

# Official Journal

## of the European Communities

ISSN 0378-6978

L 222

Volume 36

1 September 1993

English edition

## Legislation

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## I

*(Acts whose publication is obligatory)*

**COMMISSION REGULATION (EEC) No 2405/93  
of 31 August 1993  
altering the corrective amount applicable to the refund on cereals**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 13 (4) thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EEC) No 2272/93<sup>(3)</sup>;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the

market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 1 (1), points (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 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 203, 13. 8. 1993, p. 22.

## ANNEX

to the Commission Regulation of 31 August 1993 altering the corrective amount applicable to the refund on cereals

(ECU/tonne)

Product code	Destination (*)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		9	10	11	12	1	2	3
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	—	—	—	—	—	—	—	—
1001 90 91 000	—	—	—	—	—	—	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	0	0	0	0	0	—	—
1003 00 20 000	01	0	0	0	0	0	—	—
1003 00 80 000	01	0	0	0	0	0	—	—
1004 00 00 200	—	—	—	—	—	—	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	- 70,00	- 70,00	- 70,00	- 70,00	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 30 200	01	0	0	0	0	0	0	0
1103 11 30 900	—	—	—	—	—	—	—	—
1103 11 50 200	01	0	0	0	0	0	0	0
1103 11 50 400	01	0	0	0	0	0	0	0
1103 11 50 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	0	0	0	0
1103 11 90 800	—	—	—	—	—	—	—	—

(\*) The destinations are identified as follows:

01 all third countries.

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

**COMMISSION REGULATION (EEC) No 2406/93****of 31 August 1993****altering the corrective amount applicable to the refund on malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 13 (4) thereof,Whereas the corrective amount applicable to the refund on malt was fixed by Regulation (EEC) No 2325/93 <sup>(3)</sup>;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on malt should be altered,

HAS ADOPTED THIS REGULATION:

*Article 1*

The corrective amount referred to in Article 13 (4) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of malt is hereby altered to the amount set out in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 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 209, 20. 8. 1993, p. 30.



**COMMISSION REGULATION (EEC) No 2407/93**  
**of 31 August 1993**  
**fixing the import levies on rice and broken rice**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1544/93 <sup>(2)</sup>, and in particular Article 11 <sup>(2)</sup> thereof,

Having regard to Commission Regulation (EEC) No 81/92 of 15 January 1992 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety <sup>(3)</sup>, and in particular Article 8 thereof,

Whereas Article 11 of Regulation (EEC) No 1418/76 provides for charging an import levy on paddy rice, husked rice, semi-milled rice, wholly milled rice and broken rice; whereas, in the case of husked rice, wholly milled rice and broken rice, the levy is equal to the difference between the threshold price and the cif price; whereas, in the case of paddy rice and semi-milled rice, the levy should be derived from the levies applicable to the corresponding husked rice and wholly milled rice;

Whereas the threshold prices for husked rice, wholly milled rice and broken rice were fixed for the 1993/94 marketing year by Commission Regulation (EEC) No 2091/93 <sup>(4)</sup>;

Whereas, for the purpose of calculating cif prices, the Commission must take account of the factors indicated in Article 16 of Regulation (EEC) No 1418/76 and in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto <sup>(5)</sup>, as last amended by Regulation (EEC) No 1614/92 <sup>(6)</sup>, and in particular the most favourable purchasing opportunities on the world market which are sufficiently representative of the real trend of the market, account being taken in particular of the need to prevent sudden variations likely to cause abnormal disturbances on the Community market; whereas the quality of the goods offered must also be taken into account, whether this quality as fixed in Council Regulation (EEC) No 1423/76 <sup>(7)</sup>, or whether adjustments need to be made

by applying the corrective amounts provided for in Regulation (EEC) No 1613/71;

Whereas, furthermore, in the case of round grain and long grain husked rice and round grain and long grain wholly milled rice, the cif price is calculated on the basis of quotations or prices on the world market relating, for each type of rice, to the products specified in Article 4 of Regulation (EEC) No 1613/71; whereas, for this calculation, the conversion rates resulting from Commission Regulation No 467/67/EEC of 21 August 1967 fixing the conversion rates, the processing costs and the value of the by-products for the various stages of rice processing <sup>(8)</sup>, as last amended by Regulation (EEC) No 2325/88 <sup>(9)</sup>, should be used where appropriate;

Whereas, when these conversions are being effected, the Commission must take account of the fact that certain offers are for rice containing a higher percentage of broken rice than that allowed for in the standard quality fixed by Regulation (EEC) No 1423/76 and, in that case, must adjust the offers so as to conform with the value of one kilogram of broken rice fixed by Regulation No 467/67/EEC; whereas no adjustment is made, however, if the prices for husked rice and semi-milled or wholly milled rice taken into consideration are lower than those provided for in the last subparagraph of Article 4 of Regulation No 467/67/EEC;

Whereas Regulation (EEC) No 1613/71 requires the Commission to take account of the fact that certain offers are for delivery cost and freight or relate to a product put up in bags and, if this is the case, to adjust such offers by applying the rates or amounts fixed by the abovementioned Regulation to make the offers comparable to offers for delivery cif or relating to a product presented in bulk;

Whereas the cif price is calculated for Rotterdam on the basis of the abovementioned factors, offers made for other ports being adjusted, account being taken of the corrections necessitated by the difference in transport charges in relation to Rotterdam;

Whereas, if the conditions provided for in Article 1 <sup>(3)</sup> of Regulation (EEC) No 1613/71 obtain, the cif price may be calculated on the basis of offers for delivery during the following month or may be retained unaltered for a limited period;

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(3)</sup> OJ No L 10, 16. 1. 1992, p. 9.

<sup>(4)</sup> OJ No L 190, 30. 7. 1993, p. 10.

<sup>(5)</sup> OJ No L 168, 27. 7. 1971, p. 28.

<sup>(6)</sup> OJ No L 170, 25. 6. 1992, p. 15.

<sup>(7)</sup> OJ No L 166, 25. 6. 1976, p. 20.

<sup>(8)</sup> OJ No L 204, 24. 8. 1967, p. 1.

<sup>(9)</sup> OJ No L 202, 27. 7. 1988, p. 41.

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them must be reduced by a fixed amount and by an amount corresponding to 50 % of the levy relating to third countries; whereas, pursuant to Articles 12 and 13 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCT)<sup>(1)</sup>, as amended by Regulation (EEC) No 297/91<sup>(2)</sup>, the levy must be further reduced in the case of semi-milled and wholly milled rice;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(3)</sup>, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas Regulation (EEC) No 1423/76 determined the standard qualities for rice and broken rice;

Whereas Council Regulation (EEC) No 3877/86<sup>(4)</sup>, as amended by Regulation (EEC) No 3130/91<sup>(5)</sup>, defined a special arrangement for the importation of certain quantities of Basmati rice into the Community; whereas this arrangement provides for a levy of 75 % of that calculated in accordance with Article 11 of Regulation (EEC) No 1418/76; whereas however this levy may not be less than the difference between the free-at-frontier price for Basmati rice and the threshold price for long-grain rice;

Whereas Council Regulation (EEC) No 3491/90<sup>(6)</sup> and Commission Regulation (EEC) No 862/91<sup>(7)</sup> made import arrangements for rice originating in Bangladesh;

Whereas levies are fixed once a week and are altered in the intervening period to take account of variations in

threshold prices or in the factors used to determine cif prices; whereas, in the case of husked rice, wholly milled rice and broken rice, the levies are altered only if variations in the factors used to calculate the levy entail an increase or a reduction of at least ECU 1,21 per tonne in the amount of the levy in force;

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

Whereas it follows from applying all the abovementioned provisions that the levies should be fixed as set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 84, 30. 3. 1990, p. 85.

<sup>(2)</sup> OJ No L 36, 8. 2. 1991, p. 9.

<sup>(3)</sup> OJ No L 263, 19. 9. 1991, p. 1.

<sup>(4)</sup> OJ No L 361, 20. 12. 1986, p. 1.

<sup>(5)</sup> OJ No L 297, 29. 10. 1991, p. 1.

<sup>(6)</sup> OJ No L 337, 4. 12. 1990, p. 1.

<sup>(7)</sup> OJ No L 88, 9. 4. 1991, p. 7.

<sup>(8)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(9)</sup> OJ No L 108, 1. 5. 1993, p. 106.



## ANNEX

to the Commission Regulation of 31 August 1993 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh ( <sup>1</sup> ) ( <sup>2</sup> ) ( <sup>3</sup> ) ( <sup>4</sup> )	Third countries (except ACP) ( <sup>5</sup> )
1006 10 21	—	139,08	285,36
1006 10 23	—	145,15	297,50
1006 10 25	—	145,15	297,50
1006 10 27	223,13	145,15	297,50
1006 10 92	—	139,08	285,36
1006 10 94	—	145,15	297,50
1006 10 96	—	145,15	297,50
1006 10 98	223,13	145,15	297,50
1006 20 11	—	174,75	356,70
1006 20 13	—	182,33	371,87
1006 20 15	—	182,33	371,87
1006 20 17	278,90	182,33	371,87
1006 20 92	—	174,75	356,70
1006 20 94	—	182,33	371,87
1006 20 96	—	182,33	371,87
1006 20 98	278,90	182,33	371,87
1006 30 21	—	216,70	457,25
1006 30 23	—	281,77	587,32
1006 30 25	—	281,77	587,32
1006 30 27	440,49	281,77	587,32
1006 30 42	—	216,70	457,25
1006 30 44	—	281,77	587,32
1006 30 46	—	281,77	587,32
1006 30 48	440,49	281,77	587,32
1006 30 61	—	231,13	486,97
1006 30 63	—	302,45	629,61
1006 30 65	—	302,45	629,61
1006 30 67	472,21	302,45	629,61
1006 30 92	—	231,13	486,97
1006 30 94	—	302,45	629,61
1006 30 96	—	302,45	629,61
1006 30 98	472,21	302,45	629,61
1006 40 00	—	79,20	164,41

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

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

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

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

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

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

## COMMISSION REGULATION (EEC) No 2408/93

of 31 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice <sup>(1)</sup>, as last amended by Regulation (EEC) No 1544/93 <sup>(2)</sup>, and in particular Article 13 (6) thereof,

Whereas the premiums to be added to the import levies fixed in advance for rice and broken rice must include a premium for the current month and a premium for each of the following months until the expiry of the period of validity of the import licence; whereas this period of validity was laid down in Article 8 of Commission Regulation (EEC) No 891/89 of 5 April 1989 on special detailed rules for the application of the system of import and export licences for cereals and rice <sup>(3)</sup>, as last amended by Regulation (EEC) No 3570/92 <sup>(4)</sup>;

Whereas Council Regulation (EEC) No 1428/76 <sup>(5)</sup> lays down rules for the advance fixing of levies on rice and broken rice;

Whereas under the terms of Regulation (EEC) No 1428/76, where the cif price for husked rice, for milled rice or for broken rice determined on the day on which the premiums are fixed is higher than the cif forward delivery price for the same product, the premium should as a general rule be equal to the difference between these two prices; whereas the cif price is that determined in accordance with Article 16 of Regulation (EEC) No 1418/76 on the day on which the premiums are fixed; whereas the detailed rules for determining cif prices were laid down in Commission Regulation (EEC) No 1613/71 of 26 July 1971 laying down detailed rules for fixing cif prices and levies on rice and broken rice and the corrective amounts relating thereto <sup>(6)</sup>, as last amended by Regulation (EEC) No 1614/92 <sup>(7)</sup>; whereas the cif forward delivery price is also determined in accordance with Article 16 of Regulation (EEC) No 1418/76 but on the basis of offers at North Sea ports; whereas this price must be the cif price for shipment during the month in which the import licence is issued in the case of imports to be effected during that month; whereas in the case of

imports to be effected during the month following the month in which the import licence is issued, this price must be the cif price for shipment during the month in which importation is expected to take place; whereas in the case of imports to be effected during the remaining months for which the import licence is valid, this price must be the cif price for shipment during the month preceding the month in which importation is expected to take place; whereas, if no offer for forward delivery is made for shipment during a given month, this price should be the price ruling for shipment during the last month in which an offer for forward delivery was made;

Whereas the premium shall be ECU 0 if the cif forward delivery price is equal to the cif price or lower by an amount not exceeding ECU 0,30 per tonne;

Whereas by virtue of Articles 6 and 7 of Regulation (EEC) No 1428/76 the premium may, however, be fixed at a higher level in exceptional circumstances and within certain specified limits;

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

Whereas it follows from applying all these provisions that the premiums should be as set out in the Annex hereto; whereas the amount of the premiums should be altered only if application of the abovementioned provisions entails a change of more than ECU 0,30,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 September 1993.

<sup>(1)</sup> OJ No L 166, 25. 6. 1976, p. 1.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(3)</sup> OJ No L 94, 7. 4. 1989, p. 13.

<sup>(4)</sup> OJ No L 362, 11. 12. 1992, p. 51.

<sup>(5)</sup> OJ No L 166, 25. 6. 1976, p. 30.

<sup>(6)</sup> OJ No L 168, 27. 7. 1971, p. 28.

<sup>(7)</sup> OJ No L 170, 25. 6. 1992, p. 15.

<sup>(8)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(9)</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, 31 August 1993.

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

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## ANNEX

to the Commission Regulation of 31 August 1993 fixing the premiums to be added to the import levies on rice and broken rice

*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period
	9	10	11	12
1006 10 21	0	0	0	—
1006 10 23	0	0	0	—
1006 10 25	0	0	0	—
1006 10 27	0	0	0	—
1006 10 92	0	0	0	—
1006 10 94	0	0	0	—
1006 10 96	0	0	0	—
1006 10 98	0	0	0	—
1006 20 11	0	0	0	—
1006 20 13	0	0	0	—
1006 20 15	0	0	0	—
1006 20 17	0	0	0	—
1006 20 92	0	0	0	—
1006 20 94	0	0	0	—
1006 20 96	0	0	0	—
1006 20 98	0	0	0	—
1006 30 21	0	0	0	—
1006 30 23	0	0	0	—
1006 30 25	0	0	0	—
1006 30 27	0	0	0	—
1006 30 42	0	0	0	—
1006 30 44	0	0	0	—
1006 30 46	0	0	0	—
1006 30 48	0	0	0	—
1006 30 61	0	0	0	—
1006 30 63	0	0	0	—
1006 30 65	0	0	0	—
1006 30 67	0	0	0	—
1006 30 92	0	0	0	—
1006 30 94	0	0	0	—
1006 30 96	0	0	0	—
1006 30 98	0	0	0	—
1006 40 00	0	0	0	0

## COMMISSION REGULATION (EEC) No 2409/93

of 31 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93<sup>(2)</sup>, and in particular Article 16 (8) thereof,

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

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

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

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

Whereas the basic amount must be fixed each month; whereas it must, however, be altered during the period between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by

at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration;

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

Whereas Commission Regulation (EEC) No 1724/93<sup>(5)</sup> lays down the prices and amounts fixed in ecus applicable in the sugar sector for the 1993/94 marketing year as a result of the monetary realignments during the 1992/93 marketing year;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 11 (1) of Council Regulation (EEC) No 1766/92<sup>(6)</sup>, as amended by Regulation (EEC) No 2193/93<sup>(7)</sup>, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81; whereas the levy must be fixed each month;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community<sup>(8)</sup>, no levies shall apply on imports of products originating in the overseas countries and territories;

<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 151, 30. 6. 1968, p. 42.

<sup>(4)</sup> OJ No L 171, 28. 6. 1978, p. 34.

<sup>(5)</sup> OJ No L 159, 1. 7. 1993, p. 127.

<sup>(6)</sup> OJ No L 181, 1. 7. 1992, p. 21.

<sup>(7)</sup> OJ No L 196, 5. 8. 1993, p. 22.

<sup>(8)</sup> OJ No L 263, 19. 9. 1991, p. 1.

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

**ANNEX**

**to the Commission Regulation of 31 August 1993 fixing the basic amount of the import levies on syrups and certain other products in the sugar sector**

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question <sup>(1)</sup>	Amount of levy per 100 kg of dry matter <sup>(1)</sup>
1702 20 10	0,4220	—
1702 20 90	0,4220	—
1702 30 10	—	51,87
1702 40 10	—	51,87
1702 60 10	—	51,87
1702 60 90	0,4220	—
1702 90 30	—	51,87
1702 90 60	0,4220	—
1702 90 71	0,4220	—
1702 90 90	0,4220	—
2106 90 30	—	51,87
2106 90 59	0,4220	—

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

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

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## COMMISSION REGULATION (EEC) No 2410/93

of 31 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93<sup>(2)</sup>, and in particular Article 16 (5) thereof,

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

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92<sup>(3)</sup> are used toconvert 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>(4)</sup>;

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

HAS ADOPTED THIS REGULATION:

*Article 1*

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 24,86 per 100 kg.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 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 108, 1. 5. 1993, p. 106.

**COMMISSION REGULATION (EEC) No 2411/93**  
of 31 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector<sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93<sup>(2)</sup>, and in particular 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) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of 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 the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar<sup>(5)</sup>, as last amended by Regulation (EEC) No 1684/92<sup>(6)</sup>;

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

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry<sup>(7)</sup>, to the products listed in the Annex to the last mentioned Regulation;

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

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

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75<sup>(8)</sup>, as amended by Regulation (EEC) No 1714/88<sup>(9)</sup>;

<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 50, 4. 3. 1970, p. 1.

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

<sup>(7)</sup> OJ No L 170, 27. 6. 1978, p. 9.

<sup>(8)</sup> OJ No L 162, 1. 7. 1977, p. 9.

<sup>(9)</sup> OJ No L 152, 18. 6. 1988, p. 23.



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

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

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

Whereas Council Regulation (EEC) No 990/93 <sup>(3)</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*

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

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

<sup>(3)</sup> OJ No L 102, 28. 4. 1993, p. 14.

## ANNEX

to the Commission Regulation of 31 August 1993 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	38,33 <sup>(2)</sup> <sup>(3)</sup>
1702 60 10 000	38,33 <sup>(2)</sup> <sup>(3)</sup>
	— ECU/1 % sucrose × 100 kg —
1702 60 90 000	0,3833 <sup>(1)</sup> <sup>(3)</sup>
	— ECU/100 kg dry matter —
1702 90 30 000	38,33 <sup>(2)</sup> <sup>(3)</sup>
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,3833 <sup>(1)</sup> <sup>(3)</sup>
1702 90 71 000	0,3833 <sup>(1)</sup> <sup>(3)</sup>
1702 90 90 900	0,3833 <sup>(1)</sup> <sup>(3)</sup> <sup>(4)</sup>
	— ECU/100 kg dry matter —
2106 90 30 000	38,33 <sup>(2)</sup> <sup>(3)</sup>
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,3833 <sup>(1)</sup> <sup>(3)</sup>

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

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

<sup>(3)</sup> 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.

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

**NB:** The product codes and the footnotes are defined in Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1), as last amended by Regulation (EEC) No 2159/93 (OJ No L 194, 3. 8. 1993, p. 7).

## COMMISSION REGULATION (EEC) No 2412/93

of 31 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93 <sup>(2)</sup>, and in particular the second subparagraph of Article 19 <sup>(4)</sup> thereof,

Whereas the refunds on white sugar and raw sugar exported in the natural state were fixed by Commission Regulation (EEC) No 2301/93 <sup>(3)</sup>, as amended by Regulation (EEC) No 2356/93 <sup>(4)</sup>;

Whereas it follows from applying the detailed rules contained in Regulation (EEC) No 2301/93 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(5)</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>(6)</sup>,

HAS ADOPTED THIS REGULATION:

*Article 1*

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, as fixed in the Annex to amended Regulation (EEC) No 2301/93, are hereby altered to the amounts shown in the Annex hereto.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 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 208, 19. 8. 1993, p. 23.

<sup>(4)</sup> OJ No L 216, 26. 8. 1993, p. 11.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX

to the Commission Regulation of 31 August 1993 altering the export refunds on white sugar and raw sugar exported in the natural state

Product code	Amount of refund <sup>(1)</sup>
	— ECU/100 kg —
1701 11 90 100	35,26 <sup>(1)</sup>
1701 11 90 910	33,67 <sup>(1)</sup>
1701 11 90 950	<sup>(2)</sup>
1701 12 90 100	35,26 <sup>(1)</sup>
1701 12 90 910	33,67 <sup>(1)</sup>
1701 12 90 950	<sup>(2)</sup>
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,3833
	— ECU/100 kg —
1701 99 10 100	38,33
1701 99 10 910	38,33
1701 99 10 950	38,33
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,3833

<sup>(1)</sup> 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.

<sup>(2)</sup> 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).

<sup>(3)</sup> 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 2413/93**  
**of 31 August 1993**  
**fixing the rate of the aid for dried fodder**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

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

Whereas the guide price in the dried fodder sector was fixed by Council Regulation (EEC) No 1288/93<sup>(3)</sup>;

Whereas Commission Regulation (EEC) No 3824/92<sup>(4)</sup>, as last amended by Regulation (EEC) No 1663/93<sup>(5)</sup>, lays down the list of prices and amounts fixed in ecus to be amended as a result of the monetary alignments and which are reduced from the beginning of the 1993/94 marketing year by a factor of fixed by Commission Regulation (EEC) No 537/93<sup>(6)</sup>, as amended by Regulation (EEC) No 1331/93<sup>(7)</sup>, as part of the automatic dismantling system of the negative monetary gaps; whereas this factor must be taken into account when calculating the aid from the beginning of the aforementioned marketing year;

Whereas Council Regulation (EEC) No 2065/92<sup>(8)</sup>, as amended by Regulation (EEC) No 1288/93<sup>(9)</sup>, sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1993/94 marketing year at 70 %;

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

Whereas, under Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder<sup>(10)</sup>, as

last amended by Regulation (EEC) No 1110/89<sup>(11)</sup>, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder<sup>(12)</sup>, as last amended by Regulation (EEC) No 1069/93<sup>(13)</sup>;

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

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

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

<sup>(1)</sup> OJ No L 142, 30. 5. 1978, p. 1.

<sup>(2)</sup> OJ No L 218, 28. 7. 1989, p. 1.

<sup>(3)</sup> OJ No L 132, 29. 5. 1993, p. 1.

<sup>(4)</sup> OJ No L 387, 31. 12. 1992, p. 29.

<sup>(5)</sup> OJ No L 158, 30. 6. 1993, p. 18.

<sup>(6)</sup> OJ No L 57, 10. 3. 1993, p. 18.

<sup>(7)</sup> OJ No L 132, 29. 5. 1993, p. 114.

<sup>(8)</sup> OJ No L 215, 30. 7. 1992, p. 48.

<sup>(9)</sup> OJ No L 132, 29. 5. 1993, p. 1.

<sup>(10)</sup> OJ No L 171, 28. 6. 1978, p. 1.

<sup>(11)</sup> OJ No L 118, 29. 4. 1989, p. 1.

<sup>(12)</sup> OJ No L 179, 1. 7. 1978, p. 10.

<sup>(13)</sup> OJ No L 108, 1. 5. 1993, p. 114.

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

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

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

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX

to the Commission Regulation of 31 August 1993 fixing the rate of the aid for dried fodder

Aid applicable from 1 September 1993 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates	Fodder otherwise dried
September 1993	64,231	39,541

Aid in case of advance fixing for the month of:

(ECU/tonne)

October 1993	64,030	39,340
November 1993	63,802	39,112
December 1993	63,802	39,112
January 1994	61,716	37,026
February 1994	61,571	36,881
March 1994	61,571	36,881

## COMMISSION REGULATION (EEC) No 2414/93

of 31 August 1993

**suspending advance fixing of export refunds on certain cereal products exported  
in the form of goods not covered by Annex II to the Treaty**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 the first subparagraph of Article 13 (7) thereof,Having regard to Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds<sup>(3)</sup>, as last amended by Regulation (EEC) No 3381/90<sup>(4)</sup>, and in particular the first subparagraph of Article 5 (3) thereof,

Whereas Article 13 (7) of Regulation (EEC) No 1766/92 and Article 5 (3) of Regulation (EEC) No 3035/80 make provision for advance fixing of the refund to be suspended for basic products applied in the form of certain goods ;

Whereas the situation on certain markets may make it necessary for the refunds on certain products to be

adjusted ; whereas in order to prevent applications for advance fixing of refunds for speculative purposes, the abovementioned advance fixing should be suspended until this adjustment comes into force ;

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*

Advance fixing of export refunds on maize (corn) exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 is suspended until 17 September 1993 inclusive.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

Christiane SCRIVENER

*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 323, 29. 11. 1980, p. 27.<sup>(4)</sup> OJ No L 327, 27. 11. 1990, p. 4.



## COMMISSION REGULATION (EEC) No 2415/93

of 31 August 1993

fixing the production refund for olive oil used in the manufacture of certain preserved fish and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation No 136/66/EEC of 22 September 1966 on the establishment of a common organization of the market in oils and fats<sup>(1)</sup>, as last amended by Regulation (EEC) No 2046/92<sup>(2)</sup>,

Having regard to Council Regulation (EEC) No 591/79 of 26 March 1979 laying down general rules relating to the production refund for olive oil used in the manufacture of certain preserved foods<sup>(3)</sup>, as last amended by Regulation (EEC) No 2903/89<sup>(4)</sup>, and in particular Articles 3 and 5 thereof,

Whereas Article 2 of Council Regulation (EEC) No 591/79 provides for the granting of a production refund for olive oil used in the preserving industry;

Whereas under Article 3 of the abovementioned Regulation, without prejudice to the second subparagraph of Article 7 of the said Regulation, the Commission shall fix this refund every two months;

Whereas, by virtue of Article 5 of the Regulation cited above, where the tender system is employed for fixing the levy, the production refund shall be fixed on the basis of the minimum levies determined under the said system for

oils falling within subheading 1509 90 00 of the combined nomenclature; whereas, however, if the oil employed for manufacture of the preserves was produced within the Community, the amount referred to above shall be increased by a sum equal to the consumption aid in force on the day the said refund is applied;

Whereas application of the above criteria results in the refund being fixed as shown below,

HAS ADOPTED THIS REGULATION:

*Article 1*

For the months of September and October 1993, the amount of the production refund referred to in Article 2 of Regulation (EEC) No 591/79 shall be:

- ECU 88,46 per 100 kilograms for olive oil produced in the Community,
- ECU 43,00 per 100 kilograms for olive oil other than that referred to in the preceding indent.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993,

*For the Commission*

René STEICHEN

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 215, 30. 7. 1992, p. 1.

<sup>(3)</sup> OJ No L 78, 30. 3. 1979, p. 2.

<sup>(4)</sup> OJ No L 280, 29. 9. 1989, p. 3.

## COMMISSION REGULATION (EEC) No 2416/93

of 31 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 the first sentence of the third subparagraph of Article 13 thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 1544/93<sup>(4)</sup>, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 17 (1) of Regulation (EEC) No 1418/76 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds<sup>(5)</sup>, as last amended by Regulation (EEC) No 3381/90<sup>(6)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

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

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

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

Whereas in the absence of evidence that no production refund was granted pursuant to Commission Regulation (EEC) No 1722/93 of 30 June 1993 laying down detailed rules for the arrangements concerning production refunds in the cereals and rice sectors<sup>(7)</sup>, the export refund should be reduced by the amount of the production refund applicable on the day of acceptance of the export declaration; whereas this system is the only one which avoids the risk of fraud;

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products<sup>(8)</sup>, as amended by Regulation (EEC) No 2026/83<sup>(9)</sup>, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products<sup>(10)</sup>, as last amended by Regulation (EEC) No 1708/93<sup>(11)</sup>, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

Whereas, now that a settlement has been reached between the European Economic Community and the United States of America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC<sup>(12)</sup>, it is necessary to differentiate the refund on goods falling within CN codes

<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 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(5)</sup> OJ No L 323, 29. 11. 1980, p. 27.

<sup>(6)</sup> OJ No L 327, 27. 11. 1990, p. 4.

<sup>(7)</sup> OJ No L 159, 1. 7. 1993, p. 112.

<sup>(8)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(9)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(10)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(11)</sup> OJ No L 159, 1. 7. 1993, p. 77.

<sup>(12)</sup> OJ No L 275, 29. 9. 1987, p. 36.

1902 11 00 and 1902 19 according to their destination ;

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

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

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

Whereas, in respect of glucose syrup and maltodextrine syrup, the dry extract content for which the rate of refund is set should be specified ;

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

HAS ADOPTED THIS REGULATION :

#### Article 1

1. Without prejudice to paragraphs 2 and 3 the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

2. For the products listed in the Annex to Regulation (EEC) No 1722/93 the refunds given in the Annex to this Regulation shall be applied on presentation, at the acceptance of the export declaration and the request for obtaining the export refund, of proof that the basic products used in the manufacture of the products to be exported have not benefited from the production refund provided

for in that Regulation, and that such refund will not be applied for.

The proof referred to in the first subparagraph is provided by the presentation by the exporter of a declaration from the processor of the basic product in question attesting that the latter product has not benefited from a production refund as provided for in Regulation (EEC) No 1722/93, and that no application for such refund will be made.

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

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

(b) of which the rate is fixed in advance,

will be reduced by the amount of the production refund applicable pursuant to Regulation (EEC) No 1722/93 to the basic product in question on the day of acceptance of the export declaration for the goods, or on the day specified in Article 26 (2) of Regulation (EEC) No 3665/87, if the goods have been placed under the export refund advance payment arrangements.

#### Article 2

1. The refund for starches and potato starch falling within CN code 1108 or products falling within Annex A to Regulation (EEC) No 1766/92 resulting from the processing of these starches and potato starch is granted only on production of a declaration from the suppliers of those products attesting that they have been directly produced from cereals, potatoes or rice excluding all use of subproducts obtained in the production of other agricultural products or goods.

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

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

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

<sup>(1)</sup> OJ No L 102, 28. 4. 1993, p. 14.

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

4. At the time of application for the export refund for the goods the applicant must declare the dry-extract content of the starches concerned, unless this information has been recorded by the competent authorities referred to in Article 3 (2) of Regulation (EEC) No 3035/80, in accordance with the provisions of that paragraph.

#### *Article 3*

1. If the dry extract content of glucose syrup or maltodextrine syrup falling within CN code 1702 30 59, 1702 30 99, 1702 40 90, 1702 90 50 or 2106 90 55 is greater than or equal to 78 %, the rate of refund shall be that set in accordance with the Annex ; if the dry extract content of the said syrups is less than 78 %, the rate

applied shall be equal to the rate of refund set in accordance with the Annex multiplied by the actual percentage of dry extract and divided by 78.

2. For the purposes of the preceding paragraph, the dry matter content of glucose syrup or maltodextrine syrup shall be determined in accordance with Method 2 described in Annex II to Council Directive 79/796/EEC<sup>(3)</sup>, or in accordance with any other appropriate method of analysis which offer at least the same guarantees.

3. When applying for the export refund, the applicant must state the dry extract content of the glucose syrup and maltodextrine syrup used, unless this information has been recorded by the competent body referred to in Article 3 (2) of Regulation (EEC) No 3035/80, as provided for in that paragraph.

#### *Article 4*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

<sup>(1)</sup> OJ No L 178, 5. 7. 1984, p. 22.

<sup>(2)</sup> OJ No L 235, 20. 8. 1987, p. 10.

<sup>(3)</sup> OJ No L 239, 22. 9. 1979, p. 24.

## ANNEX

to the Commission Regulation of 31 August 1993 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat : – used unprocessed : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases – used in the form of : – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 – hulled grains of CN code 1104 and starch of CN code 1108 – germ of CN code 1104 – gluten of CN code 1109 – other (except flours of CN code 1101 and groats and meal of CN code 1103)	2,649 4,817 2,890 4,335 1,686 — 4,817
1001 90 99	Common wheat and meslin : – used unprocessed : – on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America – in all other cases – used in the form of : – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 – hulled grains of CN code 1104 and starch of CN code 1108 – germ of CN code 1104 – gluten of CN code 1109 – other (except flours of CN code 1101, and groats and meal of CN code 1103)	2,649 4,817 2,890 4,335 1,686 — 4,817
1002 00 00	Rye : – used unprocessed – used in the form of : – pellets of CN code 1103, or pearled grains of CN code 1104 – rolled or flaked grains and hulled grains of CN code 1104 – germ of CN code 1104 – starch of CN code 1108 19 90 – gluten of CN code 2303 10 90 – other (except flours of CN code 1102)	4,817 2,890 4,335 1,897 5,419 — 4,817
1003 00 80	Barley : – used unprocessed – used in the form of : – flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 – pellets of CN code 1103 – germs of CN code 1104 – starch of CN code 1108 19 90 – gluten of CN code 2303 10 90 – other	5,883 4,118 3,530 1,897 5,419 — 5,883

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1004 00 00	Oats : – used unprocessed – used in the form of : – – pellets of CN code 1103, and pearled grains of CN code 1104 – – rolled or flaked grains and hulled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other	5,257  3,154 4,731 1,897 5,419 — 5,257
1005 90 00	Maize (Corn) : – used unprocessed – used in the form of : – – flours of CN codes 1102 20 10 and 1102 20 90 – – groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104 – – pellets of CN code 1103 – – hulled or perled grains of CN code 1104 – – germs of CN code 1104 – – starch of CN code 1108 12 00 – – gluten of CN code 2303 10 11 – – other	5,419  3,793 4,335 3,251 4,377 1,897 5,419 2,168 5,419 (3)
1006 20	Round grain husked rice Medium grains husked rice Long grain husked rice	18,988 16,905 16,905
ex 1006 30	Round grain wholly-milled rice Medium grain wholly-milled rice Long grain wholly-milled rice	24,500 24,500 24,500
1006 40 00	Broken rice : – used unprocessed – used in the form of : – – flour of CN code 1102 30, groats and meal or pellets of CN code 1103 – – flaked grains of CN 1104 19 91 – – starch of CN code 1108 19 10 – – other	5,500  5,500 3,300 5,500 —
1007 00 90	Sorghum	5,483
1101 00 00	Wheat or meslin flour : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	3,259 5,925
1102 10 00	Rye flour	6,599
1103 11 30	Durum wheat groats :	
1103 11 50	Durum wheat meal : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	3,762 6,840
1103 11 90	Common wheat groats and spelt : – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – in all other cases	3,269 5,925

(1) The quantities of semi-processed products used must be multiplied, as the case may be, by the coefficients shown in Annex I to Regulation (EEC) No 1620/93 (OJ No L 155, 26. 6. 1993, p. 29).

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

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

## COMMISSION REGULATION (EEC) No 2417/93

of 31 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products<sup>(1)</sup>, as last amended by Regulation (EEC) No 2071/92<sup>(2)</sup>, and in particular Article 17 (4) thereof,Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c) and (e) of that Regulation and prices within the Community may be covered by an export refund; whereas Council Regulation (EEC) No 3035/80 of 11 November 1980 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds<sup>(3)</sup>, as last amended by Regulation (EEC) No 3381/90<sup>(4)</sup>, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

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

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

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

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

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

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates<sup>(5)</sup>, as last amended by Regulation (EEC) No 1435/90<sup>(6)</sup>;Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs<sup>(7)</sup>, as last amended by Regulation (EEC) No 1813/93<sup>(8)</sup>, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;Whereas Council Regulation (EEC) No 990/93<sup>(9)</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;<sup>(1)</sup> OJ No L 148, 28. 6. 1968, p. 13.<sup>(2)</sup> OJ No L 215, 30. 7. 1992, p. 64.<sup>(3)</sup> OJ No L 323, 29. 11. 1980, p. 27.<sup>(4)</sup> OJ No L 327, 27. 11. 1990, p. 4.<sup>(5)</sup> OJ No L 169, 18. 7. 1968, p. 6.<sup>(6)</sup> OJ No L 138, 31. 5. 1990, p. 8.<sup>(7)</sup> OJ No L 55, 1. 3. 1988, p. 31.<sup>(8)</sup> OJ No L 166, 8. 7. 1993, p. 16.<sup>(9)</sup> OJ No L 102, 28. 4. 1993, p. 14.

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

HAS ADOPTED THIS REGULATION:

*Article 1*

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

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

*Article 2*

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

*Article 3*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*



## ANNEX

to the Commission Regulation of 31 August 1993 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

<i>(ECU/100 kg)</i>		
CN code	Description	Rate of refund (*)
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501	—
	b) On exportation of other goods	60,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	52,64
	b) On exportation of other goods	110,00
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported	26,00
	b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat	166,00
	c) On exportation of other goods	160,00

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

## COMMISSION REGULATION (EEC) No 2418/93

of 31 August 1993

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

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the market in sugar <sup>(1)</sup>, as last amended by Regulation (EEC) No 1548/93 <sup>(2)</sup>, and in particular Article 19 (4) (a) and (7) thereof,

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

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

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

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

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

Whereas Council Regulation (EEC) No 565/80 of 4 March 1980 on the advance payment of export refunds in respect of agricultural products <sup>(7)</sup>, as amended by Regulation (EEC) No 2026/83 <sup>(8)</sup>, and Commission Regulation (EEC) No 3665/87 of 27 November 1987 laying down common detailed rules for the application of the system of export refunds on agricultural products <sup>(9)</sup>, as last amended by Regulation (EEC) No 1708/93 <sup>(10)</sup>, lay down rules on the advance payment of export refunds that must be adhered to when these are adjusted;

<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 323, 29. 11. 1980, p. 27.

<sup>(4)</sup> OJ No L 327, 27. 11. 1990, p. 4.

<sup>(5)</sup> OJ No L 94, 9. 4. 1986, p. 9.

<sup>(6)</sup> OJ No L 54, 28. 2. 1991, p. 22.

<sup>(7)</sup> OJ No L 62, 7. 3. 1980, p. 5.

<sup>(8)</sup> OJ No L 199, 22. 7. 1983, p. 12.

<sup>(9)</sup> OJ No L 351, 14. 12. 1987, p. 1.

<sup>(10)</sup> OJ No L 159, 1. 7. 1993, p. 77.

Whereas Council Regulation (EEC) No 990/93 <sup>(1)</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. Without prejudice to paragraphs 2 and 3, the rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EEC) No 3035/80 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

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

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

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

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

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

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

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

Martin BANGEMANN

*Member of the Commission*

(1) OJ No L 102, 28. 4. 1993, p. 14.

## ANNEX

to the Commission Regulation of 31 August 1993 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	— Rate of refund in ECU/100 kg <sup>(*)</sup> —
White sugar :	38,33
Raw sugar :	35,26
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$38,33^{(*)} \times \frac{S^{(1)}}{100}$ or
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
Molasses :	—
Isoglucose <sup>(2)</sup> :	38,33 <sup>(3)</sup>

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

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

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

— the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

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

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

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

**COMMISSION REGULATION (EEC) No 2419/93**  
**of 31 August 1993**  
**fixing the aid for cotton**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

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

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton<sup>(2)</sup>, as last amended by Regulation (EEC) No 1554/93<sup>(3)</sup>, and in particular Article 5 (1) thereof,

Whereas, pursuant to Article 5 of Regulation (EEC) No 2169/81, aid must be granted for unginning cotton harvested in the Community when the world market price for unginning cotton is below the guide price;

Whereas the aid is equal to the difference between these two prices;

Whereas the guide price for cotton is fixed for the 1993/94 marketing year by Council Regulation (EEC) No 1555/93<sup>(4)</sup>; whereas this price was reduced by Regulation (EEC) No 2044/93<sup>(5)</sup> as a consequence of the monetary realignments;

Whereas the abatement of the subsidy which arises from the system of maximum guaranteed quantities for the 1993/94 year, has been fixed at ECU 20,293 per 100 kilograms;

Whereas the world market price for unginning cotton is determined periodically on the basis of the world prices recorded for ginned cotton and cotton seed, taking into

account the estimated yield of the Community harvest in cotton seed and in ginned cotton and also the net cost of ginning;

Whereas the world market price for ginned cotton and cotton seed is determined in accordance with Article 4 of Regulation (EEC) No 2169/81;

Whereas, if the world market price for unginning cotton cannot be determined as described above, this price shall be established on the basis of the most recent price determined;

Whereas the world market price for unginning cotton is equal to the sum of the values for ginned cotton seed defined in Article 1 of Regulation (EEC) No 1201/89 of 3 May 1989 laying down rules implementing the system of aid for cotton<sup>(6)</sup>, as last amended by Regulation (EEC) No 2046/93<sup>(7)</sup>, minus the cost of beginning;

Whereas the above values are established on the basis of the prices determined in accordance with Articles 2 and 3 of Regulation (EEC) No 1201/89; whereas the world market price is determined on the basis of the most favourable offers and quotations recorded, excluding offers and quotations which cannot be regarded as representative of the real market trend;

Whereas the necessary adjustments must be made in cases where the offers and quotations recorded do not satisfy the requirements indicated above;

Whereas, pursuant to Article 4 (4) of Regulation (EEC) No 2169/81, if there are no suitable offers or quotations for determining the world market price for cotton seed, that price shall be established on the basis of the most favourable offers and quotations for cotton seed recorded on the Community market or, if those offers and quotations cannot be established, on the basis of the value of the products obtained from processing the seed in the Community, less the processing cost; whereas this value is determined in accordance with Article 4 of Regulation (EEC) No 1201/89;

<sup>(1)</sup> OJ No L 377, 31. 12. 1987, p. 49.

<sup>(2)</sup> OJ No L 211, 31. 7. 1981, p. 2.

<sup>(3)</sup> OJ No L 154, 25. 6. 1993, p. 23.

<sup>(4)</sup> OJ No L 154, 25. 6. 1993, p. 24.

<sup>(5)</sup> OJ No L 185, 28. 7. 1993, p. 16.

<sup>(6)</sup> OJ No L 123, 4. 5. 1989, p. 23.

<sup>(7)</sup> OJ No L 185, 28. 7. 1993, p. 19.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 <sup>(1)</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 are laid down in Commission Regulation (EEC) No 1068/93 <sup>(2)</sup>;

Whereas the aid must be fixed once a month, and in such a way that it can be applied for the first day of the month following the date of fixing; whereas it may be altered between fixings;

Whereas it follows from applying these provisions to the offers and quotations known to the Commission that the aid for cotton should be as set out in this Regulation,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

— ECU 63,648 per 100 kilograms.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 108, 1. 5. 1993, p. 106.

**COMMISSION REGULATION (EEC) No 2420/93**  
of 31 August 1993

**fixing, for unginnged cotton, the actual production for the 1992/93 marketing year, the estimated production and the reduction in the aid for the 1993/94 marketing year and the amount by which the guide price is to be reduced for the 1994/95 marketing year**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Act of Accession of Greece, and in particular Protocol 4 on cotton, as amended by the Act of Accession of Spain and Portugal, and in particular Protocol 14 annexed thereto,

Having regard to Council Regulation (EEC) No 2169/81 of 27 July 1981 laying down the general rules for the system of aid for cotton<sup>(1)</sup>, as last amended by Regulation (EEC) No 1554/93<sup>(2)</sup>, and in particular Article 11 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 9 (1) thereof,

Whereas Article 7 (1) of Regulation (EEC) No 2169/81 provides that the actual production in each marketing year is to be determined each year, taking account in particular of the quantities for which the aid has been applied for; whereas the application of that criterion gives the actual production for the 1992/93 marketing year indicated below;

Whereas Article 8 of Regulation (EEC) No 2169/81 provides that the estimated production of cotton must be established before the beginning of each marketing year; whereas, on the basis of the figures available, the estimated production for the 1993/94 marketing year should be fixed at the figure given below;

Whereas, pursuant to Article 2 (2) of Council Regulation (EEC) No 1964/87 of 2 July 1987 adjusting the system of aid for cotton introduced by Protocol 4 annexed to the

Act of Accession of Greece<sup>(4)</sup>, as last amended by Regulation (EEC) No 1553/93<sup>(5)</sup>, where the maximum guaranteed quantity is exceeded by the estimated production, the aid should be reduced in accordance with the criteria laid down in that paragraph; however, the reduction in aid for the 1993/94 marketing year is limited to 15 % of the guide price but any reduction exceeding that limit is deducted from the guide price of the following marketing year up to a maximum of 5 %; whereas the application of the abovementioned provisions leads to the fixing of a reduction in the aid for the 1993/94 marketing year and a reduction of the guide price for 1994/95 for those indicated below;

Whereas this Regulation is in accordance with the opinion of the Management Committee for Flax and Hemp,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. For the 1992/93 marketing year, actual production of unginnged cotton is hereby determined at 984 617 tonnes.
2. For the 1993/94 marketing year:
  - the estimated production is hereby fixed at 1 067 433 tonnes,
  - the reduction in the amount of the aid is hereby fixed at ECU 20,293 per 100 kg.
3. For the 1994/95 marketing year, the guide price shall be reduced by ECU 5,073 per 100 kg.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

<sup>(1)</sup> OJ No L 211, 31. 7. 1981, p. 2.

<sup>(2)</sup> OJ No L 154, 25. 6. 1993, p. 23.

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

<sup>(4)</sup> OJ No L 184, 3. 7. 1987, p. 14.

<sup>(5)</sup> OJ No L 154, 25. 6. 1993, p. 21.

**COMMISSION REGULATION (EEC) No 2421/93**  
**of 31 August 1993**  
**fixing the import levies on white sugar and raw sugar**

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

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector <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 levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93 <sup>(4)</sup>, as last amended by Regulation (EEC) No 2393/93 <sup>(5)</sup>;

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

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 30 August 1993, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

*Article 1*

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

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 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. 40.

<sup>(5)</sup> OJ No L 218, 28. 8. 1993, p. 51.



## ANNEX

to the Commission Regulation of 31 August 1993 fixing the import levies on white sugar and raw sugar

*(ECU/100 kg)*

CN code	Levy (°)
1701 11 10	36,08 (°)
1701 11 90	36,08 (°)
1701 12 10	36,08 (°)
1701 12 90	36,08 (°)
1701 91 00	41,87
1701 99 10	41,87
1701 99 90	41,87 (°)

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

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

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

**COMMISSION REGULATION (EEC) No 2422/93**  
**of 31 August 1993**  
**fixing the agricultural conversion rates**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy<sup>(1)</sup>, and in particular Article 3 (1),

Whereas the agricultural conversion rates were fixed by Commission Regulation (EEC) No 2332/93<sup>(2)</sup>;

Whereas Article 4 (1) of Regulation (EEC) No 3813/92 provides that the agricultural conversion rate for a floating currency shall be adjusted where the monetary gap with the representative market rate for the last reference period of a month exceeds two points; whereas, in that case, the new agricultural conversion rate is fixed so as to reduce that monetary gap by half;

Whereas the representative market rates are determined on the basis of reference periods determined in accordance with Commission Regulation (EEC) No 1068/93 of 30 April 1993, on detailed rules for determining and applying the agricultural conversion rates<sup>(3)</sup>;

Whereas, in view of the decision by the Ministers of Finance on 2 August 1993, all the Member States' currencies are to be regarded as floating currencies in accordance with Article 1 (b) of Regulation (EEC) No 3813/93;

Whereas, as a consequence of the exchange rates recorded during the reference period 21 to 31 August 1993, it is necessary to fix a new agricultural conversion rate for the Greek drachma;

Whereas Article 15 (3) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in

advance shall be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the operative event applicable for the currency concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

*Article 1*

The agricultural conversion rates are fixed in Annex I hereto.

*Article 2*

In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

— Table A, where the latter rate is higher than the rate fixed in advance,

or

— Table B, where the latter rate is lower than the rate fixed in advance.

*Article 3*

Regulation (EEC) No 2332/93 is hereby repealed.

*Article 4*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 August 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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

<sup>(2)</sup> OJ No L 210, 21. 8. 1993, p. 13.

<sup>(3)</sup> OJ No L 108, 1. 5. 1993, p. 106.

## ANNEX I

## Agricultural conversion rates

ECU 1 =	48,5563	Belgian and Luxembourg francs
	9,34812	Danish kroner
	2,35418	German marks
	322,728	Greek drachmas
	190,382	Spanish pesetas
	7,98191	French francs
	0,976426	Irish punt
	2 166,58	Italian lire
	2,65256	Dutch guilders
	236,933	Portuguese escudos
	0,920969	Pound sterling

## ANNEX II

## Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	46,6888	Belgian and Luxembourg francs	ECU 1 =	50,5795	Belgian and Luxembourg francs
	8,98858	Danish kroner		9,73763	Danish kroner
	2,26363	German marks		2,45227	German marks
	310,315	Greek drachmas		336,175	Greek drachmas
	183,060	Spanish pesetas		198,315	Spanish pesetas
	7,67491	French francs		8,31449	French francs
	0,938871	Irish punt		1,01711	Irish punt
	2 083,25	Italian lire		2 256,85	Italian lire
	2,55054	Dutch guilders		2,76308	Dutch guilders
	227,820	Portuguese escudos		246,805	Portuguese escudos
	0,885547	Pound sterling		0,959343	Pound sterling

**COMMISSION REGULATION (EEC) No 2423/93**  
**of 31 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 30

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 1 September 1993.

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

Done at Brussels, 31 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 31 August 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>	
CN code	Third countries <sup>(6)</sup>
0709 90 60	134,46 <sup>(2)</sup> <sup>(3)</sup>
0712 90 19	134,46 <sup>(2)</sup> <sup>(3)</sup>
1001 10 00	65,57 <sup>(1)</sup> <sup>(3)</sup>
1001 90 91	84,71
1001 90 99	84,71 <sup>(2)</sup>
1002 00 00	110,66 <sup>(6)</sup>
1003 00 10	102,00
1003 00 20	102,00
1003 00 80	102,00 <sup>(2)</sup>
1004 00 00	82,42
1005 10 90	134,46 <sup>(2)</sup> <sup>(3)</sup>
1005 90 00	134,46 <sup>(2)</sup> <sup>(3)</sup>
1007 00 90	138,42 <sup>(4)</sup>
1008 10 00	16,81 <sup>(2)</sup>
1008 20 00	24,09 <sup>(4)</sup>
1008 30 00	24,09 <sup>(2)</sup>
1008 90 10	<sup>(7)</sup>
1008 90 90	24,09
1101 00 00	156,11 <sup>(2)</sup>
1102 10 00	192,44
1103 11 30	135,48
1103 11 50	135,48
1103 11 90	178,78
1107 10 11	161,66
1107 10 19	123,54
1107 10 91	192,44
1107 10 99	146,54
1107 20 00	168,98

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

<sup>(2)</sup> 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.

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

<sup>(4)</sup> 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.

<sup>(5)</sup> 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.

<sup>(6)</sup> 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).

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

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

<sup>(9)</sup> 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 2424/93****of 31 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 30 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 1 September 1993.

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

Done at Brussels, 31 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 31 August 1993 fixing the premiums to be added to the import levies on cereals, flour and malt

## A. Cereals and flour

*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period
	9	10	11	12
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 20	0	0	0	0
1003 00 80	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	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

*(ECU/tonne)*

CN code	Current	1st period	2nd period	3rd period	4th period
	9	10	11	12	1
1107 10 11	0	0	0	0	0
1107 10 19	0	0	0	0	0
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

## COMMISSION REGULATION (EEC) No 2425/93

of 31 August 1993

## altering the import levies on products processed from cereals and rice

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 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 11 (3) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice<sup>(3)</sup>, as last amended by Regulation (EEC) No 1544/93<sup>(4)</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>(5)</sup>,

Whereas the import levies on products processed from cereals and rice were fixed by Commission Regulation (EEC) No 2391/93<sup>(6)</sup>;

Whereas the levy on the basic product as last fixed differs from the average levy by more than ECU 3,02 per tonne of basic product; whereas, pursuant to Article 1 of Commission Regulation (EEC) No 1579/74<sup>(7)</sup>, as last amended by Regulation (EEC) No 1740/78<sup>(8)</sup>, the levies at present in force must therefore be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

*Article 1*

The import levies to be charged on products processed from cereals and rice covered by Regulation (EEC) No 1620/93<sup>(9)</sup> as fixed in the Annex to Regulation (EEC) No 2391/93 are hereby altered to the amounts set out in the Annex.

*Article 2*

This Regulation shall enter into force on 1 September 1993.

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

Done at Brussels, 31 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 166, 25. 6. 1976, p. 1.

<sup>(4)</sup> OJ No L 154, 25. 6. 1993, p. 5.

<sup>(5)</sup> OJ No L 387, 31. 12. 1992, p. 1.

<sup>(6)</sup> OJ No L 218, 28. 8. 1993, p. 45.

<sup>(7)</sup> OJ No L 168, 25. 6. 1974, p. 7.

<sup>(8)</sup> OJ No L 202, 26. 7. 1978, p. 8.

<sup>(9)</sup> OJ No L 155, 26. 6. 1993, p. 29.



## ANNEX

to the Commission Regulation of 31 August 1993 altering the import levies on products processed from cereals and rice

(ECU/tonne)

CN code	Import levies (*)	
	ACP	Third countries (other than ACP)
1102 20 10	244,08	250,12
1102 20 90	138,31	141,33
1102 90 30	147,13	153,17
1103 12 00	147,13	153,17
1103 13 10	244,08	250,12
1103 13 90	138,31	141,33
1103 29 30	147,13	153,17
1103 29 40	244,08	250,12
1104 12 10	83,37	86,39
1104 12 90	163,48	169,52
1104 19 50	244,08	250,12
1104 22 10 10 (*)	83,37	86,39
1104 22 10 90 (*)	147,13	150,15
1104 22 30	147,13	150,15
1104 22 50	130,78	133,80
1104 22 90	83,37	86,39
1104 23 10	216,96	219,98
1104 23 30	216,96	219,98
1104 23 90	138,31	141,33
1104 30 90	101,70	107,74
1106 20 90	214,69 (*)	238,87
1108 12 00	218,32	238,87
1108 13 00	218,32	238,87 (*)
1108 14 00	109,15	238,87
1108 19 90	109,15 (*)	238,87
1702 30 51	284,76	381,48
1702 30 59	218,32	284,81
1702 30 91	284,76	381,48
1702 30 99	218,32	284,81
1702 40 90	218,32	284,81
1702 90 50	218,32	284,81
1702 90 75	298,32	395,04
1702 90 79	207,47	273,96
2106 90 55	218,32	284,81
2302 10 10	44,90	50,90
2302 10 90	96,22	102,22
2302 20 10	44,90	50,90
2302 20 90	96,22	102,22
2302 30 10	44,90 (*)	50,90
2302 30 90	96,22 (*)	102,22
2302 40 10	44,90	50,90
2302 40 90	96,22	102,22
2303 10 11	271,20	452,54

(\*) In accordance with Regulation (EEC) No 715/90 the levy shall not be charged on the following products originating in the African, Caribbean and Pacific States:

- products falling within CN code ex 0714 10 91,
- products falling within CN code 0714 90 11 and arrow-root falling within CN code 0714 90 19,
- flours and meal of arrow-root falling within CN code 1106 20,
- arrow-root starch falling within CN code 1108 19 90.

(\*) Taric code: clipped oats.

(\*) Taric code: CN code 1104 22 10, other than 'clipped oats'.

(\*) Pursuant to Regulation (EEC) No 3834/90, the levy on importation into the Community of products of CN code 1108 13 00 is reduced by 50 % within the limit of a fixed quantity of 5 000 tonnes.

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

(\*) Under the terms of Regulation (EEC) No 3763/91 the levy does not apply to wheat bran originating in the African, Caribbean and Pacific States (ACP) and directly imported into the French department of Réunion.

## II

*(Acts whose publication is not obligatory)*

## COMMISSION

## COMMISSION DECISION

of 27 July 1993

**on the establishment of a supplement to the addendum to the Community support framework for Community structural assistance in Portugal on the improvement of the conditions under which agricultural and forestry products are processed and marketed**

(Only the Portuguese text is authentic)

(93/471/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 866/90 of 29 March 1990 relating to the improvement of conditions for marketing and processing of agricultural products<sup>(1)</sup>, modified by Regulation (EEC) No 3577/90<sup>(2)</sup>, and in particular Article 7 (2) thereof,

Having regard to Council Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments<sup>(3)</sup>, and in particular Article 8 (5) thereof,

Having consulted the Committee for the Development and Conversion of Regions,

Whereas by Decision 89/642/EEC<sup>(4)</sup> the Commission adopted the Community support framework for structural assistance for Portugal;

Whereas the Portuguese Government submitted to the Commission 12 sectoral plans, seven on 4 April 1991, two

on 5 April 1991 and three on 28 June 1991, concerning the modernization of the conditions under which agricultural products are processed and marketed, as referred to in Article 2 of Regulation (EEC) No 866/90;

Whereas the measures covered by Regulation (EEC) No 866/90 and Council Regulation (EEC) No 867/90 of 29 March 1990 on improving the processing and marketing conditions for forestry products<sup>(5)</sup> may, pursuant to Title III of Regulation (EEC) No 2052/88, be taken into consideration by the Commission in establishing Community support frameworks;

Whereas by Decision 92/77/EEC<sup>(6)</sup> the Commission adopted an addendum to the Community support framework for Community structural assistance in Portugal on the improvement of the conditions under which agricultural and forestry products are processed and marketed;

Whereas on 22 September 1992 and 4 January 1993 the Portuguese Government submitted to the Commission two sectoral plans concerning the modernization of the conditions under which agricultural products are processed and marketed as referred to in Article 2 of Regulation (EEC) No 866/90 on improving the processing and marketing conditions for agricultural products concerning the sugar cane and hops sectors;

<sup>(1)</sup> OJ No L 91, 6. 4. 1990, p. 1.

<sup>(2)</sup> OJ No L 353, 17. 12. 1990, p. 23.

<sup>(3)</sup> OJ No L 185, 15. 7. 1988, p. 9.

<sup>(4)</sup> OJ No L 370, 19. 12. 1989, p. 37.

<sup>(5)</sup> OJ No L 91, 6. 4. 1990, p. 7.

<sup>(6)</sup> OJ No L 31, 7. 2. 1992, p. 36.

Whereas the plans submitted by the Member State include descriptions of the main priorities selected and indications of the use to be made of assistance under the European Agricultural Guidance and Guarantee Fund (EAGGF) Guidance Section in implementing the sectoral plan;

Whereas the Monitoring Committee of the Community Support Framework has on 27 May 1992 and 4 December 1992, adopted modifications to the financial plan of the Community Support Framework which require a reduction in the financial envelope foreseen for Community assistance in relation to the addendum to the Community Support Framework;

Whereas the Monitoring Committee established under Regulations (EEC) Nos 866/90 and 867/90 adopted a new allocation of the Community financial provision for the various sectors of activity which took account of the decisions of the Monitoring Committee for the Community Support Framework and the reconstituted budgetary funds, which entails a revision of the financing table concerning the Community contribution;

Whereas this supplement to the addendum to the Community support framework was established in agreement with the Member State concerned through the partnership defined in Article 4 of Regulation (EEC) No 2052/88;

Whereas all the measures which constitute the supplement to the addendum are in conformity with Commission Decision 90/342/EEC of 7 June 1990 on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products<sup>(1)</sup>;

Whereas the Commission is prepared to examine the possibility of the other Community lending instruments contributing to the financing of this addendum in accordance with the specific provisions governing them;

Whereas, in accordance with Article 10 (2) of Council Regulation (EEC) No 4253/88 of 19 December 1988 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments<sup>(2)</sup>, this decision is to be sent as a declaration of intent to the Member State;

Whereas in accordance with Article 20 (1) and (2) of Regulation (EEC) No 4253/88 budgetary commitments relating to the contribution from the Structural Funds to the financial of the operations covered by the Community support framework will be made on the basis of subsequent Commission decisions approving the operations concerned;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Committee for Agricultural Structures and Rural Development,

HAS ADOPTED THIS DECISION:

#### Article 1

The supplement to the addendum to the Community support framework for Community structural assistance in Portugal intended to improve the conditions under which agricultural and forestry products are processed and marketed covering the period from 1 January 1991 to 31 December 1993 is hereby established.

The Commission declares that it intends to contribute to the implementation of this supplement to the addition to Community support framework in accordance with the detailed provisions thereof and in compliance with the rules and guidelines of the Structural Funds and the other existing financial instruments.

#### Article 2

The supplement to the addendum to the Community support framework contains the following essential information:

(a) a statement of the main priorities for joint action in the following sectors:

- sugar cane,
- hops;

(b) an indicative financing plan specifying, at constant 1993 prices, the total cost of the priorities adopted for joint action by the Community and the Member State concerned, ECU 281 548 194 for the whole period, and the financial arrangements envisaged for budgetary assistance from the Community broken down as follows:

	<i>(in ecus)</i>
1. Forestry products	3 045 116
2. Meat	21 304 464
3. Milk and milk products	19 737 340
4. Eggs and poultry	1 489 722
5. Livestock markets	1 760 650
6. Cereals (including rice)	7 379 091
7. Oilseeds	3 106 595
8. Wines and alcohol	34 138 998
9. Fruit and vegetables	24 953 480
10. Flowers and plants	263 394
11. Potatoes	1 444 380
12. Sugar cane	1 057 626
13. Hops	538 000
Total	120 218 856

The resultant national financing requirement, approximately ECU 32 560 429 for the public sector and ECU 128 768 909 for the private sector, may be partially covered by Community loans from the European Investment Bank and the other loan instruments.

<sup>(1)</sup> OJ No L 163, 29. 6. 1990, p. 71.

<sup>(2)</sup> OJ No L 374, 31. 12. 1988, p. 1.

*Article 3*

This declaration of intent is addressed to the Portuguese Republic.

Done at Brussels, 27 July 1993.

*For the Commission*

René STEICHEN

*Member of the Commission*

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## COMMISSION DECISION

of 28 July 1993

on further temporary national compensation for farmers in Germany from 1993 to 1995

(Only the German text is authentic)

(93/472/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision of 26 April 1993 on further temporary national compensation for farmers in Germany and in particular Article 2 (2) thereof<sup>(1)</sup>,

Whereas, to offset reductions in farm income experienced in Germany in 1992 due to the expiry at the end of 1991 of the special aid granted in that country through the VAT system as provided in Council Directive 85/361/EEC of 16 July 1985, on the harmonization of the laws in the Member States relating to turnover taxes — Common system of value added tax: derogations in connection with the special aids granted to certain farmers to compensate for the dismantlement of monetary compensatory amounts applying to certain agricultural products<sup>(2)</sup>, Council Decision 92/392/EEC of 30 June 1992, on transitional national compensation for farmers in Germany for 1992 stipulated that a special national aid might be granted in Germany from 1 January until 31 December 1992<sup>(3)</sup>;

Whereas due to the unsatisfactory development of farm incomes in Germany it would have been inappropriate to cease this income support at the end of 1992, Article 1 of Council Decision of 26 April 1993 stipulates that a further temporary national compensation for farmers in Germany may be granted in the years 1993-1995 on a depressive basis;

Whereas Article 1 of the Council Decision of 26 April 1993 laid down conditions and detailed rules governing the payment of this further national aid; whereas the Commission has responsibility to verify that measures adopted for the implementation of the aid scheme comply with the said provisions;

Whereas on 27 May 1993 the Federal Republic of Germany notified to the Commission a draft Law entitled *'Erstes Gesetz zur Änderung des Gesetzes zur Förderung*

*der bäuerlichen Landwirtschaft'* and a draft administrative directive entitled *'Verordnung zur Gewährung von Anpassungshilfen in den Jahren 1993 bis 1995 für die Landwirtschaft in dem in Artikel 3 des Einigungsvertrages genannten Gebiet'* the purpose of which is to introduce the aid scheme;

Whereas the Federal Republic of Germany furthermore declared that it would ensure application of these national provisions so that the overall volume of the further national aid does not exceed DM 2 200 million in 1993, DM 1 500 million in 1994, DM 750 million in 1995 and will be zero in 1996 and subsequent years;

Whereas the national provisions put forward in this respect comply with the conditions laid down in Article 1 of Council Decision of 26 April 1993 and may therefore be approved;

Whereas the Commission must be in a position to review the effects of the aid scheme,

HAS ADOPTED THIS DECISION:

*Article 1*

The provisions set out in the draft Law entitled *'Erstes Gesetz zur Änderung des Gesetzes zur Förderung der bäuerlichen Landwirtschaft'* and the draft administrative directive entitled *'Verordnung zur Gewährung von Anpassungshilfen in den Jahren 1993 bis 1995 für die Landwirtschaft in dem in Artikel 3 des Einigungsvertrages genannten Gebiet'* notified by the Federal Republic of Germany on 27 May 1993, are hereby found to be in compliance with the conditions set out in Article 1 of Council Decision of 26 April 1993 and are therefore hereby approved.

*Article 2*

Before 1 May following each year of application of this aid, the Federal Republic of Germany shall submit to the Commission a yearly report on the operation of the aid scheme referred to in Article 1, including the actual expenditure disbursed, its impact on farm incomes and any other elements relevant to the effects of the scheme.

<sup>(1)</sup> Not published in the Official Journal.

<sup>(2)</sup> OJ No L 192, 24. 7. 1985, p. 18.

<sup>(3)</sup> OJ No L 215, 30. 7. 1992, p. 100.

*Article 3*

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 28 July 1993.

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

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