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## I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EEC) No 2297/93**

of 17 August 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1566/93 <sup>(2)</sup>,

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 <sup>(3)</sup>,

Whereas Commission Regulation (EEC) No 377/93 <sup>(4)</sup>, as amended by Regulation (EEC) No 2192/93 <sup>(5)</sup>, 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, Spanish and French 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 Regulation (EEC) No 2192/93 concerning the operative events for the agricultural conversion rates used in the wine sector and amending Regulation (EEC) No 377/93 specifies the agricultural conversion rates to be applied in order to convert the payments and securities provided for in connection with individual invitations to tender into national currency;

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. Five individual sales by invitation to tender Nos 99/93, 100/93, 101/93, 102/93 and 103/93 shall be held of a total quantity of 250 000 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, Spanish and French intervention agencies.

Each of the individual invitations to tender Nos 99/93, 100/93, 101/93, 102/93 and 103/93 shall cover 50 000 hl of alcohol at 100 % vol.

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 39.

<sup>(3)</sup> OJ No L 346, 15. 12. 1988, p. 7.

<sup>(4)</sup> OJ No L 43, 20. 2. 1993, p. 6.

<sup>(5)</sup> OJ No L 196, 5. 8. 1993, p. 19.

## 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.

*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, 17 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

## ANNEX

## INDIVIDUAL INVITATION TO TENDER No 99/93 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
ITALY	CA.VI.R.O. Emilia-Romagna		2 700	35	Raw alcohol
	CA.VI.R.O. Emilia-Romagna		2 400	36	Raw alcohol
	CA.VI.R.O. Emilia-Romagna		5 700	39	Raw alcohol
	Bonollo SpA Emilia-Romagna		5 675	35	Raw alcohol
	Bonollo SpA Emilia-Romagna		7 675	36	Raw alcohol
	Bonollo SpA Emilia-Romagna		15 350	39	Raw alcohol
	Mazarri SpA Emilia-Romagna		650	35	Raw alcohol
	Mazarri SpA Emilia-Romagna		4 750	39	Raw alcohol
	Neri Emilia-Romagna		5 100	39	Raw alcohol
	Total		50 000		

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 50 000 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 99/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.
5. Tenders must state the name and address of the tenderer and must:
  - (a) include a reference to individual sale by tender No 99/93 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 100/93 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
ITALY	G. Di Lorenzo srl Umbria		4 100	35	Raw alcohol
	Bertolino Sicilia		4 250	35	Raw alcohol
	Bertolino Sicilia		6 250	36	Raw alcohol
	Bertolino Sicilia		12 500	39	Raw alcohol
	Di Trani SpA Puglia		700	35	Raw alcohol
	Di Trani SpA Puglia		700	36	Raw alcohol
	Di Trani SpA Puglia		1 400	39	Raw alcohol
	Rodi srl Puglia		2 200	35	Raw alcohol
	Rodi srl Puglia		2 200	36	Raw alcohol
	Enodistil SpA Sicilia		2 000	35	Raw alcohol
	Enodistil SpA Sicilia		1 000	36	Raw alcohol
	Enodistil SpA Sicilia		6 000	39	Raw alcohol
	Gedis SpA Sicilia		6 700	39	Raw alcohol
	Total		50 000		

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 50 000 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 100/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.
5. Tenders must state the name and address of the tenderer and must :
  - (a) include a reference to individual sale by tender No 100/93 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 101/93 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-4	26 410	35-36	Raw alcohol
	Villarrobledo Albacete	3	23 590	35-36	Neutral alcohol
	Total		50 000		

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 50 000 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 101/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.

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

- (a) include a reference to individual sale by tender No 101/93/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.

### INDIVIDUAL INVITATION TO TENDER No 102/93 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	Villarrobledo (Albacete)	3	20 046	35-36	Neutral alcohol
	Villarrobledo (Albacete)	4	29 954	35-36	Neutral alcohol
	Total		50 000		

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 50 000 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 102/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.

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

(a) include a reference to individual sale by tender No 102/93/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.

### INDIVIDUAL INVITATION TO TENDER No 103/93 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	Longefuye 53200-Château-Gontier		29 410	35	Raw alcohol + 92°
	Verniers route de Cuxac 11100 Narbonne		20 590	35	Raw alcohol + 92°
	Total		50 000		

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 50 000 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 103/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.
5. Tenders must state the name and address of the tenderer and must :
  - (a) include a reference to individual sale by tender No 103/93/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 (tél. : 57 51 03 03 ; télex : 572 025 ; télécopie : 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.

COMMISSION REGULATION (EEC) No 2298/93  
of 17 August 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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1566/93 <sup>(2)</sup>,

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 <sup>(3)</sup>,

Whereas Commission Regulation (EEC) No 377/93 <sup>(4)</sup>, as amended by Regulation (EEC) No 2192/93 <sup>(5)</sup>, 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, Spanish and French 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 Regulation (EEC) No 2192/93 concerning the operative events for the agricultural conversion rates used in the wine sector and amending Regulation (EEC) No 377/93 specifies the agricultural conversion rates to be applied in order to convert the payments and securities provided for in connection with individual invitations to tender into national currency;

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. Five individual sales by invitation to tender Nos 104/93, 105/93, 106/93, 107/93 and 108/93 shall be held of a total quantity of 250 000 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, Spanish and French intervention agencies.

Each of the individual invitations to tender Nos 104/93, 105/93, 106/93, 107/93 and 108/93 shall cover 50 000 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,

— Jamaica,

— St Lucia,

— St Vincent including the Northern Grenadines,

— Barbados,

— Trinidad and Tobago,

<sup>(1)</sup> OJ No L 84, 27. 3. 1987, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 39.

<sup>(3)</sup> OJ No L 346, 15. 12. 1988, p. 7.

<sup>(4)</sup> OJ No L 43, 20. 2. 1993, p. 6.

<sup>(5)</sup> OJ No L 196, 5. 8. 1993, p. 19.

- 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.

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, 17 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

## ANNEX

## INDIVIDUAL INVITATION TO TENDER No 104/93 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
ITALY	Neri srl Emilia-Romagna		14 900	39	Raw alcohol
	Neri srl Emilia-Romagna		1 025	35	Raw alcohol
	Neri srl Emilia-Romagna		19 675	36	Raw alcohol
	Villapana SpA Emilia-Romagna		3 400	35	Raw alcohol
	Filli-Cipriani SpA Trentino		2 000	35	Raw alcohol
	Tampieri Emilia-Romagna		2 000	35	Raw alcohol
	D'Auria Abruzzo		4 700	39	Raw alcohol
	S.A.P.I.S. Campania		2 300	39	Raw alcohol
	Total		50 000		

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 50 000 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 104/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.
5. Tenders must state the name and address of the tenderer and must:
  - (a) include a reference to individual sale by tender No 104/93 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 105/93 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
ITALY	Gedis SpA Sicilia		3 300	39	Raw alcohol
	Gedis SpA Sicilia		1 600	35	Raw alcohol
	Gedis SpA Sicilia		1 600	36	Raw alcohol
	G. De Luca Sas Puglia		8 500	35	Raw alcohol
	Del Salento SpA Puglia		3 200	35	Raw alcohol
	Del Sud SpA Puglia		1 000	35	Raw alcohol
	Del Sud SpA Puglia		3 500	36	Raw alcohol
	Vinum SpA Sicilia		2 500	35	Raw alcohol
	Vinum SpA Sicilia		2 500	36	Raw alcohol
	Vinum SpA Sicilia		3 000	39	Raw alcohol
	Kronion srl Sicilia		6 200	39	Raw alcohol
	F.lli Balice Snc Puglia		2 500	35	Raw alcohol
	F.lli Balice Snc Puglia		2 500	36	Raw alcohol
	F.lli Balice Snc Puglia		5 000	39	Raw alcohol
	Sapis Campania		3 100	39	Raw alcohol
	Total		50 000		

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 50 000 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 105/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.
5. Tenders must state the name and address of the tenderer and must :
  - (a) include a reference to individual sale by tender No 105/93 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 106/93 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	Villarrobledo (Albacete)	4	13 816	35-36	Neutral alcohol
	Villarrobledo (Albacete)	6	36 184	35-36	Neutral alcohol
	Total		50 000		

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 50 000 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 106/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.

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

- (a) include a reference to individual sale by tender No 106/93/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.

## INDIVIDUAL INVITATION TO TENDER No 107/93 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	Villarrobledo (Albacete)	6	7 429	35-36	Neutral alcohol
	Tomelloso (Ciudad Real)	5	42 571	35-36	Raw alcohol
	Total		50 000		

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 50 000 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 107/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.

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

(a) include a reference to individual sale by tender No 107/93/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.

## INDIVIDUAL INVITATION TO TENDER No 108/93 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	Verniers route de Cuxac 11100 Narbonne		50 000	35	Raw Alcohol + 92°
	Total		50 000		

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 50 000 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 108/93 EC (alcohol), DG VI-E-2 — 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 3 September 1993.

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

- (a) include a reference to individual sale by tender No 108/93/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 (tél. : 57 51 03 03 ; télex : 572 025 ; télécopie : 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.

**COMMISSION REGULATION (EEC) No 2299/93**  
of 18 August 1993

**allocating Community quantitative import quotas for unwrought aluminium originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Estonia, Latvia and Lithuania**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

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

Having regard to Council Regulation (EEC) No 1023/70 of 25 May 1970 establishing a common procedure for administering quantitative quotas, and in particular Articles 2 and 11 thereof<sup>(1)</sup>,

Whereas Commission Regulation (EEC) No 2227/93 established a global quantitative Community quota of 60 000 tonnes for imports of unwrought aluminium falling within CN codes 7601 10 00 and 7601 20 10 originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Estonia, Latvia and Lithuania<sup>(2)</sup>, whereas for technical and administrative reasons, the Commission decided against administering the quota solely at Community level and instead provided for it to be distributed among the Member States on the basis of traditional trade flows, in accordance with Article 11 of Regulation (EEC) No 1023/70;

Whereas, to ensure that the chosen method of allocation is compatible with the Treaty and in particular with the spirit of the common commercial policy, a corrective mechanism is needed to guarantee direct imports to Member States whose quotas are exhausted as long as the global Community quota is not;

Whereas a basic Community reserve of 9 000 tonnes should therefore be set up to allow subsequent allocations, to be made no later than 1 October 1993, in response to demand from those who are not traditional importers;

Whereas any portion of Member States' allocations still available at that date should be added to the Community reserve and likewise reallocated;

Whereas to enable the system to be administered effectively, Member States should be required, in addition to their obligations under Article 8 (1) of Regulation (EEC)

No 1023/70, to notify the Commission when their allocations are exhausted and to inform it by 30 September 1993 of how much of their allocations are still available;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Quota Administration Committee established by Article 10 of Regulation (EEC) No 1023/70,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The community import quota for unwrought aluminium falling within CN codes 7601 10 00 and 7601 20 10 originating in Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan, Estonia, Latvia and Lithuania from 7 August 1993 to 30 November 1993, as set by Regulation (EEC) No 2227/93 of 6 August 1993, shall be divided into two lots, the first of which shall be distributed among the Member States in accordance with the Annex hereto.

2. The second lot of 9 000 tonnes shall constitute a Community reserve to be allocated subsequently, according to the procedure established in Regulation (EEC) No 1023/70, by 1 October 1993 at the latest, taking into account demand from those who are not traditional importers.

*Article 2*

Each Member State shall inform the Commission, by 30 September 1993 at the latest, of how much of its allocation is still available. This amount shall be transferred to the Community reserves and allocated in the manner set out in Article 1 (2).

*Article 3*

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

It shall apply until 30 November 1993.

<sup>(1)</sup> OJ No L 124, 8. 6. 1970, p. 1.

<sup>(2)</sup> OJ No L 198, 7. 8. 1993, p. 21.

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

Done at Brussels, 18 August 1993.

*For the Commission*

Karel VAN MIERT

*Vice-President*

ANNEX

Allocation of the first part of the Community quota referred to in Article 1 (1)

Member State	Quota
France	41
Belgium/Luxembourg	1 066
Netherlands	20 869
Germany	21 435
Italy	4 911
United Kingdom	648
Ireland	0
Denmark	0
Greece	454
Portugal	260
Spain	1 316

## COMMISSION REGULATION (EEC) No 2300/93

of 18 August 1993

amending Regulations (EEC) No 388/92, (EEC) No 1727/92 and (EEC) No 1728/92 laying down detailed implementing rules for the specific measures for supplying the French overseas departments, the Azores, Madeira and the Canary Islands with cereal products

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<sup>(1)</sup>, as amended by Commission Regulation (EEC) No 3714/92<sup>(2)</sup>, and in particular Article 2 (6) thereof,

Having regard to Council Regulation (EEC) No 1600/92 of 15 June 1992 concerning specific measures for the Azores and Madeira relating to certain agricultural products<sup>(3)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 10 thereof,

Having regard to Council Regulation (EEC) No 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands relating to certain agricultural products<sup>(4)</sup>, as amended by Regulation (EEC) No 3714/92, and in particular Article 3 (4) thereof,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals<sup>(5)</sup>, as amended by Regulation (EEC) No 2193/93<sup>(6)</sup>, and in particular Article 26 (3) thereof,

Whereas Article 6 of Commission Regulations (EEC) No 388/92<sup>(7)</sup>, (EEC) No 1727/92<sup>(8)</sup> and (EEC) No 1728/92<sup>(9)</sup>, as last amended by Regulation (EEC) No 1727/93<sup>(10)</sup>, provides for the adjustment of the amount of aid granted on the basis of the difference in the threshold price of the cereal in question between the month in which aid certificates are applied for and the month in which each entry on the certificate has been made; whereas the entry on the certificate is made in accordance with Article 3 (6) of Commission Regulation (EEC) No 131/92<sup>(11)</sup>, as last amended by Regulation (EEC) No 1707/93<sup>(12)</sup>, as regards the French overseas

departments and in accordance with Article 4 (7) of Commission Regulations (EEC) No 1695/92<sup>(13)</sup> and (EEC) No 1696/92<sup>(14)</sup>, as last amended by Regulation (EEC) No 1707/93, as regards the Canary Islands and the Azores and Madeira respectively; whereas the entry on the 'aid' certificate is made at the destination by the local authorities on presentation of the products to which it refers;

Whereas there is a significant reduction in common prices for maize and sorghum with effect from the 1993/94 marketing year; whereas as a result of the time needed for consignments to reach the French overseas departments, the Azores, Madeira and the Canary Islands from the continental part of the Community, this adjustment is likely to penalize operators having supply commitments with either maize or sorghum at the end of the marketing year; whereas it is therefore vital to derogate from these provisions in order to facilitate the transition from the 1992/93 to the 1993/94 marketing year;

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 adjustment provided for in Article 6 of Regulations (EEC) No 388/92, (EEC) No 1727/92 and (EEC) No 1728/92 shall not apply if the operator provides proof to the satisfaction of the competent authorities in the destination region that the maize or the sorghum presented for entry on the aid certificate was issued prior to 1 October 1993.

Proof shall be provided by the bill of lading or another transport document presenting sufficient guarantee, duly drawn up at the time of dispatch.

*Article 2*

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

<sup>(1)</sup> OJ No L 356, 24. 12. 1991, p. 1.

<sup>(2)</sup> OJ No L 378, 23. 12. 1992, p. 23.

<sup>(3)</sup> OJ No L 173, 27. 6. 1992, p. 1.

<sup>(4)</sup> OJ No L 173, 27. 6. 1992, p. 13.

<sup>(5)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(6)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(7)</sup> OJ No L 43, 19. 2. 1992, p. 16.

<sup>(8)</sup> OJ No L 179, 1. 7. 1992, p. 101.

<sup>(9)</sup> OJ No L 179, 1. 7. 1992, p. 104.

<sup>(10)</sup> OJ No L 160, 1. 7. 1993, p. 1.

<sup>(11)</sup> OJ No L 15, 22. 1. 1992, p. 13.

<sup>(12)</sup> OJ No L 159, 1. 7. 1993, p. 75.

<sup>(13)</sup> OJ No L 179, 1. 7. 1992, p. 1.

<sup>(14)</sup> OJ No L 179, 1. 7. 1992, p. 6.

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

Done at Brussels, 18 August 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

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## COMMISSION REGULATION (EEC) No 2301/93

of 18 August 1993

## fixing the export refunds on white sugar and raw sugar exported in its unaltered 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93<sup>(2)</sup>, and in particular point (a) of the first subparagraph of Article 19 (4) thereof,

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

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar<sup>(3)</sup>, as last amended by Regulation (EEC) No 1489/76<sup>(4)</sup>, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar<sup>(5)</sup>; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar<sup>(6)</sup>, as last amended by Regulation (EEC) No 1684/92<sup>(7)</sup>; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

Whereas Council Regulation (EEC) No 990/93<sup>(8)</sup> 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<sup>(9)</sup> 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<sup>(10)</sup>;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

Whereas it follows from applying the rules set out above to the present situation on the market in sugar and in particular to quotations or prices for sugar within the Community and on the world market that the refund should 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 Sugar,

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, are hereby fixed to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 19 August 1993.

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 143, 25. 6. 1968, p. 6.

<sup>(4)</sup> OJ No L 167, 26. 6. 1976, p. 13.

<sup>(5)</sup> OJ No L 89, 10. 4. 1968, p. 3.

<sup>(6)</sup> OJ No L 50, 4. 3. 1970, p. 1.

<sup>(7)</sup> OJ No L 176, 30. 6. 1992, p. 31.

<sup>(8)</sup> OJ No L 102, 28. 4. 1993, p. 14.

<sup>(9)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(10)</sup> 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, 18 August 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

ANNEX

**to the Commission Regulation of 18 August 1993 fixing the export refunds on white sugar and raw sugar exported in its unaltered state**

Product code	Amount of refund (1) — ECU/100 kg —
1701 11 90 100	35,64 (1)
1701 11 90 910	33,48 (1)
1701 11 90 950	(2)
1701 12 90 100	35,64 (1)
1701 12 90 910	33,48 (1)
1701 12 90 950	(2)
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3874
	— ECU/100 kg —
1701 99 10 100	38,74
1701 99 10 910	38,62
1701 99 10 950	38,62
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3874

(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 2302/93**  
**of 18 August 1993**  
**fixing the import levy on molasses**

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 <sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93 <sup>(2)</sup>, 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 <sup>(3)</sup>, and in particular Article 5 thereof,

Whereas the import levy on molasses was fixed by Commission Regulation (EEC) No 1693/93 <sup>(4)</sup>, as last amended by Regulation (EEC) No 2258/93 <sup>(5)</sup>;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 1693/93 to the information at present available to the Commission that the levy at present in force should be altered pursuant to Article 1 of this Regulation;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 17 August 1993 as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The import levy referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be fixed, in respect of molasses falling within CN codes 1703 10 00 and 1703 90 00 to ECU 0,29 per 100 kilograms.
2. However, no import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

*Article 2*

This Regulation shall enter into force on 19 August 1993.

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

Done at Brussels, 18 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 159, 1. 7. 1993, p. 36.

<sup>(5)</sup> OJ No L 202, 12. 8. 1993, p. 29.

## COMMISSION REGULATION (EEC) No 2303/93

of 18 August 1993

fixing the maximum export refund for white sugar for the 12th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EEC) No 1144/93

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93<sup>(2)</sup>, and in particular the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EEC) No 1144/93 of 10 May 1993 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar<sup>(3)</sup> requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EEC) No 1144/93, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 12th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93<sup>(4)</sup> 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. For the 12th partial invitation to tender for white sugar issued pursuant to Regulation (EEC) No 1144/93 the maximum amount of the export refund is fixed at ECU 41,218 per 100 kilograms.

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 19 August 1993.

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

Done at Brussels, 18 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 177, 1. 7. 1981, p. 4.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 10.

<sup>(3)</sup> OJ No L 116, 12. 5. 1993, p. 5.

<sup>(4)</sup> OJ No L 102, 28. 4. 1993, p. 14.

**COMMISSION REGULATION (EEC) No 2304/93****of 18 August 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<sup>(1)</sup>, as amended by Regulation (EEC) No 2193/93<sup>(2)</sup>, and in particular Articles 10 (5) and 11 (3) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1680/93<sup>(4)</sup> 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 17

August 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 19 August 1993.

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

Done at Brussels, 18 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 159, 1. 7. 1993, p. 8.

## ANNEX

## to the Commission Regulation of 18 August 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries (*)
0709 90 60	129,82 <sup>(2)</sup> <sup>(3)</sup>
0712 90 19	129,82 <sup>(2)</sup> <sup>(3)</sup>
1001 10 00	152,76 <sup>(1)</sup> <sup>(4)</sup>
1001 90 91	127,01
1001 90 99	127,01 <sup>(5)</sup>
1002 00 00	135,60 <sup>(6)</sup>
1003 00 10	126,09
1003 00 20	126,09
1003 00 80	126,09 <sup>(5)</sup>
1004 00 00	77,03
1005 10 90	129,82 <sup>(2)</sup> <sup>(3)</sup>
1005 90 00	129,82 <sup>(2)</sup> <sup>(3)</sup>
1007 00 90	137,14 <sup>(4)</sup>
1008 10 00	29,57 <sup>(5)</sup>
1008 20 00	80,68 <sup>(5)</sup>
1008 30 00	33,14 <sup>(5)</sup>
1008 90 10	<sup>(7)</sup>
1008 90 90	33,14
1101 00 00	204,56 <sup>(5)</sup>
1102 10 00	218,49
1103 11 30	242,00
1103 11 50	242,00
1103 11 90	231,53
1107 10 11	236,96
1107 10 19	179,80
1107 10 91	235,32
1107 10 99	178,58
1107 20 00	206,32

(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 2305/93  
of 18 August 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<sup>(1)</sup>, as amended by Regulation (EEC) No 2193/93<sup>(2)</sup>, 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<sup>(3)</sup>,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93<sup>(4)</sup> 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 17

August 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 19 August 1993.

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

Done at Brussels, 18 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(2)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(3)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(4)</sup> OJ No L 159, 1. 7. 1993, p. 11.

## ANNEX

to the Commission Regulation of 18 August 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 8	1st period 9	2nd period 10	3rd period 11
0709 90 60	0	0	2,05	1,34
0712 90 19	0	0	2,05	1,34
1001 10 00	0	0	0	0
1001 90 91	0	1,61	0	0
1001 90 99	0	1,61	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	2,05	1,34
1005 90 00	0	0	2,05	1,34
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	2,21	0	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 8	1st period 9	2nd period 10	3rd period 11	4th period 12
1107 10 11	0	2,87	0	0	0
1107 10 19	0	2,14	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 2306/93**

of 18 August 1993

**amending Regulation (EEC) No 1832/93 introducing a countervailing charge on pears originating in South Africa**

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<sup>(1)</sup>, as last amended by Regulation (EEC) No 638/93<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1832/93<sup>(3)</sup>, as last amended by Regulation (EEC) No 2241/93<sup>(4)</sup>, introduced a countervailing charge on pears originating in South Africa;

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 pears originating in South Africa must be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EEC) No 1832/93 'ECU 27,45' is hereby replaced by 'ECU 30,21'.

*Article 2*

This Regulation shall enter into force on 19 August 1993.

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

Done at Brussels, 18 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 69, 20. 3. 1993, p. 7.

<sup>(3)</sup> OJ No L 167, 9. 7. 1993, p. 23.

<sup>(4)</sup> OJ No L 200, 10. 8. 1993, p. 36.

**COMMISSION REGULATION (EEC) No 2307/93**  
**of 18 August 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 638/93<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1586/93<sup>(3)</sup>, as last amended by Regulation (EEC) No 2259/93<sup>(4)</sup>, 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 15,86' is hereby replaced by 'ECU 3,53'.

*Article 2*

This Regulation shall enter into force on 19 August 1993.

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

Done at Brussels, 18 August 1993.

*For the Commission*  
René STEICHEN  
*Member of the Commission*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.  
<sup>(2)</sup> OJ No L 69, 20. 3. 1993, p. 7.  
<sup>(3)</sup> OJ No L 152, 24. 6. 1993, p. 24.  
<sup>(4)</sup> OJ No L 202, 12. 8. 1993, p. 30.

**COMMISSION REGULATION (EEC) No 2308/93**  
**of 18 August 1993**  
**amending Regulation (EEC) No 1453/93 introducing a countervailing charge on**  
**fresh lemons 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<sup>(1)</sup>, as last amended by Regulation (EEC) No 638/93<sup>(2)</sup>, and in particular the second subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EEC) No 1453/93<sup>(3)</sup>, as last amended by Regulation (EEC) No 2279/93<sup>(4)</sup>, introduced a countervailing charge on fresh lemons 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 fresh lemons originating in Argentina must be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Article 1 of Regulation (EEC) No 1453/93 'ECU 13,26' is hereby replaced by 'ECU 16,45'.

*Article 2*

This Regulation shall enter into force on 19 August 1993.

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

Done at Brussels, 18 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 118, 20. 5. 1972, p. 1.

<sup>(2)</sup> OJ No L 69, 20. 3. 1993, p. 7.

<sup>(3)</sup> OJ No L 142, 12. 6. 1993, p. 49.

<sup>(4)</sup> OJ No L 204, 14. 8. 1993, p. 10.

## II

(Acts whose publication is not obligatory)

## COMMISSION

## COMMISSION DECISION

of 2 July 1993

on detailed rules governing intra-Community trade in certain live animals and products intended for exportation to third countries

(93/444/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market<sup>(1)</sup>, as last amended by Directive 92/118/EEC<sup>(2)</sup>, and in particular the first paragraph of point (g) of Article 3 (4) thereof,

Whereas the first subparagraph of point (g) of Article 3 (1) of the aforesaid Directive provides for veterinary checks to be carried out on animals and products complying with Community rules applicable in an intra-Community trade and intended for export to a third country through the territory of one or more Member States other than that of origin;

Whereas the certification requirements should be defined, and provision should be made for a system for briefing the authorities concerned and for the veterinary supervision of consignee operators;

Whereas, for the purpose of certification including additional guarantees, the animals concerned should be treated as animals for slaughter;

Whereas, so as to avoid difficulties at the Community's external frontier, the animals and products must be accompanied where possible by veterinary documents and/or certificates complying with the veterinary requirements of the country of destination;

Whereas the briefing of the authorities concerned can effectively take place via the computerized network linking veterinary authorities ('Animo') set up by Commission Decision 91/398/EEC<sup>(3)</sup>, by using the model of message as set out in Commission Decision 91/637/EEC<sup>(4)</sup>;

Whereas, in order to ensure the smooth operation for the system provided for, the person actually carrying out the exit formalities from the territory should be regarded as the consignee, and the term 'point of exit' should be defined;

Whereas, pursuant to the first subparagraph of point (g) of Article 3 (1) of the aforesaid Directive 90/425/EEC, the animals and products concerned must remain under customs supervision; whereas this Decision is to apply without prejudice to compliance with customs obligations as provided for the customs regulations applicable to such animals or products;

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. This Decision shall apply to the animals and products referred to in the first subparagraph of point (g) of Article 3 (1) of Directive 90/425/EEC.

<sup>(1)</sup> OJ No L 224, 18. 8. 1990, p. 29.

<sup>(2)</sup> OJ No L 62, 15. 3. 1993, p. 49.

<sup>(3)</sup> OJ No L 221, 9. 8. 1991, p. 30.

<sup>(4)</sup> OJ No L 343, 13. 12. 1991, p. 46.

2. For the purposes of this Decision,

- (a) exist point means any place situated in close proximity to the external frontier of one of the territories listed in Annex I to Council Directive 90/675/EEC<sup>(1)</sup> offering customs supervision facilities;
- (b) Member State of destination means the Member State where the exist point is situated.

#### *Article 2*

1. The Member States of origin shall ensure that each consignment of animals is accompanied by health certificates, as provided for in Article 3 (1) (d) of Directive 90/425/EEC, which contain, where necessary, the additional guarantees provided for by Community legislation for animals intended for slaughter.

2. Where incidents occur during transport or where the consignee third country refuses a consignment, the Member States of transit or destination may require, where they enjoy additional guarantees under Article 3 (1) (e) (iv) of Directive 90/425/EEC, may adopt all the measures provided for in Article 8 (1) (b) of Directive 90/425/EEC or may require that the animals be dispatched with a view to their slaughter to the nearest slaughterhouse.

#### *Article 3*

1. The Member States of origin shall ensure that each consignment of animals or products is accompanied by veterinary documents and/or veterinary certificates meeting the veterinary requirements of the third countries of destination.

2. However, by way of derogation from paragraph 1, where the competent authorities of the Member State of origin do not have the requisite information available, and particularly where there is no bilateral agreement between the Member State of origin and the third country of destination, the competent authority of the Member State of origin shall complete the certificates referred to in Article 4 by adding the entry 'Animals or products exported to (name of third country)'.

#### *Article 4*

The certificates referred to in Article 3 (1) (d) of Directive 90/425/EEC must:

- be drawn up in at least one of the languages of the Member State of origin and at least one of the languages of the Member State of destination,
- indicate, as consignee, the natural or legal person actually carrying out the exit formalities at the exit point,
- indicate, as place of destination, the exit point from the territory as defined (border inspection post or other exit point).

#### *Article 5*

1. The Animo message as provided for by Decision 91/637/EEC must include under the heading 'Observations' the name of the third country of destination.

2. The Animo message must be addressed to:

- the competent authority of the place of destination, that is, the border inspection post of exit or the local authority of the place in which the point of exit is situated, and
- the central authorities of the place of destination and of the Member State(s) of transit.

#### *Article 6*

The consignee within the meaning of the second indent of Article 4 is to be regarded as falling within the scope of Article 5 (1) (b) (iii) of Directive 90/425/EEC.

#### *Article 7*

This Decision is addressed to the Member States.

Done at Brussels, 2 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 373, 31. 12. 1990, p. 1.

## COMMISSION DECISION

of 12 July 1993

amending Decision 88/234/EEC authorizing methods for grading pig carcasses in the United Kingdom

(Only the English text is authentic)

(93/445/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses <sup>(1)</sup>, as last amended by Regulation (EEC) No 3577/90 <sup>(2)</sup>, and in particular Article 5 (2) thereof,

Whereas Commission Decision 88/234/EEC <sup>(3)</sup>, as last amended by Decision 92/557/EEC <sup>(4)</sup>, has introduced several grading methods for use in the United Kingdom;

Whereas the United Kingdom has requested the Commission to authorize the use of a new method for grading pig carcasses in Great Britain and has submitted the details required in Article 3 of Commission Regulation (EEC) No 2967/85 <sup>(5)</sup>; whereas an examination of this request has revealed that the conditions for authorizing the new grading method are fulfilled;

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

*Article 1*

Decision 88/234/EEC is hereby amended as follows:

1. The following text is added to Article 1:

— the apparatus "Ultra-FOM" and the assessment method related thereto, details of which are given in Part 5 of Annex I.

As regards the apparatus "Ultra-FOM", it is laid down that after the end of the measurement procedure it must be possible to verify on the carcass that the apparatus measured the values of measurement  $X_1$ ,  $X_2$  and  $X_3$  on the site provided for in Annex I Part 5 point 3. The corresponding marking of the measurement site must be made at the same time as the measurement procedure.

2. The Annex hereto is added to Annex I as Part 5.

*Article 2*

This Decision is addressed to the United Kingdom.

Done at Brussels, 12 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 301, 20. 11. 1984, p. 1.  
<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.  
<sup>(3)</sup> OJ No L 105, 26. 4. 1988, p. 15.  
<sup>(4)</sup> OJ No L 358, 8. 12. 1992, p. 22.  
<sup>(5)</sup> OJ No L 285, 25. 10. 1985, p. 39.

## ANNEX

## PART 5

## ULTRA-FOM

1. Grading of pig carcasses shall be carried out by means of the apparatus termed "Ultra-FOM".
2. The apparatus shall be equipped with an ultrasonic probe at 4 MHz (*Krautkrämer* MB 4 SE). The ultrasonic signal is digitized, stored and processed by a micro-processor (type intel 80 C 31).

The results of the measurements shall be converted into estimated lean meat content by means of the Ultra-FOM apparatus itself.

3. The lean meat content of the carcass should be calculated according to the following formula :

$$\hat{y} = 70,35 - 0,687 X_1 - 0,686 X_2 + 0,034 X_3$$

where :

- $\hat{y}$  = estimated percentage of lean meat in the carcass,
- $X_1$  = the thickness of backfat (including rind) in millimetres, measured at 6 cm off the midline of the carcass, at the last rib,
- $X_2$  = the thickness of backfat (including rind) in millimetres, measured at 6 cm off the midline of the carcass, between the third and fourth last ribs,
- $X_3$  = the thickness of muscle in millimetres, measured at 6 cm off the midline of the carcass, between the third and fourth last ribs.

The formula shall be valid for carcasses weighing between 30 and 120 kilograms.

**DECISION No 1/93 OF THE COMMUNITY — SAN MARINO COOPERATION COMMITTEE**

of 27 July 1993

**adopting the procedures for making available to the San Marino Exchequer the import duties collected by the Community on behalf of the Republic of San Marino**

(93/446/EEC)

THE COOPERATION COMMITTEE,

Having regard to the Interim Agreement between the European Economic Community and the Republic of San Marino<sup>(1)</sup>, and in particular Article 7 (3) (b) thereof,

Whereas procedures must be adopted for making available to the San Marino Exchequer import duties collected on goods by the Community on behalf of the Republic of San Marino and also the percentage to be deducted by the Community to cover administration costs in accordance with the relevant rules in force in the Community;

Whereas the application, if necessary, of provisions identical to those of Regulation (EEC, Euratom) No 1552/89 of the Community of the European Communities of 29 May 1989 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources<sup>(2)</sup> will simplify these procedures,

HAS DECIDED AS FOLLOWS:

*Article 1*

With regard to the establishment, control and making available of import duties collected on goods bound for San Marino, Articles 3, 6 (1), 6 (2) (a) and (b), 6 (3), first subparagraph, 10 (1) and 17 (2) of Regulation (EEC, Euratom) No 1552/89 shall apply *mutatis mutandis*. The following provisions, in particular, shall apply:

- (a) for import duties collected on goods bound for San Marino, the Member States of the Community shall keep separate accounts identical with the Communities' own resources accounts, provided for in Article 6 (1), (2) (a) and (2) (b) of the said Regulation;
- (b) only those duties recorded by the customs offices referred to in the Annex to the Agreement shall be entered in the abovementioned accounts. These duties shall be entered in the accounts only if the copy of control copy No 5 of the T 2 SM document or the copy of the 22L SM document proving that the goods

have arrived in San Marino has been stamped by the customs authorities of the Republic of San Marino and duly presented to the customs office which issued it;

- (c) in accordance with the first subparagraph of Article 6 (3) of Regulation (EEC, Euratom) No 1552/89, the Member States in question shall send to the Commission statements of their accounts, attached to their own resources statements. The statements, drawn up in the same way as the own resources statements, shall also indicate the total duties collected by each customs office;
  - (d) the supporting documents shall be kept in accordance with the first and second subparagraphs of Article 3. These documents and the documents relating to own resources shall be filed separately;
  - (e) corrections to established entitlements or to the accounts made after 31 December of the third year following the year of the initial establishment shall not be entered in the accounts, except on points notified by this date by the Commission, a Member State or the Republic of San Marino;
  - (f) Article 18 of Regulation (EEC, Euratom) No 1552/89 shall apply. The inspections in question shall also apply to the documents referred to in point (b) proving that the goods have arrived in San Marino. Officials authorized by the Republic of San Marino may participate in these inspections;
  - (g) the Member States in question shall credit the entitlements entered in the accounts provided for in Article 6 (2) (a) and (b) of Regulation (EEC) No 1552/89 to the Commission's account provided for in Article 9 of that Regulation, within the time limits indicated in Article 10 (1) and after deduction of collection costs.
- The percentage which the Community may deduct, as collection costs, from the import duties collected by the Community on behalf of the Republic of San Marino, is set at 10 %;
- (h) Member States shall be released from the obligation to place at the disposal of the Commission the amounts corresponding to the duties recorded for San Marino only once the conditions set down in Article 17 (2) of Regulation (EEC, Euratom) No 1552/89 have been fulfilled.

<sup>(1)</sup> OJ No L 359, 9. 12. 1992, p. 14.

<sup>(2)</sup> OJ No L 155, 7. 6. 1989, p. 1.



*Article 2*

The amounts credited shall be converted by the Commission and entered in its accounts in ecus in accordance with the rules for implementing the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities<sup>(1)</sup>.

*Article 3*

In the 30 days following notification by the Member States that an amount has been credited, the Commission shall pay, in ecus, the amounts entered in the accounts into an ecu account opened by the Republic of San Marino. The Republic of San Marino shall inform the Commission of the details of the account to be credited and shall bear any charges on this account.

*Article 4*

By way of derogation from Article 1 (b), between 1 December 1992, when the Agreement enters into force, and 1 April 1993, when Decision No 4/92 of the Cooperation Committee enters into force:

— the document proving that the goods have arrived in San Marino shall be any commercial and administra-

tive document stamped by the competent authorities of the Republic of San Marino;

— the entry in the separate accounts provided for in Article 1 (a) shall be made as soon as the abovementioned document, duly stamped by the competent authorities of the Republic of San Marino, is presented to that office from among the Community customs offices referred to in the Annex to the Agreements at which the formalities for releasing the goods for free circulation were completed.

*Article 5*

This Decision shall enter into force on 27 July 1993.

It shall apply with effect from 1 December 1992.

Done at San Marino, 27 July 1993.

*For the Cooperation Committee*

*The Chairman*

Pietro GIACOMINI

<sup>(1)</sup> OJ No L 356, 31. 12. 1977, p. 1.