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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EEC) No 2648/93

of 28 September 1993

laying down detailed rules for the application of Council Regulation (EEC) No 2187/93 providing for an offer of compensation to certain producers of milk or milk products temporarily prevented from carrying on their trade

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION:

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2187/93 of 22 July 1993 providing for an offer of compensation to certain producers of milk and milk products temporarily prevented from carrying on their trade⁽¹⁾, and in particular Article 15 thereof,

Whereas, pursuant to Article 15 of that Regulation, the Commission was instructed to adopt detailed rules for its application and, in particular, the provisions regarding payment of the costs of the agents of the producers in question;

Whereas the reasons which led the Council to make such producers a flat-rate compensation offer apply also with regard to reimbursement of the costs which they have incurred in respect of payment of the agents who acted prior to 5 August 1992, in their name and on their behalf, in dealing with the Community institutions;

Whereas, moreover, where the majority of applications are concerned, a single agent has represented tens, or even hundreds, of producers; whereas the payment of fees on a flat-rate basis is therefore considered appropriate;

Whereas, although the Court of Justice has not ordered the payment of costs, the Community voluntarily includes in its compensation offer a flat-rate contribution to the agents' costs; whereas it can therefore only regulate strictly the right to reimbursement and limit such reimbursement to objectively reasonable figures;

Whereas it is considered appropriate to introduce, by way of receipt in full and final settlement, a single document for the whole of the Community, without prejudice to the Commission's right to adjust the wording thereof in respect of a Member State if necessary;

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

Article 1

The costs incurred by a producer in respect of payment of an agent who has acted in his name and on his behalf in dealing with the Community institutions shall be reimbursed on a flat-rate basis at the rate of 0,5 % of the amount of the compensation referred to in Article 11 of Regulation (EEC) No 2187/93, subject to a minimum of ECU 500.

The reimbursement shall be made by the competent authority only on request by the producer and upon presentation of the bill for the agent's fees.

However, the sum paid to the producer may not exceed the amount shown on the bill and each producer may claim only the fees of one agent.

Article 2

The competent authority shall verify that the agent's bill:

- concerns costs relating to services performed prior to 5 August 1992, and
- bears a date prior to the date of application of this Regulation.

If those conditions are not met, the producer's application shall be rejected.

Article 3

For the purposes of this Regulation, a body which renders services solely against payment of dues shall not be considered an agent.

Article 4

The competent authority shall indicate and include the flat-rate sum referred to in Article 1 in the compensation offer made to the producer.

⁽¹⁾ OJ No L 196, 5. 8. 1993, p. 6.

Articles 12 and 13 of Regulation (EEC) No 2187/93 shall also apply to the aforementioned sum.

Article 5

The statement of receipt in full and final settlement referred to in Article 14 of Regulation (EEC) No 2187/93 shall be made on the standard form annexed hereto.

At the request of a Member State, the Commission may decide to alter the standard form in respect of that Member State in order to take account of specific relevant national provisions.

Article 6

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

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

Done at Brussels, 28 September 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Received on 1993

Stamp and signature of the competent authority

Receipt in full and final settlement, as laid down in Article 14 of Regulation (EEC) No 2187/93

I,, the undersigned, hereby declare that the offer of compensation made on in the sum of is accepted in respect of injury incurred as a result of my participation in the non-marketing/conversion scheme introduced by Council Regulation (EEC) No 1078/77 ⁽¹⁾ and I expressly renounce any present or future claim in the matter, on my part or that of any of my assignees or beneficiaries.

Done at, the

.....
Signature

Important : Failure to accept the offer within two months of its receipt shall mean that it shall not be binding in the future on the Community institutions concerned.

⁽¹⁾ OJ No L 131, 26. 5. 1977, p. 1.

COMMISSION REGULATION (EEC) No 2649/93**of 28 September 1993****on the issuing, for the fourth quarter of 1993, of import licences for bananas
originating in the ACP States**

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

Having regard to Council Regulation (EEC) No 404/93 of
13 February 1993 on the common organization of the
market in bananas ⁽¹⁾,

Having regard to Commission Regulation (EEC)
No 1442/93 of 10 June 1993 laying down detailed rules
for the application of the arrangements for importing
bananas into the Community ⁽²⁾, as amended by Regula-
tion (EEC) No 2009/93 ⁽³⁾, and in particular Article 16 (2)
thereof,

Whereas the quantities which are the subject of applica-
tions for licences to import bananas originating in
Cameroon substantially exceed half of the traditional
quantities fixed in the Annex to Regulation (EEC)
No 404/93; whereas it is accordingly necessary to set a
single percentage to reduce the quantities applied for in

accordance with Article 16 (2) of Regulation (EEC)
No 1442/93,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences issued in respect of the fourth quarter of
1993 pursuant to Article 14 of Regulation (EEC)
No 1442/93 for bananas originating in Cameroon shall
cover 78,732 % of the quantity applied for.

Article 2

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

It shall apply with effect from 20 September 1993.

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

Done at Brussels, 28 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.

⁽²⁾ OJ No L 142, 12. 6. 1993, p. 6.

⁽³⁾ OJ No L 182, 24. 7. 1993, p. 46.

COMMISSION REGULATION (EEC) No 2650/93**of 28 September 1993****amending Regulation (EEC) No 1724/92 laying down detailed implementing rules for the specific measures for supplying the Canary Islands with products from the pigmeat sector**

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

Having regard to Council Regulation (EEC) No 1601/93 of 15 June 1992 introducing specific measures for the Canary Islands concerning certain agricultural products ⁽¹⁾, as amended by Commission Regulation (EEC) No 3714/92 ⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Annex II to Commission Regulation (EEC) No 1724/92 of 30 June 1992 laying down detailed implementing rules for the specific measures for supplying the Canary Islands with products from the pigmeat sector ⁽³⁾, as last amended by Regulation (EEC) No 1730/93 ⁽⁴⁾, fixes the amounts of aid granted for the products included in the forecast supply balance and which come from the Community market;

Whereas the amounts of aid for supplying the Canary Islands with pigmeat products, as set out in the aforementioned Annex, are determined on the basis of the criteria

for fixing Community aid in the present market situation of the sector in question and, in particular, in the light of the price of such products on the European territory of the Community and on the world market;

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

HAS ADOPTED THIS REGULATION:

Article 1

Annex II to Regulation (EEC) No 1724/92 is hereby replaced by the Annex hereto.

Article 2

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

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

Done at Brussels, 28 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 378, 23. 12. 1992, p. 23.

⁽³⁾ OJ No L 179, 1. 7. 1992, p. 90.

⁽⁴⁾ OJ No L 160, 1. 7. 1993, p. 8.

ANNEX

ANNEX II

Amounts of aid granted for products referred to in Annex I and coming from the Community market

(ECU/100 kg net weight)

Product code	Amount of aid
0203 11 10 000	25
0203 12 11 100	25
0203 12 19 100	25
0203 19 11 100	25
0203 19 13 100	25
0203 19 15 100	17
0203 19 55 120	15
0203 19 55 190	15
0203 19 55 311	10
0203 19 55 391	10
0203 21 10 000	25
0203 22 11 100	25
0203 22 19 100	25
0203 29 11 100	25
0203 29 13 100	25
0203 29 15 100	17
0203 29 55 120	15
0203 29 55 190	15
0203 29 55 311	10
0203 29 55 391	10
1601 00 10 100	26
1601 00 91 100	44
1601 00 99 100	30
1602 20 90 100	24
1602 41 10 100	24
1602 41 10 210	40
1602 41 10 290	21
1602 42 10 100	24
1602 42 10 210	35
1602 42 10 290	21
1602 49 11 110	24
1602 49 11 190	40
1602 49 13 110	24
1602 49 13 190	35
1602 49 15 110	24
1602 49 15 190	35
1602 49 19 110	16
1602 49 19 190	29
1602 49 30 100	21
1602 49 50 100	13

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

COMMISSION REGULATION (EEC) No 2651/93

of 28 September 1993

fixing the import levies on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as amended by Regulation (EEC) No 2193/93 ⁽²⁾, 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 ⁽³⁾,Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EEC) No 1680/93 ⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 27

September 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 29 September 1993.

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

Done at Brussels, 28 September 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 8.

ANNEX

to the Commission Regulation of 28 September 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

CN code	Third countries ^(*)
0709 90 60	135,68 ⁽²⁾ ⁽³⁾
0712 90 19	135,68 ⁽²⁾ ⁽³⁾
1001 10 00	68,12 ⁽¹⁾ ⁽³⁾
1001 90 91	85,83
1001 90 99	85,83 ⁽²⁾
1002 00 00	112,19 ⁽⁶⁾
1003 00 10	117,69
1003 00 20	117,69
1003 00 80	117,69 ⁽²⁾
1004 00 00	87,19
1005 10 90	135,68 ⁽²⁾ ⁽³⁾
1005 90 00	135,68 ⁽²⁾ ⁽³⁾
1007 00 90	140,72 ⁽⁴⁾
1008 10 00	20,24 ⁽²⁾
1008 20 00	27,60 ⁽⁴⁾
1008 30 00	25,49 ⁽⁵⁾
1008 90 10	⁽⁷⁾
1008 90 90	25,49
1101 00 00	157,68 ⁽²⁾
1102 10 00	194,54
1103 11 30	139,43
1103 11 50	139,43
1103 11 90	180,35
1107 10 11	163,66
1107 10 19	125,03
1107 10 91	220,37
1107 10 99	167,41
1107 20 00	193,30

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

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

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

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

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

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

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

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

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

COMMISSION REGULATION (EEC) No 2652/93**of 28 September 1993****fixing the premiums to be added to the import levies on cereals, flour and malt**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals⁽¹⁾, as amended by Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 12 (4) thereof,

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

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93⁽⁴⁾ and subsequent amending Regulations;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market

rate established during the reference period from 27 September 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 29 September 1993.

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

Done at Brussels, 28 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 28 September 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 9	1st period 10	2nd period 11	3rd period 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 9	1st period 10	2nd period 11	3rd period 12	4th period 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 2653/93
of 28 September 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 ⁽¹⁾, as last amended by Regulation (EEC) No 1548/93 ⁽²⁾, and in particular Article 16 (8) thereof,

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

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EEC) No 1695/93 ⁽⁴⁾, as last amended by Regulation (EEC) No 2597/93 ⁽⁵⁾;

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

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 27 September 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 29 September 1993.

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

Done at Brussels, 28 September 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 10.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 159, 1. 7. 1993, p. 40.

⁽⁵⁾ OJ No L 238, 23. 9. 1993, p. 26.

ANNEX

to the Commission Regulation of 28 September 1993 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	36,34 ⁽¹⁾
1701 11 90	36,34 ⁽¹⁾
1701 12 10	36,34 ⁽¹⁾
1701 12 90	36,34 ⁽¹⁾
1701 91 00	43,28
1701 99 10	43,28
1701 99 90	43,28 ⁽²⁾

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

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

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

COMMISSION REGULATION (EEC) No 2654/93

of 28 September 1993

on additional transitional measures for the importation of bananas into the Community in October 1993 under the Community tariff quota

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 404/93 of 13 February 1993 on the common organization of the market in bananas ⁽¹⁾, and in particular Articles 20 and 30 thereof,Whereas, pursuant to Article 3 (2) of Commission Regulation (EEC) No 1443/93 ⁽²⁾, as last amended by Regulation (EEC) No 2569/93 ⁽³⁾, the competent authorities of the Member States are required to send to the Commission data concerning the reference quantities for the operators concerned, following all the necessary checks;Whereas more time is required in order to study such information and ensure uniform application in the Member States of the criteria set out in Articles 3 and 5 of Commission Regulation (EEC) No 1442/93 ⁽⁴⁾, as amended by Regulation (EEC) No 2009/93 ⁽⁵⁾;

Whereas, meanwhile, transitional measures are necessary in order to facilitate the supply to the Community of products originating in third countries and in order to ensure that the operators concerned receive a provisional quantity of the tariff quota to be used from 1 October 1993;

Whereas the provisional allocation for the month of October 1993 should be determined by applying in respect of the quantitative references determined by the Member States pursuant to Article 3 (2) of Regulation (EEC) No 1443/93 a reduction coefficient, taking account of the volumes imported during the corresponding periods of previous years; whereas such a provisional measure shall not prejudice definitive allocations to be made subsequently in respect of the second half of 1993;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The competent authorities of the Member States shall base their calculation on the reference quantities established in accordance with Article 3 (2) of Regulation (EEC) No 1443/93 in order to determine a proportion of the quota to be allocated provisionally to each Category A and B operator for the month of October 1993.

They shall determine each allocation by applying the following reduction coefficients to the reference quantities:

- for Category A operators: 0,031871,
- for Category B operators: 0,027361.

2. The competent authorities shall inform operators of their allocation established in accordance with paragraph 1 by 4 October 1993 at the latest.

3. Within the limits of this provisional allocation, Category A and B operators shall present their applications for import licences to the competent authorities in the Member State in which they are registered by 8 October 1993 at the latest.

4. The competent authorities shall issue the import licences without delay, within the limits of the quota amount allocated to each operator pursuant to paragraph 1. The licences shall remain valid until 7 January 1994.

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

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

Done at Brussels, 28 September 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 47, 25. 2. 1993, p. 1.⁽²⁾ OJ No L 142, 12. 6. 1993, p. 16.⁽³⁾ OJ No L 235, 18. 9. 1993, p. 29.⁽⁴⁾ OJ No L 142, 12. 6. 1993, p. 6.⁽⁵⁾ OJ No L 182, 24. 7. 1993, p. 46.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 15 September 1993

on a standard contract covering the terms of use of the Community eco-label

(93/517/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 880/92 of 23 March 1992 on a Community eco-label award scheme⁽¹⁾, and in particular Article 12 thereof,

Whereas Article 12 of Regulation (EEC) No 880/92 provides that the competent body shall conclude a contract, covering the terms of use of the label, with each applicant, and further provides that to that end a standard contract shall be adopted;

Whereas it is appropriate, in order not only to avoid distortions of competition but also to ensure that the interests of consumers and users are protected, that the terms of use of the label should be uniform throughout the Community;

Whereas, however, the competent bodies should be able, subject to compatibility with Regulation (EEC) No 880/92, to include additional provisions in the contract;

Whereas it is appropriate that the contract should include provisions for compliance monitoring which should allow the competent body to ensure that the label is used only for products which meet the objectives specified in Article 1 of Regulation (EEC) No 380/92 and the principles specified in Article 4 of the said Regulation and are in accordance with the terms of the contract; whereas it is further appropriate that, in cases of non-compliance with the objectives and principles of the said Regulation

and the terms of the contract, provisions should be made for suspension or withdrawal of the award of the label;

Whereas the measures set out in this Decision are in accordance with the opinion of the Committee set up pursuant to Article 7 of Regulation (EEC) No 880/92,

HAS ADOPTED THIS DECISION:

Article 1

The contract which shall be concluded between the competent body and each applicant in accordance with Article 12 of Regulation (EEC) No 880/92 shall be in the form set out in the Annex to this Decision.

Article 2

Without prejudice to Article 1, the competent body may include in the contract additional provisions provided that such additional provisions are compatible with Regulation (EEC) No 880/92.

In that case, the competent body shall forward the text of the said contract to the Commission for examination as to its compatibility with Regulation (EEC) No 880/92.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 15 September 1993.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 99, 11. 4. 1992, p. 1.

ANNEX

STANDARD CONTRACT COVERING THE TERMS OF USE OF THE COMMUNITY
ECO-LABEL

PREAMBLE

The Competent Body (full title) hereafter called 'the Competent Body', registered at (full address), which for the purposes of the signature of this contract is represented by (name of person responsible),

and

..... (full name of Holder), in his capacity as manufacturer or importer, whose official registered address in the European Community is (full address), hereafter called 'the Holder', represented by (name of person responsible),

have agreed the following with regard to the use of the Community eco-label:

Article 1

RIGHTS AND OBLIGATIONS

- 1.1. The Competent Body grants the Holder the right to use the eco-label for his product registration number(s) and/or as described in the annexed product specifications, produced or imported at (premises), which conforms to the relevant product group criteria in force for the period, adopted by the Commission of the European Communities on (date), published in the *Official Journal of the European Communities* of (full reference), and annexed to this contract.
- 1.2. The eco-label shall be used only in the form and colour laid down in the eco-label specifications provided by the Competent Body and annexed to this contract and shall be clearly visible. The right to use the eco-label does not extend to the use of the eco-label as a component of the trademark.
- 1.3. The Holder shall ensure that the product to be labelled complies throughout the duration of this contract with all the terms of use and provisions set out in this contract and the product group criteria and eco-label specifications referred to in the Annexes to this contract which are applicable at the time in question.

Article 2

ADVERTISING

- 2.1. The Holder shall refer to the award of the eco-label only in relation to the product referred to in Article 1.1. of this contract.
- 2.2. The Holder shall not advertise or make any statement or use any label or logo in a way which is false or misleading or which results in confusion or calls into question the integrity of the eco-label.
- 2.3. The Holder shall be responsible under this contract for the manner in which the eco-label is used in relation to his product, especially in the context of advertising.

Article 3

COMPLIANCE MONITORING

- 3.1. The Competent Body, including its agents authorized for such purpose by the Competent Body, may undertake all or any necessary investigations to monitor the on-going compliance by the Holder with both the product group criteria and the terms of use and provisions of this contract. To this end, the Competent Body may request, and the Holder shall provide, any relevant documentation to prove such compliance.
- 3.2. Further, the Competent Body, including its agents authorized for such purpose by the Competent Body, may, at any reasonable time and without notice, request, and the Holder shall grant, access to the premises as stated in Article 1.1. or any part thereof, for the purposes mentioned in paragraph 1 of the present Article.
- 3.3. The Holder shall be liable for the reasonable costs incurred by the Competent Body under this Article.

Article 4

CONFIDENTIALITY

- 4.1. Except as required by Council Regulation (EEC) No 880/92, and in particular Articles 10 and 13 thereof, the Competent Body and any of its authorized agents may not disclose, or use for any purpose unconnected with this contract, information to which they have gained access in the course of assessing a product with a view to the award of the eco-label or in the course of monitoring compliance pursuant to Article 3 hereof.
- 4.2. The Competent Body shall take all reasonable steps to secure the protection of the documents confided to it against falsification and misappropriation.
- 4.3. Furthermore, the Competent Body shall take all reasonable steps to secure the protection of the documents entrusted to it from destruction, for a period of at least three years from the date of termination of this contract. At the end of this period the Competent Body may destroy the documentation.

Article 5

SUSPENSION AND WITHDRAWAL

- 5.1. In a case where the Holder becomes aware that he fails to meet the terms of use or provisions contained in Articles 1, 2 and 3, the Holder shall notify the Competent Body and refrain from using the eco-label until those terms for use or provisions have been fulfilled and the Competent Body notified thereof.
- 5.2. Where the Competent Body considers that the Holder has contravened any of the terms of use or provisions of this contract, the Competent Body shall be entitled to suspend or withdraw its authorization to the Holder to use the eco-label, and to take such measures as are necessary to prevent the Holder from using it further, including such measures as are provided for in Article 9.

Article 6

LIMITATION OF LIABILITY AND INDEMNITY

- 6.1. The Holder shall not include the eco-label as part of any guarantee or warranty in relation to the product referred to in Article 1.1 of this contract.
- 6.2. The Competent Body, including its authorized agents, shall not be liable for any loss or damage sustained by the Holder arising out of the award and/or use of the eco-label.
- 6.3. The Competent Body, including its authorized agents, shall not be liable for any loss or damage sustained by a third party and arising out of the award and/or use, including advertising, of the eco-label.
- 6.4. The Holder shall indemnify and keep indemnified the Competent Body and its authorized agents against any loss, damage or liability sustained by the Competent Body, or its authorized agents, as a result of a breach of this contract by the Holder or as a result of reliance by the Competent Body on information or documentation provided by the Holder, including any claims by a third party.

Article 7

FEES

- 7.1. The Holder undertakes to pay to the Competent Body a fee, or fees, for use of the eco-label on the product referred to in Article 1.1, for the period of use as laid down in this contract, in accordance with the rules on fees in force at the time of the signature of the contract, made available by the Competent Body on (date and full reference), and as annexed to this contract. In the event of suspension or early termination by either the Competent Body or the Holder, the Holder shall not be entitled to repayment (of the fee(s)), either in whole or in part.
- 7.2. Use of the eco-label is conditional upon all relevant fees having been paid in due time.

Article 8

COMPLAINTS

- 8.1. The Competent Body may inform the Holder of any complaints made concerning the product bearing the eco-label, and may request the Holder to reply to those complaints. The Competent Body may withhold the identity of the complainant from the Holder.
- 8.2. Any reply made by the Holder in accordance with a request under Article 8.1 shall be without prejudice to the rights and/or obligations of the Competent Body under Articles 3 and 5 of this contract.

Article 9

CONTRACT DURATION AND APPLICABLE LAW

- 9.1. Except as provided for in Article 9.2, 9.3 and 9.4 hereof, this contract shall run from the date on which it is signed by the Holder and the Competent Body, for a period of (.....), save that, if the period specified in Article 1.1 is shorter than such period, that shorter period shall apply.

- 9.2. The Competent Body shall, by a registered letter to the Holder, terminate this contract at an earlier date than that specified in Article 9.1 where the Commission of the European Communities amends or withdraws the product group criteria referred to in Article 1.1 of this contract.
- 9.3. Where the Holder has contravened any of the terms of use or provisions of this contract within the meaning of Article 5.2, the Competent Body shall be entitled to treat this as a breach of contract entitling the Competent Body, in addition to the provisions in Article 5.2, to terminate the contract, by registered letter to the Holder, at an earlier date than given in Article 9.1, within (a time period to be determined by the Competent Body).
- 9.4. The Holder may terminate the contract by giving the Competent Body one month's notice by registered letter.
- 9.5. If the product group criteria as stated in Article 1.1 are extended without amendments for any period, and if no written notice of termination from the Competent Body has been given at least two months before the expiry of the product group criteria and of this contract, the Competent Body shall inform the Holder at least two months in advance that the contract shall be automatically renewed for as long as the product group criteria remain in force.
- 9.6. After the termination of this contract the Holder may not use the eco-label in relation to the product specified in Article 1.1 of this contract, either as labelling or for advertising purposes, except that the display of the eco-label on exemplars of the product no longer held by the Holder in stock and placed on the market before the date of termination of this contract may remain on the market for a maximum period of six months after the termination date.
- 9.7. Any dispute between the Competent Body and the Holder or any claim by one party against the other based on this contract which has not been settled by amicable agreement between the Contracting Parties, shall be subject to the applicable law of the Member State/region of the Competent Body and to the jurisdiction of the courts of the Member State/region of the Competent Body.

The following Annexes shall form part of this contract :

- copy of Council Regulation (EEC) No 880/92 of 23 March 1992 on a Community eco-label award scheme, in (the relevant Community language(s)),
- product specifications,
- a copy of Commission Decision (on product group criteria),
- eco-label specifications,
- a copy of Commission Decision 93/326/EEC of 13 May 1993 establishing indicative guidelines for the fixing of costs and fees in connection with the Community eco-label, in (the relevant Community language(s)).

Done at and date

Done at and date

Competent Body

Holder

Designated person

Designated person

Legally binding signature

Legally binding signature

Competent
Body
seal

Company
seal

COMMISSION DECISION

of 20 September 1993

on import licences in respect of beef and veal products originating in Botswana,
Kenya, Madagascar, Swaziland, Zimbabwe and Namibia

(93/518/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European
Economic Community,

Having regard to Council Regulation (EEC) No 715/90 of
5 March 1990 on the arrangements applicable to agricul-
tural products and certain goods resulting from the
processing of agricultural products originating in the
African, Caribbean and Pacific States or in the overseas
countries and territories ⁽¹⁾, as last amended by Regulation
(EEC) No 444/92 ⁽²⁾, and in particular Article 27 thereof,

Having regard to Commission Regulation (EEC) No
2377/80 of 4 September 1980 on special detailed rules for
the application of the system of import and export
licences in the beef and veal sector ⁽³⁾, as last amended by
Regulation (EEC) No 3662/92 ⁽⁴⁾, and in particular
Article 15 (6) (b) (i) thereof,

Whereas Regulation (EEC) No 715/90 provides for the
possibility of issuing import licences for beef and veal
products; whereas, however, imports must take place
within the limits of the quantities specified for each of
these exporting non-member countries;

Whereas the applications for import licences submitted
between 1 and 10 September 1993, expressed in terms of
boned meat, in accordance with Article 15 (1) (b) of Regu-
lation (EEC) No 2377/80, do not exceed, in respect of
products originating in Botswana, Kenya, Madagascar,
Swaziland, Zimbabwe and Namibia, the quantities
available from these States; whereas it is therefore
possible to issue import licences in respect of the quanti-
ties requested;

Whereas the remaining quantities, in respect of which
licences may be applied for from 1 October 1993, should
be fixed within the scope of the total quantity of 52 100
tonnes;

Whereas it seems expedient to recall that this Decision is
without prejudice to Council Directive 72/462/EEC of
12 December 1972 on health and veterinary inspection
problems upon importation of bovine animals and swine

and fresh meat from third countries ⁽⁵⁾, as last amended by
Council Regulation (EEC) No 1601/92 ⁽⁶⁾,

HAS ADOPTED THIS DECISION:

Article 1

The following Member States shall issue on 21 September
1993 import licences concerning beef and veal products,
expressed in terms of boned meat, originating in certain
African, Caribbean and Pacific States, in respect of the
quantities and the countries of origin stated:

Federal Republic of Germany:

- 330,00 tonnes originating in Botswana,
- 60,00 tonnes originating in Madagascar,
- 295,00 tonnes originating in Zimbabwe,
- 160,00 tonnes originating in Namibia;

Spain:

- 1,00 tonne originating in Madagascar;

Kingdom of the Netherlands:

- 160,00 tonnes originating in Botswana,
- 150,00 tonnes originating in Madagascar,
- 380,00 tonnes originating in Namibia;

United Kingdom:

- 450,00 tonnes originating in Botswana,
- 58,00 tonnes originating in Swaziland,
- 1 036,00 tonnes originating in Zimbabwe,
- 500,00 tonnes originating in Namibia.

Article 2

Applications for licences may be submitted, in accordance
with Article 15 (6) (b) (ii) of Regulation (EEC) No 2377/80
during the first 10 days of October 1993 in respect of the
following quantities of boned beef and veal:

— Botswana :	5 601,00 tonnes,
— Kenya :	142,00 tonnes,
— Madagascar :	6 200,70 tonnes,
— Swaziland :	2 810,00 tonnes,
— Zimbabwe :	0,90 tonnes,
— Namibia :	5 904,50 tonnes.

⁽¹⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽²⁾ OJ No L 52, 27. 2. 1992, p. 7.

⁽³⁾ OJ No L 241, 13. 9. 1980, p. 5.

⁽⁴⁾ OJ No L 370, 19. 12. 1992, p. 43.

⁽⁵⁾ OJ No L 302, 31. 12. 1972, p. 28.

⁽⁶⁾ OJ No L 173, 27. 6. 1992, p. 13.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 20 September 1993.

For the Commission

René STEICHEN

Member of the Commission
