a), (b) and (c) of Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 July 1993.

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

Done at Brussels, 12 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 12 July 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

A. Cereals and flour

CN code	<i>(ECU/tonne)</i>			
	Current 7	1st period 8	2nd period 9	3rd period 10
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 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	1,57	1,57	0
1102 10 00	0	0	0	0
1103 11 30	0	0	0	0
1103 11 50	0	0	0	0
1103 11 90	0	0	0	0

B. Malt

CN code	<i>(ECU/tonne)</i>				
	Current 7	1st period 8	2nd period 9	3rd period 10	4th period 11
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EEC) No 1858/93

of 9 July 1993

laying down detailed rules for applying Council Regulation (EEC) No 404/93 as regards the aid scheme to compensate for loss of income from marketing in the banana sector

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, and in particular Articles 12 (4) and (8), 14 and 30 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 ⁽²⁾, and in particular Article 6 (2) thereof,

Whereas, in order to ensure that Community production is maintained and in order not to put producers in a situation which is less favourable than their current one, Regulation (EEC) No 404/93 provides for compensatory aid in order to cover the loss of income, likely to result from the application of the new scheme ;

Whereas in order to be eligible for the compensatory aid the bananas must comply with Community quality standards ; whereas, however, pending the entry into force of these standards, provision should be made for the bananas to be graded, packed and removed from the packing shed so that they may be marketed ;

Whereas, for determining the 'flat-rate reference income', account should be taken of the most recent years for which complete data are available ; whereas this flat-rate reference income must be calculated for the ex packing shed stage and must correspond to the average of the prices at the delivered at first port of unloading in the rest of the Community stage for bananas produced in the most representative regions on the Community, less the average costs of transport and delivery FOB ;

Whereas the 'average production income' must be calculated for each year for the same ex-packing shed stage on the basis of the information to be provided by the Member States ;

Whereas the mechanism for reducing, by region and producer, the quantities of bananas marketed for which

aid is granted should be determined, to provide for the situation where the volumes indicated in applications exceed the quantities laid down pursuant to Article 12 of Regulation (EEC) No 404/93 ; whereas this mechanism must make possible some offsetting between the various production regions within the overall quantity laid down in Regulation (EEC) No 404/93 and operate in proportion to the quantities marketed, in the case of both the production regions and individual producers ;

Whereas detailed rules on the submission of applications and the payment of the compensatory aid should be laid down ; whereas, in view of the fact that the compensatory aid for a given year cannot be determined and paid until the beginning of the following year, it is necessary to grant advances in order to maintain normal disposal of Community produce and achieve the measures objective ; whereas, however, these advances must be paid subject to a security to cover the possibility of the aid eventually paid being less than the total of the advances ;

Whereas Regulation (EEC) No 404/93 lays down that the compensatory aid is to be granted to producers who are members of a recognized producers' organization within the meaning of Article 5 of that Regulation ; whereas, pending the creation of these organizations and their recognition, it is necessary to make provision for aid applications to be submitted by individual producers ;

Whereas the economic objective of the aid is attained when the bananas are marketed ; whereas, however, to take account of the market organization system, the agricultural conversion rate applicable at the beginning of each quarterly marketing period should be used to convert the aid and advances into national currency ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The compensatory aid provided for in Article 12 of Regulation (EEC) No 404/93 shall be granted for the marketing of fresh bananas falling within CN code ex 0803, excluding plantains, which comply with the quality standards laid down pursuant to Title I of that Regulation.

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

Pending the entry into force of Community quality standards, the aid shall be paid for products intended to be delivered fresh to the consumer, graded and packed, and removed from the packing shed with a view to marketing.

Article 2

1. The 'flat-rate reference income' referred to in Article 12 (4) of Regulation (EEC) No 404/93 shall be determined on the basis of the date recorded during the 1991. It shall be calculated for the ex packing shed stage.

2. The flat-rate reference income shall be ECU 49,1/100 kg net weight of green bananas ex-packing shed.

Article 3

1. The 'average production income' for Community bananas referred to in Article 12 (5) in Regulation (EEC) No 404/93 shall be calculated for the ex packing shed stage.

2. The average production income shall be determined for each year on the basis of the average of the prices at the delivered at first port of unloading in the rest of the Community stage, of bananas from the most representative producer regions in the Community, less the average costs of transport and delivery fob.

Article 4

1. Applications for advances may be submitted in accordance with the timetable laid down in Article 7 (2).

2. The amount of each advance shall be determined by multiplying the quantities marketed during the period in question by a average 70 % of the amount of aid paid in respect of the preceding year.

3. Payment of the advance shall be subject to the lodging of a security together with the application. The amount of this security shall be fixed at 50 % of the advance.

4. The security shall be forfeit in proportion to the part of the aid usually paid where :

- the definitive amount of the aid proves to be less than the amount of the advances, and/or
- the quantities of bananas marketed for which advances have been applied for exceeds the total quantity of production referred to in Article 12 (2) of Regulation (EEC) No 404/93.

5. The security shall be released as soon as the definitive aid is paid by the competent authorities.

Article 5

Applications for compensatory aid and advances shall be submitted by the recognized producers' organizations within the meaning of Article 5 of Regulation (EEC) No 404/93. They shall cover the quantities marketed by each producer through the producers, organization.

However, in the case of the quantities marketed up to the end of 1994, applications may be submitted directly by individual producers.

Article 6

1. For the second half of 1993, the amount of the advance shall be a maximum of ECU 13,4/100 kg.

2. The amount of the security to be lodged when applications for advances are submitted for the second half of 1993 shall be ECU 6,7/100 kg.

3. The maximum quantity of Community bananas marketed which is eligible for the compensatory aid for the second half of 1993 shall be 427 000 tonnes net weight and shall be broken down by Community producer region as follows :

- 210 000 tonnes for the Canary Islands,
- 75 000 tonnes for Guadeloupe,
- 109 500 tonnes for Martinique,
- 25 000 tonnes for Madeira, the Azores and the Algarve,
- 7 500 tonnes for Crete and Lakonia.

Article 7

1. Applications for compensatory aid and advances shall be submitted to the competent authorities designated by each Member State in which the products are harvested.

2. Applications shall be submitted :

- (a) in the case of advances, in the first 10 days of March, May, July, September and November in the case of bananas actually marketed during the two-month period preceding the month of application.

For the second half of 1993 an application for a special advance may be submitted before 15 July 1993. Such application shall be accompanied by the lodging of a security corresponding to 50 % of the amount of the special advance. This amount shall be established on the basis of the quantities for which proof is supplied that they were actually marketed in July 1992. Payment shall be made before the end of July 1993. An adjustment shall be made when the advance for bananas marketed during July and August 1993 is paid ;

(b) in the case of payment of the balance of the aid, in the first 10 days of January of the year following that in respect of which the aid is applied for. The balance shall comprise :

- the aid for bananas marketed during November and December, and
- where applicable, the adjustment to the amounts paid for bananas marketed during the periods referred to in (a), on the basis of the definitive amount of aid.

3. Applications shall include the following information at least :

- the names, first names and addresses of the individual producers,
- the name and address of the producers' organization submitting the application,
- the quantities of bananas produced and marketed during the period in question. Applications for the balance shall cover the total quantities marketed during the year in question.

4. Applications shall be accompanied by :

- certificates of conformity,
- sales invoices,
- the documents relating to transport, for bananas marketed outside the production region, or
- any other useful supporting document providing proof of marketing.

5. Applications for payment of the balance may not be accompanied by supporting documents submitted for applications for advances.

Article 8

Member States shall inform the Commission forthwith, at the end of each period for lodging applications referred to in Article 7, of the quantities actually marketed for which applications for payment have been submitted.

As regards the second half of 1993, when applying for the advance for the July-August period they shall communicate the quantities of bananas marketed in 1992 used to calculate the amount of the special advance paid in July.

Article 9

1. Where the quantities laid down for each region in Article 12 (2) of Regulation (EEC) No 404/93 are exceeded, the aid shall be granted for all the quantities applied for, up to a total quantity of 854 000 tonnes net weight and, in the case of the second half of 1993, up to a maximum of 427 000 tonnes.

2. If the total quantity actually marketed exceeds 854 000 tonnes and 427 000 tonnes for the second half of 1993, the quantities marketed giving entitlement to the aid shall be reduced for each producer region concerned in proportion to the overrun of the quantity fixed for that region.

The Commission shall fix the reduction percentages applicable for each region and shall inform the Member States thereof.

Where the second subparagraph is applied, the competent authorities shall apply the uniform reduction percentage to the quantities presented in each aid application.

Article 10

The competent national authorities, after verifying aid applications and the supporting documents, shall pay the amount of the advance or the definitive aid, as the case may be, within the two months following that in which the application was lodged.

Article 11

The rate applicable for conversion of the amount of advances and aid into national currency shall be the agricultural conversion rate in force on the first day of each of the marketing periods defined in Article 7 (2). The rate applicable for bananas marketed during the period from 1 November to 31 December shall be the agricultural conversion rate in force on 1 November.

The agricultural conversion rate in force on 1 July 1993 shall be used to convert the amount of the special advance into national currency.

Article 12

1. Where aid is paid unduly in respect of bananas which have not been marketed in accordance with Article 1, the competent authorities shall recover the amounts paid, plus interest calculated from the date of payment of the aid up to effective recovery thereof. The rate of interest to be applied shall be that in force for similar recovery operations under national law. This rate may not be lower than the reference rate referred to in the Annex as applied in the Member State concerned on the day of payment, plus one percentage point. Member States may decide not to collect interest if it amounts to ECU 20 or less.

2. The aid recovered and, where applicable, the interest shall be paid to the paying agencies or authorities and deducted by them from the expenditure financed by the European Agricultural Guidance and Guarantee Fund, Guarantee Section.

Article 13

Producer Member States shall inform the Commission each month of the following :

- the quantities marketed during the preceding month broken down by those placed on regional markets and those sent to the rest of the Community, together with forecasts for the current month,
- the production trend for the marketing year, and
- trends in the quantities available in ripening depots.

Trends in the price of Community bananas at the various stages of the chain of production up to the wholesale and retail stages, and of bananas originating in third countries

from the cif stage up to the retail stage, shall be sent to the Commission each week by the aforementioned Member States.

Article 14

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

It shall apply from 1 July 1993.

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

Done at Brussels, 9 July 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

1. *Belgium* :
Brussels interbank borrowing offered-rate three months.
 2. *Denmark* :
Yield on issue of 12-month Treasury bonds.
 3. *Germany* :
Frankfurt interbank borrowing offered-rate three months.
 4. *Greece* :
Yield on issue of three-month Treasury bonds.
 5. *France* :
Paris interbank borrowing offered-rate three months.
 6. *Spain* :
Madrid interbank borrowing offered-rate three months.
 7. *Ireland* :
Dublin interbank borrowing offered-rate three months.
 8. *Italy* :
Yield on issue of three-month Treasury bonds
 9. *Luxembourg* :
Interbank rate three months
 10. *Netherlands* :
Amsterdam interbank borrowing offered-rate three months.
 11. *Portugal* :
Lisbon interbank borrowing offered-rate three months.
 12. *United Kingdom* :
London interbank borrowing offered-rate three months.
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COMMISSION REGULATION (EEC) No 1859/93

of 12 July 1993

on the application of the system of import licences for garlic imported from third countries

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 746/93⁽²⁾, and in particular Article 22b thereof,

Whereas Article 22b of Regulation (EEC) No 1035/72 provides for the possibility of introducing a system of import licences for certain products which prove to be sensitive and which are imported in relatively large quantities;

Whereas traditional import flows of garlic are rising sharply and as a consequence measures should be adopted for imports of that product to be monitored closely;

Whereas the most suitable means of achieving that objective is to introduce a system of import licences requiring a set period to elapse between the submission of the application and the actual issuance of the licence and entailing the lodging of a security reflecting the value of the product, in order to ensure compliance by operators with their obligations; whereas the term of validity of licences must take account of the features of the market for the product concerned;

Whereas 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⁽³⁾, as last amended by Regulation (EEC) No 2101/92⁽⁴⁾, should apply;

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

Garlic (CN code 0703 20 00) shall be released for free circulation in the Community subject to the presentation

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 77, 31. 3. 1993, p. 14.

⁽³⁾ OJ No L 331, 2. 12. 1988, p. 1.

⁽⁴⁾ OJ No L 210, 25. 7. 1992, p. 18.

of import licences issued by the Member States concerned to all parties concerned who apply therefor, whatever their place of establishment in the Community, in accordance with Articles 2 and 3.

Article 2

1. Import licences shall be issued subject to the lodging of a security of ECU 1,5 per 100 kilogrammes net weight. The security shall be forfeited in full or in part if the quantities stipulated in the licence are not released for free circulation, or y only part thereof is released, during the term of validity of the licence.

2. Import licences shall be valid for 40 days from their date of issue as defined in Article 3 (2).

Article 3

1. Section 8 of import licence applications and import licences shall show the country of origin of the product. Import licences shall only be valid for products originating in the country shown in Section 8 thereof.

2. Import licences shall be issued on the third working day following the day on which the application is lodged unless measures are taken within that time.

However, import licences applied for by or on the third working day following the date of entry into force of this Regulation shall be issued forthwith.

Article 4

The Member States shall notify the Commission of:

1. the quantities covered by import licence applications, together with the CN code concerned, the quantities broken down by country of origin.

That information shall be notified as follows:

— every Wednesday, in respect of applications lodged on the Monday or Tuesday of that week,

— every Friday, in respect of applications lodged on the Wednesday or Thursday of that week,

— every Monday, in respect of applications lodged on the Friday of the preceding week;

2. the quantities covered by unused or partly-used import licences, corresponding to the difference between the quantities entered on the back of the licences and the quantities for which they were issued.

That information shall be notified every Wednesday, in respect of data received the previous week.

If no import licence applications have been submitted in one of the periods referred in point 1 or if there are no unused quantities as referred to in point 2, the

Member State in question shall notify the Commission thereof on the days indicated in this Article.

Article 5

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

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

Done at Brussels, 12 July 1993.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EEC) No 1860/93

of 12 July 1993

on transitional measures for granting compensatory payments for oilseed flax for the 1993/94 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 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops⁽¹⁾, as last amended by Regulation (EEC) No 1552/93⁽²⁾, and in particular Articles 16 and 17a thereof,

Whereas, in view of the late date at which oilseed flax was included, as from the 1993/94 marketing year in the support system provided for in Regulation (EEC) No 1765/92 to replace the system introduced by Council Regulation (EEC) No 569/76⁽³⁾, as last amended by Regulation (EEC) No 2048/92⁽⁴⁾, producers should be exempt from certain obligations provided for in Regulation (EEC) No 1765/92 and should not be subject to the integrated management and control arrangements introduced by Council Regulation (EEC) No 3508/92⁽⁵⁾;

Whereas, with regard to eligibility for the compensatory payment referred to in Article 6 (2) of Regulation (EEC) No 1765/92 and to facilitate the transition from the previous scheme to the scheme in force from 1 July 1993, account should be taken of the legitimate expectations of producers who sowed flax seed in 1993 regardless of the previous uses of the land thus sown;

Whereas provisions should be made for producer Member States to take the necessary control measures to ensure the proper functioning of the aid scheme; whereas this objective may be achieved by providing that the rules on lodging declarations of areas sown and the checks laid down in Commission Regulation (EEC) No 1799/76 of 22 July 1976 laying down detailed rules for the application of special measures in respect of linseed⁽⁶⁾, as last amended by Regulation (EEC) No 3530/92⁽⁷⁾, should continue to apply;

Whereas provision should be made for the Commission to note any overrun of the maximum guaranteed area laid down by the Council and to determine the consequent

reduction in the compensatory payment; whereas, in order for the aid scheme to be applied correctly, the data to be communicated to the Commission by the Member States should be defined;

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

HAS ADOPTED THIS REGULATION :

Article 1

The compensatory payment for oilseed flax referred to in Article 6 (a) of Regulation (EEC) No 1765/92 shall be granted for the 1993/94 marketing year subject to the conditions laid down in this Regulation.

Article 2

For the purposes of this Regulation :

- (a) 'compensatory payment' means a transfer of funds to the producer from the competent authority of the Member State in whose territory the eligible areas are located;
- (b) 'production region' means a region determined in accordance with Article 3 (1) of Council Regulation (EEC) No 1765/92.

Article 3

For the purposes of granting the compensatory payment for oilseed flax in the 1993/94 marketing year :

- the base areas laid down in Commission Regulation (EEC) No 845/93⁽⁸⁾ shall remain unchanged,
- areas under oilseed flax receiving the compensatory payment referred to in Article 6a of Regulation (EEC) No 1765/92 shall not be taken into account when establishing any overrun of the base areas,
- Articles 2 (5), 7, 8 and 10 (2) of Regulation (EEC) No 1765/92, and the provisions concerning the integrated management and control arrangements for certain Community aid schemes laid down in Regulation (EEC) No 3508/92 shall not apply.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 12.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 19.

⁽³⁾ OJ No L 67, 15. 3. 1976, p. 29.

⁽⁴⁾ OJ No L 215, 30. 7. 1992, p. 5.

⁽⁵⁾ OJ No L 355, 5. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 201, 27. 7. 1976, p. 14.

⁽⁷⁾ OJ No L 358, 8. 12. 1992, p. 9.

⁽⁸⁾ OJ No L 88, 8. 4. 1993, p. 27.

Article 4

By derogation from Article 9 of Regulation (EEC) No 1765/92 and in respect of the 1993/94 marketing year, all areas sown with oilseed flax in 1993 shall be eligible for the compensatory payment referred to in Article 6 (a) (2) of that Regulation, except for areas used for the set-aside of land sown in accordance with Commission Regulation (EEC) No 334/93⁽¹⁾.

Article 5

Where the eligible areas of a producer are situated in more than one production region, the amount to be paid shall be determined on the basis of the location of each area included in the application.

Article 6

1. Article 3 of Council Regulation (EEC) No 1774/76⁽²⁾ and Articles 1, 3, 8, 8a, 8b, 8c, 12a and 15 of Regulation (EEC) No 1799/76 shall apply, insofar as areas sown are concerned.

Declarations of areas sown lodged in accordance with Article 8 of Regulation (EEC) No 1799/76 shall be regarded as equivalent to an aid application.

2. In order to qualify for compensatory payment areas must be sown entirely in accordance with locally recognized standards and maintained at least until flowering begins under normal growth conditions. Moreover, they must be maintained at least until 31 July 1993, except in cases where harvesting takes place at the stage of complete maturity prior to that date.

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

Done at Brussels, 12 July 1993.

Article 7

If the Commission finds that the Community area sown with oilseed flax in 1993 in respect of which compensatory payments are requested in accordance with this Regulation exceeds 266 000 hectares, it shall determine, in accordance with the procedure laid down in Article 38 of Council Regulation No 136/66/EEC⁽³⁾ and not later than 15 October 1993, the amount of the compensatory payment to be paid after applying a 1 % reduction as referred to in Article 6a of Regulation (EEC) No 1765/92 for each 1 % by which the maximum guaranteed area is exceeded.

Article 8

For the purpose of the determination referred to in Article 7, Member States shall notify the Commission not later than 15 September 1993 of the areas sown to oilseed flax in 1993.

Article 9

Member States shall take all additional measures needed for the application of this Regulation. Such measures shall be communicated to the Commission not later than 15 August 1993.

Article 10

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

It shall apply from 1 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 38, 16. 2. 1993, p. 12.

⁽²⁾ OJ No L 199, 24. 7. 1976, p. 1.

⁽³⁾ OJ No 172, 30. 9. 1966, p. 3025/66.

COMMISSION REGULATION (EEC) No 1861/93
of 12 July 1993
amending Regulation (EEC) No 2167/83 laying down detailed rules for the supply
of milk and certain milk products to schoolchildren

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 26 (4) thereof,

Whereas Article 1 (3) of Council Regulation (EEC) No 1842/83 of 30 June 1983 laying down general rules for the supply of milk and certain milk products at reduced prices to schoolchildren⁽³⁾, as last amended by Regulation (EEC) No 222/88⁽⁴⁾, provides that the Community aid is to be established in line with the target price for milk applicable for the milk year concerned;

Whereas, following the change in the target price for the 1993/94 milk year, the aid provided for in Article 4 (1) of Commission Regulation (EEC) No 2167/83⁽⁵⁾, as last amended by Regulation (EEC) No 706/92⁽⁶⁾, should be adapted;

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

Article 4 (1) (a), (b) and (c) of Regulation (EEC) No 2167/83 is hereby replaced by the following:

- (a) ECU 32,57 per 100 kilograms for category I "whole milk" products;
- (b) ECU 20,56 per 100 kilograms for category II "semi-skimmed milk" products;
- (c) ECU 10,20 per 100 kilograms for category III "butter-milk" products;

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, 12 July 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 183, 7. 7. 1983, p. 1.

⁽⁴⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁵⁾ OJ No L 206, 30. 7. 1983, p. 75.

⁽⁶⁾ OJ No L 75, 21. 3. 1992, p. 31.

COMMISSION REGULATION (EEC) No 1862/93
of 12 July 1993

amending Regulations (EEC) No 1192/93, (EEC) No 1193/93, (EEC) No 1194/93, (EEC) No 1195/93, (EEC) No 1196/93, (EEC) No 1197/93, (EEC) No 1198/93, (EEC) No 1513/93, (EEC) No 1514/93, (EEC) No 1515/93, (EEC) No 1516/93 and (EEC) No 1517/93 opening standing invitations to tender for the export of cereals held by the 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 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, and in particular Article 5 thereof,

Whereas Commission Regulation (EEC) No 1836/82⁽²⁾, as last amended by Regulation (EEC) No 966/93⁽³⁾, lays down the procedures and conditions for the disposal of cereals held by the intervention agencies;

Whereas, in view of allowing the execution of exports, both the period for completion of customs export formalities and the final date of validity of export licences provided for in Commission Regulations (EEC) No 1192/93⁽⁴⁾, (EEC) No 1193/93⁽⁵⁾, (EEC) No 1194/93⁽⁶⁾, (EEC) No 1195/93⁽⁷⁾, (EEC) No 1196/93⁽⁸⁾, (EEC) No 1197/93⁽⁹⁾, (EEC) No 1198/93⁽¹⁰⁾, (EEC) No 1513/93⁽¹¹⁾, (EEC) No 1514/93⁽¹²⁾, (EEC) No 1515/93⁽¹³⁾, (EEC) No 1516/93⁽¹⁴⁾ and (EEC) No 1517/93⁽¹⁵⁾ should be amended;

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

HAS ADOPTED THIS REGULATION:

Article 1

In Article 2 (1) of Regulations (EEC) No 1192/93, (EEC) No 1193/93, (EEC) No 1194/93, (EEC) No 1195/93, (EEC) No 1196/93, (EEC) No 1197/93, (EEC) No 1198/93, (EEC) No 1513/93, (EEC) No 1514/93, (EEC) No 1515/93, (EEC) No 1516/93 and (EEC) No 1517/93, the second sentence is hereby replaced by the following:

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 202, 9. 7. 1982, p. 23.

⁽³⁾ OJ No L 98, 24. 4. 1993, p. 25.

⁽⁴⁾ OJ No L 122, 18. 5. 1993, p. 5.

⁽⁵⁾ OJ No L 122, 18. 5. 1993, p. 8.

⁽⁶⁾ OJ No L 122, 18. 5. 1993, p. 11.

⁽⁷⁾ OJ No L 122, 18. 5. 1993, p. 14.

⁽⁸⁾ OJ No L 122, 18. 5. 1993, p. 17.

⁽⁹⁾ OJ No L 122, 18. 5. 1993, p. 20.

⁽¹⁰⁾ OJ No L 122, 18. 5. 1993, p. 23.

⁽¹¹⁾ OJ No L 150, 22. 6. 1993, p. 15.

⁽¹²⁾ OJ No L 150, 22. 6. 1993, p. 18.

⁽¹³⁾ OJ No L 150, 22. 6. 1993, p. 21.

⁽¹⁴⁾ OJ No L 150, 22. 6. 1993, p. 24.

⁽¹⁵⁾ OJ No L 150, 22. 6. 1993, p. 27.

'The customs export formalities must be completed during the period from 1 July to 31 October 1993.'

Article 2

In Article 3 of Regulations (EEC) No 1192/93, (EEC) No 1193/93, (EEC) No 1194/93, (EEC) No 1195/93, (EEC) No 1196/93, (EEC) No 1197/93, (EEC) No 1198/93, (EEC) No 1513/93, (EEC) No 1514/93, (EEC) No 1515/93, (EEC) No 1516/93 and (EEC) No 1517/93 'the date 30 September 1993' is replaced by '1 October 1993'.

Article 3

Article 5 of Regulations (EEC) No 1192/93, (EEC) No 1193/93, (EEC) No 1194/93, (EEC) No 1195/93, (EEC) No 1196/93, (EEC) No 1197/93, (EEC) No 1198/93, (EEC) No 1513/93, (EEC) No 1514/93, (EEC) No 1515/93, (EEC) No 1516/93 and (EEC) No 1517/93 is hereby deleted.

Article 4

Article 6 of Regulations (EEC) No 1192/93, (EEC) No 1193/93, (EEC) No 1194/93, (EEC) No 1195/93, (EEC) No 1196/93, (EEC) No 1197/93, (EEC) No 1198/93, (EEC) No 1513/93, (EEC) No 1514/93, (EEC) No 1515/93, (EEC) No 1516/93 and (EEC) No 1517/93 is hereby replaced by the following:

Article 6

Notwithstanding Article 17 (3) of Regulation (EEC) No 1836/82, the security referred to in the second indent of Article 17 (2) of the said Regulation shall not be released until proof is furnished that the customs export formalities have taken place during the period from 1 July to 31 October 1993.'

Article 5

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, 12 July 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EEC) No 1863/93
of 12 July 1993
fixing the export refunds on eggs

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

Having regard to Council Regulation (EEC) No 2771/75 of 29 October 1975 on the common organization of the market in eggs ⁽¹⁾, as last amended by Regulation (EEC) No 1235/89 ⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 2774/75 ⁽³⁾ lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas the present market situation in certain third countries and that regarding competition on particular third country markets make it necessary to fix a refund differentiated by destination for certain products in the egg sector;

Whereas Council Regulation (EEC) No 990/93 ⁽⁴⁾ 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 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 1068/93 ⁽⁶⁾;

Whereas it follows from applying these rules and criteria to the present situation on the market in eggs that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of codes of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2771/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 July 1993.

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

Done at Brussels, 12 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 68.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 108, 1. 5. 1993, p. 106.

ANNEX

to the Commission Regulation of 12 July 1993 fixing the export refunds on eggs

Product code	Destination (1)	Amount of refund (2)
		ECU/100 units
0407 00 11 000	02	4,80
0407 00 19 000	05	3,50
	06	2,70
		ECU/100 kg
0407 00 30 000	03	26,00
	04	14,00
0408 11 10 000	01	73,00
0408 19 11 000	01	32,00
0408 19 19 000	01	34,00
0408 91 10 000	01	71,00
0408 99 10 000	01	12,00

(1) The destinations are as follows:

- 01 All destinations,
- 02 All destinations except the United States of America,
- 03 Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen, and Hong Kong,
- 04 All destinations except those of 03,
- 05 Saudi Arabia, Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen and Iran,
- 06 All destinations except the United States of America and those of 05 above.

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

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

COMMISSION REGULATION (EEC) No 1864/93
of 12 July 1993
fixing the export refunds on poultrymeat

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

Having regard to Regulation (EEC) No 2777/75 of the Council of 29 October 1975 on the common organization of the market in poultrymeat ⁽¹⁾, as last amended by Regulation (EEC) No 3714/92 ⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 of Regulation (EEC) No 2777/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Regulation (EEC) No 2779/75 of the Council ⁽³⁾, lays down general rules for granting export refunds and criteria for fixing the amount of such refunds;

Whereas it follows from applying these rules and criteria to the present situation on the market in poultrymeat that the refund should be fixed at an amount which would permit Community participation in world trade and would also take account of the nature of these exports and their importance at the present time;

Whereas Council Regulation (EEC) No 990/93 ⁽⁴⁾ 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 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 1068/93 ⁽⁶⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

The list of products for which, when they are exported, the export refund referred to in Article 9 of Regulation (EEC) No 2777/75 is granted, and the amount of that refund shall be as shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 13 July 1993.

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

Done at Brussels, 12 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 77.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 282, 1. 11. 1975, p. 90.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁵⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁶⁾ OJ No L 108, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 12 July 1993 fixing the export refunds on poultrymeat

Product code	Destination of refund (1)	Amount of refund (2)	Product code	Destination of refund (1)	Amount of refund (2)
		ECU/100 units			ECU/100 kg
0105 11 11 000	09	4,60	0207 39 11 110	01	5,00
	10	3,80	0207 39 11 190	—	—
0105 11 19 000	09	4,60	0207 39 11 910	—	—
	10	3,80	0207 39 11 990	01	39,00
0105 11 91 000	09	4,60	0207 39 13 000	02	40,00
	10	3,80		03	18,00
0105 11 99 000	09	4,60	0207 39 15 000	01	7,00
	10	3,80	0207 39 21 000	01	27,00
0105 19 10 000	01	7,60	0207 39 23 000	02	46,00
0105 19 90 000	01	3,80		03	26,00
			0207 39 25 100	02	40,00
				03	18,00
			0207 39 25 200	02	40,00
				03	18,00
			0207 39 25 300	02	40,00
0105 91 00 000	01	13,00		03	18,00
0207 10 11 000	01	10,00		02	40,00
0207 10 15 000	04	36,00	0207 39 25 400	03	18,00
	05	27,00	0207 39 25 900	01	3,50
	06	18,00	0207 39 31 110	—	—
0207 10 19 100	04	40,00	0207 39 31 190	01	7,00
	05	31,00	0207 39 31 910	—	—
	06	18,00	0207 39 31 990	01	45,00
0207 10 19 900	11	27,00	0207 39 33 000	01	26,00
	12	18,00	0207 39 35 000	01	10,00
0207 10 31 000	01	26,00	0207 39 41 000	01	31,00
0207 10 39 000	01	26,00	0207 39 43 000	01	16,00
0207 10 51 000	07	22,00	0207 39 45 000	01	31,00
	08	28,00	0207 39 47 100	01	10,00
0207 10 55 000	07	22,00	0207 39 47 900	—	—
	08	32,00	0207 39 55 110	01	5,00
0207 10 59 000	07	22,00	0207 39 55 190	—	—
	08	32,00	0207 39 55 910	—	—
0207 21 10 000	04	36,00	0207 39 55 990	01	44,00
	05	27,00	0207 39 57 000	01	32,00
	06	18,00	0207 39 65 000	01	10,00
0207 21 90 100	04	40,00	0207 39 73 000	01	10,00
	05	31,00		07	22,00
	06	18,00	0207 39 77 000	08	36,00
0207 21 90 900	11	27,00		07	21,00
	12	18,00	0207 41 10 110	08	35,00
0207 22 10 000	01	26,00	0207 41 10 190	01	5,00
0207 22 90 000	01	26,00	0207 41 10 910	—	—
0207 23 11 000	07	22,00	0207 41 10 990	—	—
	08	32,00	0207 41 11 000	01	39,00
0207 23 19 000	07	22,00		02	40,00
	08	32,00	0207 41 21 000	03	18,00
				01	7,00

Product code	Destination of refund (*)	Amount of refund (2)	Product code	Destination of refund (*)	Amount of refund (2)
		ECU/100 kg			ECU/100 kg
0207 41 41 000	01	27,00	0207 42 41 000	01	31,00
0207 41 51 000	02	46,00	0207 42 51 000	01	16,00
	03	26,00	0207 42 59 000	01	31,00
0207 41 71 100	02	40,00	0207 42 71 100	01	10,00
	03	18,00	0207 42 71 900	—	—
0207 41 71 200	02	40,00	0207 43 15 110	01	5,00
	03	18,00	0207 43 15 190	—	—
0207 41 71 300	02	40,00	0207 43 15 910	—	—
	03	18,00	0207 43 15 990	01	44,00
0207 41 71 400	01	3,50	0207 43 21 000	01	32,00
0207 41 71 900	—	—	0207 43 31 000	01	10,00
0207 42 10 110	01	7,00	0207 43 53 000	07	22,00
0207 42 10 190	—	—		08	36,00
0207 42 10 910	—	—	0207 43 63 000	07	21,00
0207 42 10 990	01	45,00		08	35,00
0207 42 11 000	01	26,00	1602 39 11 100	01	13,00
0207 42 21 000	01	10,00	1602 39 11 900	—	—

(*) The destinations are as follows :

- 01 All destinations except the United States of America,
- 02 Egypt, Ceuta and Melilla, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, the Republic of Yemen, Iraq, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia, Latvia, Iran, Singapore, Angola, Lebanon and Syria,
- 03 All destinations except the United States of America and those of 02 above,
- 04 Egypt, Saudi Arabia, Kuwait, Bahrain, Qatar, Oman, the United Arab Emirates, Jordan, Singapore, the Republic of Yemen, Iraq, Iran, Angola, Lebanon and Syria,
- 05 Ceuta and Melilla, Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia and Latvia,
- 06 All destinations except the United States of America and those of 04 and 05 above,
- 07 Hungary, Poland, Romania, the Republics of Croatia, Slovenia, Bosnia-Herzegovina, the Federal Republic of Yugoslavia (Serbia and Montenegro), the former Yugoslav Republic of Macedonia, the Czech Republic, the Slovak Republic and Bulgaria,
- 08 All destinations except the United States of America and those of 07 above,
- 09 Saudi Arabia, Kuwait, Bahrain, Oman, Qatar, the United Arab Emirates, the Republic of Yemen and Iran,
- 10 All destinations except the United States of America and those of 09 above,
- 11 Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Lithuania, Estonia and Latvia,
- 12 All destinations except the United States of America and that of 11 above.

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

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

COMMISSION REGULATION (EEC) No 1865/93

of 12 July 1993

fixing the rates of the refunds applicable to eggs and egg yolks 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 2771/75 of 29 October 1975 on the common organization of the market in eggs⁽¹⁾, as last amended by Regulation (EEC) No 1235/89⁽²⁾, and in particular the first sentence of the fifth subparagraph of Article 9 (2) thereof,

Whereas Article 9 (1) of Regulation (EEC) No 2771/75 provides that the difference between prices on the world market for the products listed in Article 1 (1) 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 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 the Annex to Regulation (EEC) No 2771/75;

Whereas, in accordance with the second 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 a period of the same duration as that for which refunds are fixed for the same products exported unprocessed;

Whereas, in accordance with paragraph 2 of that Article, when that rate is being determined particular account should be taken of:

- (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 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; and

- (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 a specific rate of refund should be fixed for eggs in shell, exported in the form of egg albumin, taking into account the difference between the prices of such eggs on the Community market and on the world market;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾ 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 Poultrymeat and Eggs has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) of Regulation (EEC) No 2771/75, exported in the form of goods listed in the Annex to Regulation (EEC) No 2771/75, are hereby fixed as shown in the Annex hereto.

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

Article 2

This Regulation shall enter into force on 13 July 1993.

⁽¹⁾ OJ No L 282, 1. 11. 1975, p. 49.

⁽²⁾ OJ No L 128, 11. 5. 1989, p. 29.

⁽³⁾ OJ No L 323, 29. 11. 1980, p. 27.

⁽⁴⁾ OJ No L 327, 27. 11. 1990, p. 4.

⁽⁵⁾ 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, 12 July 1993.

For the Commission
Martin BANGEMANN
Vice-President

ANNEX

to the Commission Regulation of 12 July 1993 fixing the rates of the refunds applicable to eggs and egg yolks 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
0407 00	Birds' eggs, in shell, fresh, preserved or cooked :	
	– Of poultry :	
0407 00 30	– – Other :	
	a) On exportation of ovalbumin of CN code 3502 10	29,00
	b) On exportation of other goods	14,00
0408	Birds' eggs, not in shell and egg yolks, fresh, dried, cooked by steaming or by boiling in water, moulded, frozen or otherwise preserved, whether or not containing added sugar or other sweetening matter :	
	– Egg yolks :	
0408 11	– – Dried :	
ex 0408 11 10	– – – Suitable for human consumption : not sweetened	73,00
0408 19	– – Other :	
	– – – Suitable for human consumption :	
ex 0408 19 11	– – – – Liquid : not sweetened	32,00
ex 0408 19 19	– – – – Frozen : not sweetened	34,00
	– Other :	
0408 91	– – Dried :	
ex 0408 91 10	– – – Suitable for human consumption : not sweetened	71,00
0408 99	– – Other :	
ex 0408 99 10	– – – Suitable for human consumption : not sweetened	12,00

COMMISSION REGULATION (EEC) No 1866/93
of 12 July 1993
fixing the import levies on white sugar and raw sugar

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 sugar ⁽¹⁾, as last amended by Regulation (EEC) No 1548/93 ⁽²⁾, and in particular Article 16 (8) thereof,

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 1855/93 ⁽⁵⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EEC) No 1695/93 to the information known to the Commission that the

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 9 July 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 13 July 1993.

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

Done at Brussels, 12 July 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 40.

⁽⁵⁾ OJ No L 168, 10. 7. 1993, p. 48.

ANNEX

to the Commission Regulation of 12 July 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	34,55 ⁽¹⁾
1701 11 90	34,55 ⁽¹⁾
1701 12 10	34,55 ⁽¹⁾
1701 12 90	34,55 ⁽¹⁾
1701 91 00	43,09
1701 99 10	43,09
1701 99 90	43,09 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68.

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

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

COMMISSION REGULATION (EEC) No 1867/93
of 12 July 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 1554/93⁽³⁾, and in particular Article 5 (1) thereof,

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 1699/93⁽⁴⁾, as amended by Regulation (EEC) No 1748/93⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1699/93 to the information at present available to the Commission

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

HAS ADOPTED THIS REGULATION :

Article 1

1. The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be :

- ECU 69,659 per 100 kilograms for the 1992/93 marketing year,
- ECU 63,922 per 100 kilograms for the 1993/94 marketing year.

2. However, the amount of the aid for 1993/94 shall be confirmed or replaced with effect from 13 July 1993 to take account of the consequences of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 13 July 1993.

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

Done at Brussels, 12 July 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 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 51.

⁽⁵⁾ OJ No L 161, 2. 7. 1993, p. 31.

COMMISSION REGULATION (EEC) No 1868/93
of 12 July 1993
introducing a countervailing charge on pears 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 Article 25a (1) of Regulation (EEC) No 1035/72 provides that, if the entry price of a product imported from a non-member country is alternatively above and below the reference price for five to seven consecutive market days a countervailing charge is introduced in respect of that non-member country, save in exceptional cases; whereas that charge is introduced when three entry prices fall below the reference price and one of those entry prices is at least ECU 0,6 below the reference price; whereas that charge is equal to the difference between the reference price and the last available entry price by at least ECU 0,6 below the reference price;

Whereas Commission Regulation (EEC) No 1641/93 of 28 June 1993 fixing for the 1993/94 marketing year the reference prices for pears⁽³⁾ fixed the reference price for products of class I for the month of July 1993 at ECU 47,03 per 100 kilograms net;

Whereas the entry price for a given exporting country is equal to the lowest representative prices recorded for at least 30 % of the quantities from the exporting country concerned which are marketed on all representative markets for which prices are available less the duties and the charges indicated in Article 24 (3) of Regulation (EEC) No 1035/72; whereas the meaning of representative price is defined in Article 24 (2) of Regulation (EEC) No 1035/72;

Whereas, in accordance with Article 3 (1) of Commission Regulation (EEC) No 2118/74⁽⁴⁾, as last amended by

Regulation (EEC) No 249/93⁽⁵⁾, the prices to be taken into consideration must be recorded on the representative markets or, in certain circumstances, on other markets;

Whereas for pears originating in Chile the entry prices calculated in this way have for five consecutive market days been alternatively above and below the reference price; whereas three of these entry prices are at least ECU 0,6 below the reference prices; whereas a countervailing charge should therefore be introduced for these pears;

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 1068/93⁽⁷⁾,

HAS ADOPTED THIS REGULATION:

Article 1

A countervailing charge of ECU 20,27 per 100 kilograms net is applied to pears (CN codes 0808 20 31, 0808 20 33, 0808 20 35 and 0808 20 39) originating in Chile.

Article 2

This Regulation shall enter into force on 14 July 1993.

Subject to the provisions of the second subparagraph of Article 26 (2) of Regulation (EEC) No 1035/72, this Regulation shall be applicable until 19 June 1993.

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 157, 29. 6. 1993, p. 10.

⁽⁴⁾ OJ No L 220, 10. 8. 1974, p. 20.

⁽⁵⁾ OJ No L 28, 5. 2. 1993, p. 45.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

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

Done at Brussels, 12 July 1993.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EEC) No 1869/93
of 12 July 1993
amending Regulation (EEC) No 1586/93 introducing a countervailing charge on
apples originating in Argentina

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 1586/93⁽³⁾, as last amended by Regulation (EEC) No 1805/93⁽⁴⁾, introduced a countervailing charge on apples originating in Argentina;

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 Argentina, must be altered,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 1 of Regulation (EEC) No 1586/93 'ECU 7,59' is hereby replaced by 'ECU 4,92'.

Article 2

This Regulation shall enter into force on 13 July 1993.

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

Done at Brussels, 12 July 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 152, 24. 6. 1993, p. 24.

⁽⁴⁾ OJ No L 164, 7. 7. 1993, p. 10.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 6 July 1993

concerning the importation into the Community of fresh pigmeat, pigmeat products, live pigs, and porcine embryos from Hungary and amending Decisions 82/8/EEC, 91/449/EEC and 92/322/EEC

(93/393/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 Articles 6, 11, 15, 16, 21(a) and 22 thereof,

Having regard to Council Directive 91/496/EEC of 15 July 1991 laying down the principles governing the organization of veterinary checks on animals entering the Community from third countries and amending Directives 89/662/EEC, 90/425/EEC and 90/675/EEC⁽³⁾, as last amended by Decision 92/438/EEC⁽⁴⁾, and in particular Article 18 thereof,

Having regard to Council Directive 90/675/EEC of 10 December 1990 laying down the principles governing the organization of veterinary checks on products entering the Community from third countries⁽⁵⁾, as last amended by Directive 92/118/EEC⁽⁶⁾ and in particular Article (7) thereof,

Whereas the animal health conditions and veterinary certification for imports of fresh meat from Hungary were

established by Commission Decision 82/8/EEC⁽⁷⁾, as last amended by Decision 93/20/EEC⁽⁸⁾;

Whereas the model for the veterinary certification for import of meat products from Hungary was established by Commission Decision 91/449/EEC⁽⁹⁾, as last amended by Decision 93/20/EEC;

Whereas the animal health conditions and veterinary certification for imports of domestic animals of the bovine and porcine species from Hungary were established by Commission Decision 92/322/EEC⁽¹⁰⁾, as last amended by 93/20/EEC;

Whereas as a result of previous outbreaks of classical swine fever, the Commission adopted Decision 92/539/EEC of 10 November 1992 concerning the importation into the Community of live pigs, fresh pigmeat, porcine semen, porcine embryos and pigmeat products from Hungary⁽¹¹⁾, as last amended by Decision 93/21/EEC⁽¹²⁾;

Whereas, following a mission it appeared that the situation was under the control of the Hungarian authorities and measures adopted under Commission Decision 93/21/EEC regionalized Hungary in order to allow certain imports from this country with the exception of the county of Bekes;

⁽¹⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽²⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽³⁾ OJ No L 268, 24. 9. 1991, p. 56.

⁽⁴⁾ OJ No L 243, 25. 8. 1992, p. 27.

⁽⁵⁾ OJ No L 373, 31. 12. 1990, p. 1.

⁽⁶⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽⁷⁾ OJ No L 8, 13. 1. 1982, p. 9.

⁽⁸⁾ OJ No L 16, 25. 1. 1993, p. 5.

⁽⁹⁾ OJ No L 240, 29. 8. 1991, p. 28.

⁽¹⁰⁾ OJ No L 177, 30. 6. 1992, p. 1.

⁽¹¹⁾ OJ No L 347, 28. 11. 1992, p. 68.

⁽¹²⁾ OJ No L 16, 25. 1. 1993, p. 7.

Whereas additional outbreaks of classical swine fever have been declared in Hungary;

Whereas the occurrence of classical swine fever in Hungary is liable to present a serious threat to the herds of Member States, in view of trade in live pigs, fresh pigmeat, porcine embryos and certain meat-based pork products;

Whereas it is necessary to adjust the measures and amend the animal health conditions and veterinary certification regarding additional measures to be taken involving the countries of Szabolcs-Szatmar-Bereg and Hajdu-Bihar;

Whereas it is necessary to replace Decisions 92/539/EEC and 93/20/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

1. Member States shall authorize imports of domestic animals of the porcine species, fresh meat and meat products from such animals including wild boars from the territory of Hungary except from the counties of Bekes, Szabolcs-Szatmar-Bereg and Hajdu-Bihar. However Member States shall authorize from the abovementioned counties meat products which have undergone heat treatment in a hermetically sealed container to an F_0 value of 3,00 or more or which have otherwise been treated to ensure an internal temperature of not less than 70 °C, or have undergone treatment consisting in natural fermentation and maturation of not less than nine months for hams weighing not less than 5,5 Kg and having the following characteristics:

- aW value of not more than 0,93,
- pH value of not more than 6.

2. Member States shall not authorize the importation of:

- embryos of domestic animals of the porcine species from the countries of Bekes, Szabolcs-Szatmar-Bereg and Hajdu-Bihar in Hungary.

Article 2

Annex A to Decision 82/8/EEC is hereby amended as follows:

1. After the words 'Exporting country Hungary (excluding in the case of fresh meat from swine)', the words 'the

counties of Bekes, Szabolcs-Szatmar-Bereg and Hajdu-Bihar' are included.

2. In section IV, point I, first indent, after the words 'territory of Hungary (excluding in the case of swine slaughtered after 1 September 1992, the county of Bekes', the words 'and in the case of swine, slaughtered after 1 May 1993, the counties of Szabolcs-Szatmar-Bereg and Hajdu-Bihar' are added.

Article 3

Annex A, part II of Decision 91/449/EEC is hereby amended as follows:

After the words 'Hungary (excluding, in the case of products derived from the meat of swine slaughtered after 1 September 1992, the county of Bekes', the words 'and in the case of swine slaughtered after 1 May 1993, the counties of Szabolcs-Szatmar-Bereg and Hajdu-Bihar' are added.

Article 4

Decision 92/322/EEC is hereby amended as follows:

1. In Annexes C and D after the words 'Exporting Country: Hungary (excluding the', the words 'Counties of Bekes, Szabolcs-Szatmar-Bereg and Hajdu-Bihar' are introduced.
2. In Annexes C and D, section V, paragraph 1, after the words 'Hungary (excluding the' the words 'Counties of Bekes, Szabolcs-Szatmar-Bereg and Hajdu-Bihar' are introduced.

Article 5

Decisions 92/539/EEC and 93/20/EEC are hereby revoked.

Article 6

This Decision is addressed to the Member States.

Done at Brussels, 6 July 1993.

For the Commission

René STEICHEN

Member of the Commission

CORRIGENDA

Corrigendum to Council Regulation (EEC) No 1566/93 of 14 June 1993 amending Regulation (EEC) No 822/87 on the common organization of the market in wine

(Official Journal of the European Communities No L 154 of 25 June 1993)

On page 40 in Article 1 (7), new Article 65 (5), last line:

for: '... before 1 September 1993.'

read: '... before 1 September 1994.'

Corrigendum to Council Directive 93/22/EEC of 10 May 1993 on investment services in the securities field

(Official Journal of the European Communities No L 141 of 11 June 1993)

On page 36 in Article 10, second indent:

for: '... investment firm's instruments for its own account ...',

read: '... investment firm's insolvency, and to preventing the investment firm's using investors' instruments for its own account ...'.
