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Contents

I *Acts whose publication is obligatory*

Commission Regulation (EC) No 3449/93 of 16 December 1993 fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products	1
* Commission Regulation (EC) No 3450/93 of 16 December 1993 amending Regulations (EEC) No 1767/82, (EEC) No 2248/85, (EEC) No 584/92, (EEC) No 2164/92 and (EEC) No 2219/92 as regards the combined nomenclature codes for certain cheeses	4
* Commission Regulation (EC) No 3451/93 of 16 December 1993 amending Regulation (EEC) No 1596/79 on preventive withdrawals of apples and pears	9
* Commission Regulation (EC) No 3452/93 of 16 December 1993 fixing the intervention thresholds for oranges, mandarins, satsumas and clementines for the 1993/94 marketing year	10
* Commission Regulation (EC) No 3453/93 of 16 December 1993 amending Regulation (EEC) No 1707/90 laying down detailed rules for the application of Council Regulation (EEC) No 1796/81 on imports of preserved cultivated mushrooms from third countries	11
Commission Regulation (EC) No 3454/93 of 16 December 1993 fixing the import levies on rice and broken rice	12
Commission Regulation (EC) No 3455/93 of 16 December 1993 fixing the premiums to be added to the import levies on rice and broken rice	14
Commission Regulation (EC) No 3456/93 of 16 December 1993 fixing the difference in white sugar prices to be used in calculating the levy for processed fruit and vegetable products and for wine	16
Commission Regulation (EC) No 3457/93 of 16 December 1993 fixing the export refunds on milk and milk products	17

Commission Regulation (EC) No 3458/93 of 16 December 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal	28
Commission Regulation (EC) No 3459/93 of 16 December 1993 fixing the premiums to be added to the import levies on cereals, flour and malt	30
Commission Regulation (EC) No 3460/93 of 16 December 1993 prolonging the first suspension of the advance fixing of the export refunds on wheat or meslin flour	32
Commission Regulation (EC) No 3461/93 of 16 December 1993 suspending advance fixing of the import levy for certain cereals	33
Commission Regulation (EC) No 3462/93 of 16 December 1993 suspending advance fixing of the import levy for rice	34
Commission Regulation (EC) No 3463/93 of 16 December 1993 fixing the export refunds on cereals and on wheat or rye flour, groats and meal	35

II *Acts whose publication is not obligatory*

Commission

93/675/EC :

- * **Commission Decision of 10 December 1993 approving an amendment of the varietal conversion programme for hops submitted by the Federal Republic of Germany under Council Regulation (EEC) No 2997/87** 38

93/676/EC :

- * **Commission Decision of 10 December 1993 establishing that the exploitation of geographical areas for the purpose of exploring for or extracting oil or gas does not constitute in the Netherlands an activity defined in Article 2 (2) (b) (i) of Council Directive 90/531/EEC and that entities carrying on such an activity are not to be considered in the Netherlands as operating under special or exclusive rights within the meaning of Article 2 (3) (b) of the Directive** 41

93/677/EC :

- * **Commission Decision of 13 December 1993 amending Commission Decision 92/452/EEC establishing lists of embryo collection teams approved in third countries for export of bovine embryos to the Community** 44

Joint actions adopted by the Council of the European Union

93/678/CFSP :

- * **Council Decision of 6 December 1993 on a joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union concerning support for the transition towards a democratic and multi-racial South Africa** 45

Corrigenda

- * **Corrigendum to 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 (OJ No L 243 of 29.9.1993)** 48

I

*(Acts whose publication is obligatory)***COMMISSION REGULATION (EC) No 3449/93****of 16 December 1993****fixing the minimum levies on the importation of olive oil and levies on the importation of other olive oil sector products**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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⁽¹⁾, as last amended by Regulation (EC) No 3179/93⁽²⁾, and in particular Article 16 (2) thereof,

Having regard to Council Regulation (EEC) No 1514/76 of 24 June 1976 on imports of olive oil originating in Algeria⁽³⁾, as last amended by Regulation (EEC) No 1900/92⁽⁴⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1521/76 of 24 June 1976 on imports of olive oil originating in Morocco⁽⁵⁾, as last amended by Regulation (EEC) No 1901/92⁽⁶⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1508/76 of 24 June 1976 on imports of olive oil originating in Tunisia⁽⁷⁾, as last amended by Regulation (EEC) No 413/86⁽⁸⁾, and in particular Article 5 thereof,

Having regard to Council Regulation (EEC) No 1180/77 of 17 May 1977 on imports into the Community of certain agricultural products originating in Turkey⁽⁹⁾, as last amended by Regulation (EEC) No 1902/92⁽¹⁰⁾, and in particular Article 10 (2) thereof,

Having regard to Council Regulation (EEC) No 1620/77 of 18 July 1977 laying down detailed rules for the importation of olive oil from Lebanon⁽¹¹⁾,

Whereas by Regulation (EEC) No 3131/78⁽¹²⁾, as amended by the Act of Accession of Greece, the Commission decided to use the tendering procedure to fix levies on olive oil;

Whereas Article 3 of Council Regulation (EEC) No 2751/78 of 23 November 1978 laying down general rules for fixing the import levy on olive oil by tender⁽¹³⁾ specifies that the minimum levy rate shall be fixed for each of the products concerned on the basis of the situation on the world market and the Community market and of the levy rates indicated by tenderers;

Whereas, in the collection of the levy, account should be taken of the provisions in the Agreements between the Community and certain third countries; whereas in particular the levy applicable for those countries must be fixed, taking as a basis for calculation the levy to be collected on imports from the other third countries;

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⁽¹⁴⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas application of the rules recalled above to the levy rates indicated by tenderers on 13 and 14 December 1993 leads to the minimum levies being fixed as indicated in Annex I to this Regulation;

Whereas the import levy on olives falling within CN codes 0709 90 39 and 0711 20 90 and on products falling within CN codes 1522 00 31, 1522 00 39 and 2306 90 19 must be calculated from the minimum levy applicable on the olive oil contained in these products; whereas, however, the levy charged for olive oil may not be less than an amount equal to 8 % of the value of the

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

⁽²⁾ OJ No L 285, 20. 11. 1993, p. 9.

⁽³⁾ OJ No L 169, 28. 6. 1976, p. 24.

⁽⁴⁾ OJ No L 192, 11. 7. 1992, p. 1.

⁽⁵⁾ OJ No L 169, 28. 6. 1976, p. 43.

⁽⁶⁾ OJ No L 192, 11. 7. 1992, p. 2.

⁽⁷⁾ OJ No L 169, 28. 6. 1976, p. 9.

⁽⁸⁾ OJ No L 48, 26. 2. 1986, p. 1.

⁽⁹⁾ OJ No L 142, 9. 6. 1977, p. 10.

⁽¹⁰⁾ OJ No L 192, 11. 7. 1992, p. 3.

⁽¹¹⁾ OJ No L 181, 21. 7. 1977, p. 4.

⁽¹²⁾ OJ No L 370, 30. 12. 1978, p. 60.

⁽¹³⁾ OJ No L 331, 28. 11. 1978, p. 6.

⁽¹⁴⁾ OJ No L 263, 19. 9. 1991, p. 1.

imported product, such amount to be fixed at a standard rate; whereas application of these provisions leads to the levies being fixed as indicated in Annex II to this Regulation,

Article 2

The levies applicable on imports of other olive oil sector products are fixed in Annex II.

HAS ADOPTED THIS REGULATION:

Article 1

The minimum levies on olive oil imports are fixed in Annex I.

Article 3

This Regulation shall enter into force on 17 December 1993.

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

Minimum import levies on olive oil⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
1509 10 10	79,00 ⁽²⁾
1509 10 90	79,00 ⁽²⁾
1509 90 00	92,00 ⁽²⁾
1510 00 10	77,00 ⁽²⁾
1510 00 90	122,00 ⁽⁴⁾

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

⁽²⁾ For imports of oil falling within this CN code and produced entirely in one of the countries listed below and transported directly from any of those countries to the Community, the levy to be collected is reduced by :

(a) Lebanon : ECU 0,60 per 100 kg ;

(b) Tunisia : ECU 12,69 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(c) Turkey : ECU 22,36 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force ;

(d) Algeria and Morocco : ECU 24,78 per 100 kg provided that the operator furnishes proof of having paid the export tax applied by that country ; however, the repayment may not exceed the amount of the tax in force.

⁽³⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 3,86 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 3,09 per 100 kg.

⁽⁴⁾ For imports of oil falling within this CN code :

(a) produced entirely in Algeria, Morocco or Tunisia and transported directly from any of those countries to the Community, the levy to be collected is reduced by ECU 7,25 per 100 kg ;

(b) produced entirely in Turkey and transported directly from that country to the Community, the levy to be collected is reduced by ECU 5,80 per 100 kg.

ANNEX II

Import levies on other olive oil sector products⁽¹⁾

(ECU/100 kg)

CN code	Non-member countries
0709 90 39	17,38
0711 20 90	17,38
1522 00 31	39,50
1522 00 39	63,20
2306 90 19	6,16

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

COMMISSION REGULATION (EC) No 3450/93

of 16 December 1993

amending Regulations (EEC) No 1767/82, (EEC) No 2248/85, (EEC) No 584/92, (EEC) No 2164/92 and (EEC) No 2219/92 as regards the combined nomenclature codes for certain cheeses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 17 ⁽⁴⁾ thereof,

Whereas Commission Regulation (EEC) No 2551/93 of 10 August 1993 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff ⁽³⁾, provides as from 1 January 1994 for the amendment of certain subheadings of CN code 0406 relating to cheeses;

Whereas from 1 January 1994 the following Regulations affected by the amendments of CN code 0406 subheadings should therefore be amended:

- Commission Regulation (EEC) No 1767/82 of 1 July 1982 laying down detailed rules for applying specific import levies on certain milk products ⁽⁴⁾, as last amended by Regulation (EEC) No 2743/93 ⁽⁵⁾,
- Commission Regulation (EEC) No 2248/85 of 25 July 1985 on detailed rules for administrative assistance with the exportation of certain cheeses subject to quota restrictions that qualify for special treatment on importation into the United States of America ⁽⁶⁾, as last amended by Regulation (EEC) No 222/88 ⁽⁷⁾,
- Commission Regulation (EEC) No 584/92 of 6 March 1992 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Interim Agreements between the Community and the Republic of Poland, the Republic of Hungary and the Czech and Slovak Federal Republic ⁽⁸⁾, as amended by Regulation (EEC) No 2658/93 ⁽⁹⁾,
- Commission Regulation (EEC) No 2164/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for the Canary

Islands relating to milk products and establishing the forecast supply balance ⁽¹⁰⁾, as last amended by Regulation (EEC) No 1828/93 ⁽¹¹⁾,

- Commission Regulation (EEC) No 2219/92 of 30 July 1992 laying down detailed rules for the application of the specific supply arrangements for Madeira relating to milk products and establishing the forecast supply balance ⁽¹²⁾, as last amended by Regulation (EEC) No 1732/93 ⁽¹³⁾;

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

HAS ADOPTED THIS REGULATION:

Article 1

In items (s), (u) and (v) of Annex I to Regulation (EEC) No 1767/82, CN code 0406 90 89 is replaced by CN codes 0406 90 86, 0406 90 87 and 0406 90 88.

Article 2

In Annex I to Regulation (EEC) No 2248/85, CN codes ex 0406 90 89 Maasdam, ex 0406 90 77 Samsø and ex 0406 90 89 Svenbo are replaced by CN codes ex 0406 90 87 Maasdam, ex 0406 90 76 Samsø and ex 0406 90 87 Svenbo respectively.

Article 3

In Annex I (c), to Regulation (EEC) No 584/92, CN code 0406 90 89 is replaced by CN codes 0406 90 86, 0406 90 87 and 0406 90 88.

Article 4

Regulation (EEC) No 2164/92 is hereby amended as follows:

1. In Annex I, CN code 0406 90 77 is replaced by CN codes 0406 90 76 and 0406 90 78, and CN code 0406 90 89 is replaced by CN codes 0406 90 86, 0406 90 87 and 0406 90 88.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 241, 27. 9. 1993, p. 1.

⁽⁴⁾ OJ No L 196, 5. 7. 1982, p. 1.

⁽⁵⁾ OJ No L 248, 6. 10. 1993, p. 7.

⁽⁶⁾ OJ No L 210, 7. 8. 1985, p. 9.

⁽⁷⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁸⁾ OJ No L 62, 7. 3. 1992, p. 34.

⁽⁹⁾ OJ No L 244, 30. 9. 1993, p. 8.

⁽¹⁰⁾ OJ No L 217, 31. 7. 1992, p. 17.

⁽¹¹⁾ OJ No L 167, 9. 7. 1993, p. 13.

⁽¹²⁾ OJ No L 218, 1. 8. 1992, p. 75.

⁽¹³⁾ OJ No L 160, 1. 7. 1993, p. 15.

2. In Annex II, the data regarding CN code 0406 90 77 are replaced by the data regarding CN codes 0406 90 76 and 0406 90 78 contained in Annex I to this Regulation, and the data regarding CN code 0406 90 89 are replaced by the data regarding CN code 0406 90 86, 0406 90 87 and 0406 90 88 contained in Annex I to this Regulation.

Article 5

In Annex II to Regulation (EEC) No 2219/92, the data regarding CN code 0406 90 77 are replaced by the data

regarding CN codes 0406 90 76 and 0406 90 78 contained in Annex II to this Regulation, and the data regarding CN code 0406 90 89 are replaced by the data regarding CN codes 0406 90 86, 0406 90 87 and 0406 90 88 contained in Annex II to this Regulation.

Article 6

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 76	----- Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø :			
	- Of a fat content, by weight, in the dry matter of less than 39 %	0406 90 76 100	(⁹)	99,99
	- Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 %	0406 90 76 300	(⁹)	122,15
	- Of a fat content, by weight, in the dry matter of 55 % or more	0406 90 76 500	(⁹)	122,15
0406 90 78	----- Gouda :			
	- Of a fat content, by weight, in the dry matter of less than 39 %	0406 90 78 100	(⁹)	99,99
	- Of a fat content, by weight, in the dry matter of 39 % or more but less than 55 %	0406 90 78 300	(⁹)	122,15
	- Of a fat content, by weight, in the dry matter of 55 % or more	0406 90 78 500	(⁹)	122,15
	----- Other cheeses, of a water content, calculated by weight, of the non-fatty matter			
0406 90 86	----- Exceeding 47 % but not exceeding 52 % :			
	- Cheeses produced from whey	0406 90 86 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 %	0406 90 86 200	(⁹)	80,77
	- Of 5 % or more but less than 19 %	0406 90 86 300	(⁹)	88,56
	- Of 19 % or more but less than 39 %	0406 90 86 400	(⁹)	99,99
	- Of more than 39 %	0406 90 86 900	(⁹)	117,33
0406 90 87	----- Exceeding 52 % but not exceeding 62 % :			
	- Cheeses produced from whey	0406 90 87 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 %	0406 90 87 200	(⁹)	80,77
	- Of 5 % or more but less than 19 %	0406 90 87 300	(⁹)	88,56
	- Of 19 % or more but less than 39 %	0406 90 87 400	(⁹)	99,99
	- Of more than 39 % :			
	- Idiazabal, Manchego and Roncal, manufactured exclusively from sheep's milk	0406 90 87 951	(⁹)	136,28
	- Maasdam	0406 90 87 971	(⁹)	122,15
	- Manouri, of a fat content, by weight, of 30 % or more	0406 90 87 972	(⁹)	43,29
	- Other	0406 90 87 979	(⁹)	122,15

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 88	----- Exceeding 62 % but not exceeding 72 % :			
	- Cheeses produced from whey	0406 90 88 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 200	(¹)	80,77
	- Of 5 % or more but less than 19 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 300	(¹)	88,56
	- Other	0406 90 88 900		—

ANNEX II

(in ECU/100 kg weight, if no other indication)

CN code	Description of goods	Product code	Notes	Amount of aid
(1)	(2)	(3)	(4)	(5)
0406 90 76	----- Danbo, Fontal, Fontina, Fynbo, Havarti, Maribo, Samsø			99,99
0406 90 78	----- Gouda			99,99
	----- Other cheeses, of a water content, calculated by weight, of the non-fatty matter			
0406 90 86	----- Exceeding 47 % but not exceeding 52 % :			
	- Cheeses produced from whey	0406 90 86 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 %	0406 90 86 200	(³)	80,77
	- Of 5 % or more but less than 19 %	0406 90 86 300	(³)	88,56
	- Of 19 % or more but less than 39 %	0406 90 86 400	(³)	99,99
	- Of more than 39 %	0406 90 86 900	(³)	117,33
0406 90 87	----- Exceeding 52 % but not exceeding 62 % :			
	- Cheeses produced from whey	0406 90 87 100		—
	- Other :			
	- Of a fat content, by weight, in the dry matter :			
	- Of less than 5 %	0406 90 87 200	(³)	80,77
	- Of 5 % or more but less than 19 %	0406 90 87 300	(³)	88,56
	- Of 19 % or more but less than 39 %	0406 90 87 400	(³)	99,99
	- Of more than 39 % :			
	- Idiazabal, Manchego and Roncal, manufactured exclusively from sheep's milk	0406 90 87 951	(³)	136,28
	- Maasdam	0406 90 87 971	(³)	122,15
	- Manouri, of a fat content, by weight, of 30 % or more	0406 90 87 972	(³)	43,29
	- Other	0406 90 87 979	(³)	122,15
0406 90 88	----- Exceeding 62 % but not exceeding 72 % :			
	- Cheeses produced from whey	0406 90 88 100		—
	- Other :			
	- Of a fat content, by weight in the dry matter :			
	- Of less than 5 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 200	(³)	80,77
	- Of 5 % or more but less than 19 % and of a dry matter content, by weight, of 32 % or more	0406 90 88 300	(³)	88,56
	- Other	0406 90 88 900		—

COMMISSION REGULATION (EC) No 3451/93
of 16 December 1993
amending Regulation (EEC) No 1596/79 on preventive withdrawals of apples and pears

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 638/93 ⁽²⁾, and in particular Article 15a (2) thereof,

Whereas Commission Regulation (EEC) No 1596/79 ⁽³⁾, as last amended by Regulation (EEC) No 2647/92 ⁽⁴⁾, contains an exhaustive list of the varieties of apples and pears which may be the subject of preventive withdrawals; whereas, to facilitate implementation of such preventive withdrawals, this list should be established only when each preventive withdrawal is undertaken;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 4 of Regulation (EEC) No 1596/79 is replaced by the following:

Article 4

Preventive withdrawals may be undertaken only in respect of class II products and fruit of varieties listed in accordance with the procedure provided for in Article 33 of Regulation (EEC) No 1035/72.

Article 2

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

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 189, 27. 7. 1979, p. 47.

⁽⁴⁾ OJ No L 266, 12. 9. 1992, p. 12.

COMMISSION REGULATION (EC) No 3452/93
of 16 December 1993

fixing the intervention thresholds for oranges, mandarins, satsumas and clementines for the 1993/94 marketing year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽¹⁾, as last amended by Regulation (EEC) No 638/93⁽²⁾, and in particular Articles 16a (5) and Article 16b (4) thereof,

Having regard to Council Regulation (EEC) No 2240/88 of 19 July 1988 fixing, for peaches, lemons and oranges, the rules for applying Article 16b of Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables⁽³⁾, as last amended by Regulation (EEC) No 1623/91⁽⁴⁾, and in particular Article 1 (3) thereof,

Whereas, pursuant to Article 1 (1) of Regulation (EEC) No 2240/88, the intervention threshold for oranges is to be equal, as from the 1991/92 marketing year, to 10 % of the average production intended to be consumed fresh in the last five marketing years for which data are available ; whereas, however, pursuant to Article 9 of Council Regulation (EC) No 3119/93 of 8 November 1993 laying down special measures to encourage the processing of certain citrus fruits⁽⁵⁾, the threshold for oranges thus calculated must be increased by a quantity equal to the average quantity of oranges in respect of which financial compensation was paid during the 1984/85 to 1988/89 marketing years inclusive ;

Whereas, pursuant to Article 16a (2) of Regulation (EEC) No 1035/72, the intervention thresholds for mandarins, satsumas and clementines are to be equal, as from the 1991/92 marketing year, to 10 % of the average production intended to be consumed fresh in the last five

marketing years for which data are available ; whereas, however, pursuant to Article 9 of the abovementioned Regulation (EC) No 3119/93, the quantities of mandarins and clementines delivered for processing under that Regulation are to be treated as production intended to be consumed fresh for the purposes of fixing the intervention thresholds for those products ; whereas the threshold for satsumas thus calculated must be increased by a quantity equal to the average quantity of satsumas in respect of which financial compensation was paid during the 1989/90 to 1991/92 marketing years inclusive ;

Whereas the intervention thresholds for the products in question should be fixed for the 1993/94 marketing year in accordance with the abovementioned provisions ;

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

HAS ADOPTED THIS REGULATION :

Article 1

The intervention thresholds for oranges, mandarins, satsumas and clementines for the 1993/94 marketing year shall be as follows :

— oranges :	1 190 000 tonnes
— mandarins :	34 400 tonnes
— satsumas :	178 000 tonnes
— clementines :	122 900 tonnes.

Article 2

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

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 69, 20. 3. 1993, p. 7.

⁽³⁾ OJ No L 198, 26. 7. 1988, p. 9.

⁽⁴⁾ OJ No L 150, 15. 6. 1991, p. 8.

⁽⁵⁾ OJ No L 279, 12. 11. 1993, p. 17.

COMMISSION REGULATION (EC) No 3453/93
of 16 December 1993

amending Regulation (EEC) No 1707/90 laying down detailed rules for the application of Council Regulation (EEC) No 1796/81 on imports of preserved cultivated mushrooms from third countries

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

Having regard to Council Regulation (EEC) No 1796/81 of 30 June 1981 relating to the measures applicable to imports of mushrooms of the species *Agaricus* spp. falling within CN codes ex 0711 90 40, 2003 10 20 and 2003 10 30⁽¹⁾, as amended by Regulation (EEC) No 1122/92⁽²⁾, and in particular Article 6 thereof,

Whereas Article 5 (4) of Commission Regulation (EEC) No 1707/90⁽³⁾, as last amended by Regulation (EEC) No 3516/92⁽⁴⁾, lays down the arrangements for allocating the total quantity referred to in Article 3 of Regulation (EEC) No 1796/81 between the traditional importers and new importers; whereas to ensure a just distribution of the quantities allocated, the allocation must not be made on a global basis but rather for each of the two groups of countries, Poland on the one hand, the other supplier countries on the other hand; whereas provision should be made for the quantities still available on 15 October in a given year to be allocated without discrimination between the two groups of suppliers so as to facilitate optimum use of the said quantities; whereas Regulation (EEC) No 1707/90 should accordingly be amended from the beginning of the 1994 marketing year;

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

Committee for Products Processed from Fruit and Vegetables,

HAS ADOPTED THIS REGULATION:

Article 1

Article 5 (4) of Regulation (EEC) No 1707/90 is hereby replaced by the following:

'4. Both quantities, that allocated to Poland pursuant to Article 3 (2) of Regulation (EEC) No 1796/81, on the one hand, and that allocated to the other countries pursuant to Article 3 (3) of the same Regulation on the other hand, shall be distributed as follows:

- (a) 80 % to those suppliers who obtained import licences in the three previous calendar years;
- (b) 20 % to the other suppliers.

However, the amount still available on 15 October shall be allocated without discrimination between the two groups of suppliers.'

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 183, 4. 7. 1981, p. 1.

⁽²⁾ OJ No L 117, 1. 5. 1992, p. 98.

⁽³⁾ OJ No L 158, 23. 6. 1990, p. 34.

⁽⁴⁾ OJ No L 355, 5. 12. 1992, p. 18.

COMMISSION REGULATION (EC) No 3454/93
of 16 December 1993
fixing the import levies on rice and broken rice

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

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

Having regard to Commission Regulation (EEC) No 833/87 of 23 March 1987 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety falling within CN codes 1006 10, 1006 20 and 1006 30 ⁽³⁾, as last amended by Regulation (EEC) No 674/91 ⁽⁴⁾, and in particular Article 8 thereof,

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2666/93 ⁽⁵⁾, as last amended by Regulation (EC) No 3399/93 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 December 1993.

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 245, 1. 10. 1993, p. 4.

⁽⁶⁾ OJ No L 306, 11. 12. 1993, p. 46.

ANNEX

to the Commission Regulation of 16 December 1993 fixing the import levies on rice and broken rice

(ECU / tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (¹) (²) (³) (⁴)	Third countries (except ACP) (⁵)
1006 10 21	—	140,83	288,86
1006 10 23	—	126,26	259,73
1006 10 25	—	126,26	259,73
1006 10 27	194,80	126,26	259,73
1006 10 92	—	140,83	288,86
1006 10 94	—	126,26	259,73
1006 10 96	—	126,26	259,73
1006 10 98	194,80	126,26	259,73
1006 20 11	—	176,93	361,07
1006 20 13	—	158,73	324,66
1006 20 15	—	158,73	324,66
1006 20 17	243,50	158,73	324,66
1006 20 92	—	176,93	361,07
1006 20 94	—	158,73	324,66
1006 20 96	—	158,73	324,66
1006 20 98	243,50	158,73	324,66
1006 30 21	—	219,81	463,48
1006 30 23	—	246,64	517,05
1006 30 25	—	246,64	517,05
1006 30 27	387,79	246,64	517,05
1006 30 42	—	219,81	463,48
1006 30 44	—	246,64	517,05
1006 30 46	—	246,64	517,05
1006 30 48	387,79	246,64	517,05
1006 30 61	—	234,45	493,61
1006 30 63	—	264,79	554,28
1006 30 65	—	264,79	554,28
1006 30 67	415,71	264,79	554,28
1006 30 92	—	234,45	493,61
1006 30 94	—	264,79	554,28
1006 30 96	—	264,79	554,28
1006 30 98	415,71	264,79	554,28
1006 40 00	—	47,92	101,84

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

(²) 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.

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

(⁴) 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.

(⁵) 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.

(⁶) 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 (EC) No 3455/93
of 16 December 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 Community,

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

Whereas the premiums to be added to the levies on rice and broken rice were fixed by Commission Regulation (EEC) No 2667/93 ⁽³⁾, as last amended by Regulation (EC) No 3400/93 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, the premiums at present in force, which are to be added to the levies, should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 17 December 1993.

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

⁽³⁾ OJ No L 245, 1. 10. 1993, p. 7.

⁽⁴⁾ OJ No L 306, 11. 12. 1993, p. 48.

ANNEX

to the Commission Regulation of 16 December 1993 fixing the premiums to be added to the import levies on rice and broken rice

CN code	<i>(ECU/tonne)</i>			
	Current 12	1st period 1	2nd period 2	3rd period 3
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 (EC) No 3456/93

of 16 December 1993

fixing the difference in white sugar prices to be used in calculating the levy for processed fruit and vegetable products and for wine

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables ⁽¹⁾, as last amended by Regulation (EEC) No 1569/92 ⁽²⁾, and in particular Article 10 (4) thereof,Having regard to Council Regulation (EEC) No 822/87 of 16 March 1987, on the common organization of the market in wine ⁽³⁾ as last amended by Regulation (EEC) No 1566/93 ⁽⁴⁾, and in particular Article 55 (3) thereof,

Whereas, in order that the Member States may determine the amount of the levy applicable in respect of the various added sugars to imports of the products listed in Annex III to Regulation (EEC) No 426/86 and of the products falling within CN codes 2009 60 11, 2009 60 71, 2009 60 79 and 2204 30 99 which are listed in Article 1 (2) (a) of Regulation (EEC) No 822/87, it is necessary in accordance with Article 10 (3) of Regulation (EEC) No 426/86 and Article 55 (2) of Regulation (EEC) No 822/87 to determine the difference between, firstly, the average of the threshold prices for one kilogram of white sugar for

each month of the quarter for which the difference is being determined and, secondly, the average of the cif prices for one kilogram of white sugar used in fixing the levies on white sugar, as calculated for a period comprising the first 15 days of the month preceding the quarter for which the difference is being determined and the two months immediately preceding that month; whereas, pursuant to the abovementioned Regulations, this difference must be determined by the Commission for each quarter of the calendar year,

HAS ADOPTED THIS REGULATION:

Article 1

For the period 1 January to 31 March 1994 the difference referred to in Article 10 (3) of Regulation (EEC) No 426/86 and in Article 55 (2) of Regulation (EEC) No 822/87 is fixed at ECU 0,4215.

Article 2

This Regulation shall enter into force on 1 January 1994.

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.⁽²⁾ OJ No L 166, 20. 6. 1992, p. 5.⁽³⁾ OJ No L 84, 27. 3. 1987, p. 1.⁽⁴⁾ OJ No L 154, 25. 6. 1993, p. 39.

COMMISSION REGULATION (EC) No 3457/93
of 16 December 1993
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EEC) No 2071/92 ⁽²⁾, and in particular Article 17 (4) thereof,

Whereas Article 17 of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 876/68 of 28 June 1968 laying down general rules for granting export refunds on milk and milk products and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EEC) No 1344/86 ⁽⁴⁾, provides that when the refunds on the products listed in Article 1 of Regulation (EEC) No 804/68, exported in the natural state, are being fixed account must be taken of:

- the existing situation and the future trend with regard to prices and availabilities of milk and milk products on the Community market and prices for milk and milk products in international trade,
- marketing costs and the most favourable transport charges from Community markets to ports or other points of export in the Community, as well as costs incurred in placing the goods on the market of the country of destination,
- the aims of the common organization of the market in milk and milk products which are to ensure equilibrium and the natural development of prices and trade on this market,
- the need to avoid disturbances on the Community market, and
- the economic aspect of the proposed exports;

Whereas Article 3(1) of Regulation (EEC) No 876/68 provides that when prices within the Community are being determined account should be taken of the ruling

prices which are most favourable for exportation, and that when prices in international trade are being determined particular account should be taken of:

- (a) prices ruling on third country markets;
- (b) the most favourable prices in third countries of destination for third country imports;
- (c) producer prices recorded in exporting third countries, account being taken, where appropriate, of subsidies granted by those countries; and
- (d) free-at-Community-frontier offer prices;

Whereas Article 4 of Regulation (EEC) No 876/68 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund on the products listed in Article 1 of Regulation (EEC) No 804/68 according to destination;

Whereas Article 5(1) of Regulation (EEC) No 876/68 provides that the list of products on which export refunds are granted and the amount of such refunds should be fixed at least once every four weeks; whereas the amount of the refund may, however, remain at the same level for more than four weeks;

Whereas, in accordance with Article 2 of Commission Regulation (EEC) No 1098/68 of 27 July 1968 on detailed rules for the application of export refunds on milk and milk products ⁽⁵⁾, as last amended by Regulation (EEC) No 2767/90 ⁽⁶⁾, the refund granted for milk products containing added sugar is equal to the sum of the two components, one of which is intended to take account of the quantity of milk products and the other is intended to take account of the quantity of added sucrose; whereas, however, the latter component is applied only if the added sucrose was produced from sugar beet or cane harvested in the Community; whereas, for products falling within CN codes ex 0402 99 11, ex 0402 99 19, ex 0404 90 51, ex 0404 90 53, ex 0404 90 91 and ex 0404 90 93, with a fat content by weight not exceeding 9,5 % and a non-fatty milk content in the dry matter equal to or greater than 15 % by weight, the former abovementioned component is fixed for 100 kilograms of the whole product; whereas, for the other products containing added sugar falling within CN codes 0402 and 0404, that component is calculated by multiplying the basic amount by the milk products content of the product concerned; whereas that basic amount is equal to the refund to be fixed for one kilogram of milk products contained in the whole product;

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 215, 30. 7. 1992, p. 64.

⁽³⁾ OJ No L 155, 3. 7. 1968, p. 1.

⁽⁴⁾ OJ No L 119, 8. 5. 1986, p. 36.

⁽⁵⁾ OJ No L 184, 29. 7. 1968, p. 10.

⁽⁶⁾ OJ No L 267, 29. 9. 1990, p. 14.

Whereas the second component is calculated by multiplying the sucrose content of the product by the basic amount of the refund valid on the day of exportation for the products listed in Article 1 (1) (d) of 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⁾;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽³⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁴⁾;

Whereas the level of refund for cheeses is calculated for products intended for direct consumption; whereas the cheese rinds and cheese wastes are not products intended for this purpose; whereas, to avoid any confusion in interpretation, it should be specified that there will be no refund for cheeses of a free-at-frontier value less than ECU 150 per 100 kilograms;

Whereas Commission Regulation (EEC) No 896/84⁽⁵⁾, as last amended by Regulation (EEC) No 222/88⁽⁶⁾, laid down additional provisions concerning the granting of refunds on the change from one milk year to another; whereas those provisions provide for the possibility of varying refunds according to the date of manufacture of the products;

Whereas for the calculation of the refund for processed cheese provision must be made where casein or caseinates are added for that quantity not to be taken into account;

Whereas it follows from applying the rules set out above to the present situation on the market in milk and in

particular to quotations or prices for milk products within the Community and on the world market that the refund should be as set out in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 990/93⁽⁷⁾ prohibits trade between the European 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 Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

1. The export refunds referred to in Article 17 of Regulation (EEC) No 804/68 on products exported in the natural state shall be as set out in the Annex.
2. There shall be no refunds for exports to Zone E for products falling within CN codes 0401, 0402, 0403, 0404, 0405 and 2309.

Article 2

This Regulation shall enter into force on 17 December 1993.

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

Done at Brussels, 16 December 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 108, 1. 5. 1993, p. 106.
⁽⁵⁾ OJ No L 91, 1. 4. 1984, p. 71.
⁽⁶⁾ OJ No L 28, 1. 2. 1988, p. 1.

⁽⁷⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 16 December 1993 fixing the export refunds on milk and milk products

(in ECU/100 kg net weight unless otherwise indicated)

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0401 10 10 000		5,45	0402 21 91 900		149,14
0401 10 90 000		5,45	0402 21 99 100		110,85
0401 20 11 100		5,45	0402 21 99 200		111,66
0401 20 11 500		8,42	0402 21 99 300		113,12
0401 20 19 100		5,45	0402 21 99 400		121,46
0401 20 19 500		8,42	0402 21 99 500		124,32
0401 20 91 100		11,21	0402 21 99 600		135,31
0401 20 91 500		13,06	0402 21 99 700		141,84
0401 20 99 100		11,21	0402 21 99 900		149,14
0401 20 99 500		13,06	0402 29 15 200		0,6000
0401 30 11 100		16,78	0402 29 15 300		0,9640
0401 30 11 400		25,87	0402 29 15 500		1,0192
0401 30 11 700		38,87	0402 29 15 900		1,1000
0401 30 19 100		16,78	0402 29 19 200		0,6000
0401 30 19 400		25,87	0402 29 19 300		0,9640
0401 30 19 700		38,87	0402 29 19 500		1,0192
0401 30 31 100		46,29	0402 29 19 900		1,1000
0401 30 31 400		72,28	0402 29 91 100		1,1085
0401 30 31 700		79,70	0402 29 91 500		1,2146
0401 30 39 100		46,29	0402 29 99 100		1,1085
0401 30 39 400		72,28	0402 29 99 500		1,2146
0401 30 39 700		79,70	0402 91 11 110		5,45
0401 30 91 100		90,84	0402 91 11 120		11,21
0401 30 91 400		133,53	0402 91 11 310		19,10
0401 30 91 700		155,81	0402 91 11 350		23,60
0401 30 99 100		90,84	0402 91 11 370		28,92
0401 30 99 400		133,53	0402 91 19 110		5,45
0401 30 99 700		155,81	0402 91 19 120		11,21
0402 10 11 000		60,00	0402 91 19 310		19,10
0402 10 19 000		60,00	0402 91 19 350		23,60
0402 10 91 000		0,6000	0402 91 19 370		28,92
0402 10 99 000		0,6000	0402 91 31 100		22,16
0402 21 11 200		60,00	0402 91 31 300		34,18
0402 21 11 300		96,40	0402 91 39 100		22,16
0402 21 11 500		101,92	0402 91 39 300		34,18
0402 21 11 900		110,00	0402 91 51 000		25,87
0402 21 17 000		60,00	0402 91 59 000		25,87
0402 21 19 300		96,40	0402 91 91 000		90,84
0402 21 19 500		101,92	0402 91 99 000		90,84
0402 21 19 900		110,00	0402 99 11 110		0,0545
0402 21 91 100		110,85	0402 99 11 130		0,1121
0402 21 91 200		111,66	0402 99 11 150		0,1862
0402 21 91 300		113,12	0402 99 11 310		22,04
0402 21 91 400		121,46	0402 99 11 330		26,63
0402 21 91 500		124,32	0402 99 11 350		35,68
0402 21 91 600		135,31	0402 99 19 110		0,0545
0402 21 91 700		141,84	0402 99 19 130		0,1121

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0402 99 19 150		0,1862	0403 90 59 510		90,84
0402 99 19 310		22,04	0403 90 59 540		133,53
0402 99 19 330		26,63	0403 90 59 570		155,81
0402 99 19 350		35,68	0403 90 61 100		0,0545
0402 99 31 110		0,2402	0403 90 61 300		0,0842
0402 99 31 150		37,17	0403 90 63 000		0,1121
0402 99 31 300		0,4629	0403 90 69 000		0,1678
0402 99 31 500		0,7970	0404 90 11 100		60,00
0402 99 39 110		0,2402	0404 90 11 910		5,45
0402 99 39 150		37,17	0404 90 11 950		19,10
0402 99 39 300		0,4629	0404 90 13 120		60,00
0402 99 39 500		0,7970	0404 90 13 130		96,40
0402 99 91 000		0,9084	0404 90 13 140		101,92
0402 99 99 000		0,9084	0404 90 13 150		110,00
0403 10 02 000		—	0404 90 13 911		5,45
0403 10 04 200		—	0404 90 13 913		11,21
0403 10 04 300		—	0404 90 13 915		16,78
0403 10 04 500		—	0404 90 13 917		25,87
0403 10 04 900		—	0404 90 13 919		38,87
0403 10 06 000		—	0404 90 13 931		19,10
0403 10 12 000		—	0404 90 13 933		23,60
0403 10 14 200		—	0404 90 13 935		28,92
0403 10 14 300		—	0404 90 13 937		34,18
0403 10 14 500		—	0404 90 13 939		35,74
0403 10 14 900		—	0404 90 19 110		110,85
0403 10 16 000		—	0404 90 19 115		111,66
0403 10 22 100		5,45	0404 90 19 120		113,12
0403 10 22 300		8,42	0404 90 19 130		121,46
0403 10 24 000		11,21	0404 90 19 135		124,32
0403 10 26 000		16,78	0404 90 19 150		135,31
0403 10 32 100		0,0545	0404 90 19 160		141,84
0403 10 32 300		0,0842	0404 90 19 180		149,14
0403 10 34 000		0,1121	0404 90 19 900		—
0403 10 36 000		0,1678	0404 90 31 100		60,00
0403 90 11 000		60,00	0404 90 31 910		5,45
0403 90 13 200		60,00	0404 90 31 950		19,10
0403 90 13 300		96,40	0404 90 33 120		60,00
0403 90 13 500		101,92	0404 90 33 130		96,40
0403 90 13 900		110,00	0404 90 33 140		101,92
0403 90 19 000		110,85	0404 90 33 150		110,00
0403 90 31 000		0,6000	0404 90 33 911		5,45
0403 90 33 200		0,6000	0404 90 33 913		11,21
0403 90 33 300		0,9640	0404 90 33 915		16,78
0403 90 33 500		1,0192	0404 90 33 917		25,87
0403 90 33 900		1,1000	0404 90 33 919		38,87
0403 90 39 000		1,1085	0404 90 33 931		19,10
0403 90 51 100		5,45	0404 90 33 933		23,60
0403 90 51 300		8,42	0404 90 33 935		28,92
0403 90 53 000		11,21	0404 90 33 937		34,18
0403 90 59 110		16,78	0404 90 33 939		35,74
0403 90 59 140		25,87	0404 90 39 110		110,85
0403 90 59 170		38,87	0404 90 39 115		111,66
0403 90 59 310		46,29	0404 90 39 120		113,12
0403 90 59 340		72,28	0404 90 39 130		121,46
0403 90 59 370		79,70			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0404 90 39 150		124,32	0405 00 19 500		156,10
0404 90 39 900		—	0405 00 19 700		160,00
0404 90 51 100		0,6000	0405 00 90 100		160,00
0404 90 51 910		0,0545	0405 00 90 900		206,00
0404 90 51 950		22,04	0406 10 20 100		—
0404 90 53 110		0,6000	0406 10 20 200		—
0404 90 53 130		0,9640	0406 10 20 210		—
0404 90 53 150		1,0192	0406 10 20 230	028	—
0404 90 53 170		1,1000		032	—
0404 90 53 911		0,0545		400	35,23
0404 90 53 913		0,1121		404	—
0404 90 53 915		0,1678		...	43,29
0404 90 53 917		0,2587	0406 10 20 290	028	—
0404 90 53 919		0,3887		032	—
0404 90 53 931		22,04		400	35,23
0404 90 53 933		26,63		404	—
0404 90 53 935		35,68		...	43,29
0404 90 53 937		37,17	0406 10 20 610	028	12,19
0404 90 53 939		—		032	12,19
0404 90 59 130		1,1085		036	—
0404 90 59 150		1,2146		038	—
0404 90 59 930		0,5557		400	78,73
0404 90 59 950		0,7970		404	—
0404 90 59 990		0,9084		...	80,77
0404 90 91 100		0,6000	0406 10 20 620	028	18,05
0404 90 91 910		0,0545		032	18,05
0404 90 91 950		22,04		036	—
0404 90 93 110		0,6000		038	—
0404 90 93 130		0,9640		400	86,80
0404 90 93 150		1,0192		404	—
0404 90 93 170		1,1000		...	88,56
0404 90 93 911		0,0545	0406 10 20 630	028	21,66
0404 90 93 913		0,1121		032	21,66
0404 90 93 915		0,1678		036	—
0404 90 93 917		0,2587		038	—
0404 90 93 919		0,3887		400	98,65
0404 90 93 931		22,04		404	—
0404 90 93 933		26,63		...	99,99
0404 90 93 935		35,68	0406 10 20 640	028	—
0404 90 93 937		37,17		032	—
0404 90 93 939		—		036	—
0404 90 99 130		1,1085		038	—
0404 90 99 150		1,2146		400	117,33
0404 90 99 930		0,5557		404	—
0404 90 99 950		0,7970		...	117,33
0404 90 99 990		0,9084	0406 10 20 650	028	24,82
0405 00 11 100		—		032	24,82
0405 00 11 200		120,98		036	—
0405 00 11 300		152,20		038	—
0405 00 11 500		156,10		400	58,66
0405 00 11 700		160,00		404	—
0405 00 19 100		—		...	—
0405 00 19 200		120,98			122,15
0405 00 19 300		152,20			

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 10 20 660		—	0406 30 10 200	028	—
0406 10 20 810	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	39,27
	400	19,01		404	—
	404	—		***	43,94
	***	19,01	0406 30 10 250	028	—
0406 10 20 830	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	39,27
	400	32,46		404	—
	404	—		***	43,94
	***	32,46	0406 30 10 300	028	—
0406 10 20 850	028	—		032	—
	032	—		036	—
	036	—		038	—
	038	—		400	57,66
	400	39,37		404	—
	404	—		***	64,46
	***	39,37	0406 30 10 350	028	—
0406 10 20 870		—		032	—
0406 10 20 900		—		036	—
0406 10 80 000		—		038	—
0406 20 90 100		—		400	39,27
0406 20 90 913	028	—		404	—
	032	—		***	43,94
	400	76,66	0406 30 10 400	028	—
	404	—		032	—
	***	76,66		036	—
0406 20 90 915	028	—		038	—
	032	—		400	57,66
	400	102,21		404	—
	404	—		***	64,46
	***	102,21	0406 30 10 450	028	—
0406 20 90 917	028	—		032	—
	032	—		036	—
	400	108,59		038	—
	404	—		400	83,96
	***	108,59		404	—
0406 20 90 919	028	—		***	93,81
	032	—	0406 30 10 500		—
	400	121,38	0406 30 10 550	028	—
	404	—		032	—
	***	121,38		036	—
0406 20 90 990		—		038	—
0406 30 10 100		—		400	39,27
0406 30 10 150	028	—		404	18,05
	032	—		***	43,94
	036	—	0406 30 10 600	028	—
	038	—		032	—
	400	18,08		036	—
	404	—		038	—
	***	20,61		400	57,66
				404	25,27
				***	64,46

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)	
0406 30 10 650	028	—	0406 30 31 730	028	—	
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	83,96		400	57,66	
	404	—		404	—	
	...	93,81		...	64,46	
0406 30 10 700	028	—	0406 30 31 910	028	—	
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	83,96		400	39,27	
	404	—		404	—	
	...	93,81		...	43,94	
0406 30 10 750	028	—	0406 30 31 930	028	—	
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	102,47		400	57,66	
	404	—		404	—	
	...	114,50		...	64,46	
0406 30 10 800	028	—	0406 30 31 950	028	—	
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	102,47		400	83,96	
	404	—		404	—	
	...	114,50		...	93,81	
0406 30 10 900	028	—	0406 30 39 100	028	—	
	032	—		0406 30 39 300	032	—
	036	—			036	—
	038	—			038	—
	400	102,47			400	39,27
	404	—			404	18,05
	...	114,50			...	43,94
0406 30 31 100	028	—	0406 30 39 500		028	—
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	18,08		400	57,66	
	404	—		404	25,27	
	...	20,61		...	64,46	
0406 30 31 300	028	—	0406 30 39 700	028	—	
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	39,27		400	83,96	
	404	—		404	—	
	...	43,94		...	93,81	
0406 30 31 500	028	—	0406 30 39 930	028	—	
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	39,27		400	83,96	
	404	—		404	—	
	...	43,94		...	93,81	
0406 30 31 710	028	—	0406 30 39 930	028	—	
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	39,27		400	83,96	
	404	—		404	—	
	...	43,94		...	93,81	

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)	
0406 30 39 950	028	—	0406 90 23 900	028	—	
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	102,47		400	58,66	
	404	—		404	—	
	...	114,50		...	122,15	
0406 30 90 000	028	—	0406 90 25 100	028	—	
	032	—	0406 90 25 900	032	—	
	036	—	036	—		
	038	—	038	—		
	400	102,47	400	58,66		
	404	—	404	—		
	...	114,50		...	122,15	
0406 40 00 100		—	0406 90 27 100		—	
0406 40 00 900	028	—	0406 90 27 900	028	—	
	032	—		032	—	
	038	—		036	—	
	400	108,30		038	—	
	404	—		400	50,66	
	...	114,17		404	—	
				...	103,52	
0406 90 13 000	028	—	0406 90 31 111		—	
	032	—		0406 90 31 119	028	—
	036	—			032	—
	038	—			036	—
	400	117,33			038	13,54
	404	—			400	56,39
...	143,80	404	14,44			
0406 90 15 100	028	—		...	81,19	
	032	—	0406 90 31 151	028	—	
	036	—		032	—	
	038	—		036	—	
	400	117,33		038	—	
	404	—		400	52,71	
...	143,80	404		13,50		
			...	75,66		
0406 90 15 900		—	0406 90 31 159		—	
0406 90 17 100	028	—	0406 90 31 900		—	
	032	—	0406 90 33 111		—	
	036	—	0406 90 33 119	028	—	
	038	—		032	—	
	400	117,33		036	—	
	404	—		038	13,54	
	...	143,80		400	56,39	
0406 90 17 900		—		404	14,44	
0406 90 21 100		—		...	81,19	
0406 90 21 900	028	—	0406 90 33 151	028	—	
	032	—		032	—	
	036	—		036	—	
	038	—		038	—	
	400	117,33		400	52,71	
	404	—		404	13,50	
	...	136,90		...	75,66	
0406 90 23 100		—				

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
0406 90 33 159		—	0406 90 69 910	028	—
0406 90 33 911		—		032	—
0406 90 33 919	028	—		036	63,18
	032	—		400	135,38
	036	—		404	72,20
	038	13,54		...	148,91
	400	56,39	0406 90 69 990		—
	404	14,44	0406 90 73 100		—
	...	81,19	0406 90 73 900	028	—
0406 90 33 951	028	—		032	—
	032	—		036	38,50
	036	—		400	136,28
	038	—		404	108,30
	400	52,71		...	136,28
	404	13,50	0406 90 75 100		—
	...	75,66	0406 90 75 900	028	—
0406 90 33 959		—		032	—
0406 90 35 110		—		036	—
0406 90 35 190	028	—		400	58,66
	032	—		404	—
	036	38,50		...	113,68
	400	143,08	0406 90 77 100	028	21,66
	404	81,23		032	21,66
	...	143,08		036	—
0406 90 35 910		—		038	—
0406 90 35 990	028	—		400	53,04
	032	—		404	—
	036	—		...	99,99
	038	—	0406 90 77 300	028	—
	400	117,33		032	—
	404	—		036	—
	...	117,33		038	—
0406 90 61 000	028	—		400	58,66
	032	—		404	—
	036	81,23		...	122,15
	400	166,96	0406 90 77 500	028	—
	404	126,35		032	—
	...	166,96		036	—
0406 90 63 100	028	—		038	—
	032	—		400	67,69
	036	94,79		404	—
	400	191,43		...	122,15
	404	144,40	0406 90 79 100		—
	...	191,43	0406 90 79 900	028	—
0406 90 63 900	028	—		032	—
	032	—		036	—
	036	63,18		038	—
	400	135,38		400	50,66
	404	72,20		404	—
	...	148,91		...	103,52
0406 90 69 100		—	0406 90 81 100		—

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)					
0406 90 81 900	028	—	0406 90 89 959	028	—					
	032	—		032	—					
	036	—		036	—					
	038	—		038	—					
	400	117,33		400	117,33					
	404	—		404	—					
	***	117,33		***	117,33					
0406 90 85 100		—	0406 90 89 971	028	24,82					
0406 90 85 910	028	—		032	24,82					
	032	—		036	—					
	036	38,51		038	—					
	400	143,08		400	66,79					
	404	81,23		404	—					
	***	143,08		***	122,15					
0406 90 85 991	028	—	0406 90 89 972	028	—					
	032	—		032	—					
	036	—		400	35,23					
	038	—		404	—					
	400	117,33		404	—					
	404	—		***	43,29					
	***	117,33		0406 90 89 979	028	24,82				
0406 90 85 995	028	24,82	032		24,82					
	032	24,82	036		—					
	036	—	038		—					
	038	—	400		66,79					
	400	58,66	404		—					
	404	—	***		122,15					
	***	122,15	0406 90 89 990	028	—					
0406 90 85 999	—	0406 90 93 000		—	—					
0406 90 89 100	028			12,19	0406 90 99 000	—	—			
	032			12,19		2309 10 15 010	—	—		
	036			—			2309 10 15 100	—	—	
	038			—				2309 10 15 200	—	—
	400			80,77					2309 10 15 300	—
	404		—	2309 10 15 400						—
	***	80,77	2309 10 15 500							—
0406 90 89 200	028	18,05			2309 10 15 700					—
	032	18,05				2309 10 15 900				—
	036	—					2309 10 19 010			—
	038	—						2309 10 19 100		—
	400	86,80							2309 10 19 200	—
	404	—		2309 10 19 300						—
	***	88,56	2309 10 19 400							—
0406 90 89 300	028	21,66			2309 10 19 500					—
	032	21,66				2309 10 19 600				—
	036	—					2309 10 19 700			—
	038	—						2309 10 19 800		—
	400	98,65							2309 10 19 900	—
	404	—		2309 10 70 010						—
	***	99,99	2309 10 70 100							—
0406 90 89 910	—	2309 10 70 200			—					24,00
0406 90 89 951	028				—	2309 10 70 300				—
	032				—		—			—
	036				38,50		—	—		
	400				136,28		—	—		
	404			81,23	—		—			
	***		136,28	—	—					

Product code	Destination (*)	Amount of refund (**)	Product code	Destination (*)	Amount of refund (**)
2309 10 70 500		36,00	2309 90 39 300		0,31
2309 10 70 600		42,00	2309 90 39 400		0,39
2309 10 70 700		48,00	2309 90 39 500		0,47
2309 10 70 800		52,80	2309 90 39 600		0,55
2309 10 70 900		—	2309 90 39 700		0,58
2309 90 35 010		—	2309 90 39 800		0,62
2309 90 35 100		—	2309 90 39 900		—
2309 90 35 200		0,23	2309 90 70 010		—
2309 90 35 300		0,31	2309 90 70 100		18,00
2309 90 35 400		0,39	2309 90 70 200		24,00
2309 90 35 500		0,47	2309 90 70 300		30,00
2309 90 35 700		0,55	2309 90 70 500		36,00
2309 90 35 900		—	2309 90 70 600		42,00
2309 90 39 010		—	2309 90 70 700		48,00
2309 90 39 100		—	2309 90 70 800		52,80
2309 90 39 200		0,23	2309 90 70 900		—

(*) The code numbers for the destinations are those set out in the Annex to Commission Regulation (EEC) No 208/93.

For destinations other than those indicated for each 'product code', the amount of the refund applying is indicated by '—'.

Where no destination is indicated, the amount of the refund is applicable for exports to any destination other than those referred to in Article 1 (2).

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

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

COMMISSION REGULATION (EC) No 3458/93
of 16 December 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 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 2703/93⁽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 15

December 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 2703/93 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 17 December 1993.

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

Done at Brussels, 16 December 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 245, 1. 10. 1993, p. 108.

ANNEX

to the Commission Regulation of 16 December 1993 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	82,13 ⁽²⁾ ⁽³⁾
0712 90 19	82,13 ⁽²⁾ ⁽³⁾
1001 10 00	0 ⁽¹⁾ ⁽³⁾
1001 90 91	87,19
1001 90 99	87,19 ⁽²⁾
1002 00 00	113,74 ⁽⁶⁾
1003 00 10	117,44
1003 00 20	117,44
1003 00 80	117,44 ⁽²⁾
1004 00 00	92,22
1005 10 90	82,13 ⁽²⁾ ⁽³⁾
1005 90 00	82,13 ⁽²⁾ ⁽³⁾
1007 00 90	92,23 ⁽⁴⁾
1008 10 00	25,53 ⁽²⁾
1008 20 00	25,38 ⁽⁴⁾
1008 30 00	23,90 ⁽²⁾
1008 90 10	(7)
1008 90 90	23,90
1101 00 00	159,59 ⁽²⁾
1102 10 00	197,54
1103 11 30	22,19
1103 11 50	22,19
1103 11 90	182,74
1107 10 11	166,07
1107 10 19	126,84
1107 10 91	219,92 ⁽¹⁰⁾
1107 10 99	167,07 ⁽²⁾
1107 20 00	192,91 ⁽¹⁰⁾

⁽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.

⁽¹⁰⁾ In accordance with Council Regulation (EEC) No 1180/77 this levy is reduced by ECU 5,44 per tonne for products originating in Turkey.

COMMISSION REGULATION (EC) No 3459/93**of 16 December 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 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 15 December 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 17 December 1993.

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

Done at Brussels, 16 December 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 16 December 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
	12	1	2	3
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
	12	1	2	3	4
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 (EC) No 3460/93
of 16 December 1993**

**prolonging the first suspension of the advance fixing of the export refunds on
wheat or meslin flour**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 Commission Regulation (EEC) No 2193/93 ⁽²⁾, and in particular the first subparagraph of Article 13 (7) thereof,

Whereas Article 13 (7) of Regulation (EEC) No 1766/92 provides that the provisions concerning advance fixing of the levy may be suspended if the market situation shows that the application of these provisions is causing or is likely to cause difficulties ;

Whereas Commission Regulation (EC) No 3379/93 ⁽³⁾ suspended advance fixing of the export refunds on wheat or meslin flour ; whereas the reasons which led to that suspension still exist ; whereas it is important, therefore,

to continue that measure for a period, which will make it possible to monitor the situation ;

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

HAS ADOPTED THIS REGULATION :

Article 1

In Article 1 of Regulation (EC) No 3379/93, '16 December 1993' is hereby replaced by '6 January 1994'.

Article 2

This Regulation shall enter into force on 17 December 1993.

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

Done at Brussels, 16 December 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 303, 10. 12. 1993, p. 14.

COMMISSION REGULATION (EC) No 3461/93
of 16 December 1993
suspending advance fixing of the import levy for certain cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,
Having regard to the Treaty establishing the European 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 the first subparagraph of Article 12 (5) thereof,

Whereas Article 12 (5) of Regulation (EEC) No 1766/92 provides that the provisions concerning advance fixing of the levy may be suspended if the market situation shows that the application of these provisions is causing or is likely to cause difficulties;

Whereas there is a danger, given the irregular pattern of fixings at the end of the year and the uncertain trend of prices during that period, that if existing arrangements are adhered to, levies could be fixed in advance in the short term for quantities considerably in excess of the quantities which might be expected under more normal conditions;

Whereas the above situation requires that application of the provisions concerning advance fixing of levies for the products concerned be temporarily suspended;

Whereas Commission Regulation (EC) No 3069/93⁽³⁾, as amended by Regulation (EC) No 3322/93⁽⁴⁾, suspends the

advance fixing of the import levy on cereals including durum wheat falling within CN code 1001 10 00;

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 the import levy on the products referred to in Article 1 (a), (b), (c) and (d) of Regulation (EEC) No 1766/92 is hereby suspended from 17 December 1993 until 6 January 1994, except in the case of imports of durum wheat falling within CN code 1001 10 00 for which advance fixing of the import levy is hereby suspended by Regulation (EC) No 3069/93.

Article 2

This Regulation shall enter into force on 17 December 1993.

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

Done at Brussels, 16 December 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 274, 6. 11. 1993, p. 16.

⁽⁴⁾ OJ No L 298, 3. 12. 1993, p. 22.

COMMISSION REGULATION (EC) No 3462/93
of 16 December 1993
suspending advance fixing of the import levy for rice

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EEC) No 1544/93 ⁽²⁾, and in particular the second paragraph of Article 13 (7) thereof,

Whereas Article 13 (7) of Regulation (EEC) No 1418/76 provides that the provisions concerning advance fixing of the levy may be suspended if the market situation shows that the application of such provisions will or is likely to cause difficulties ;

Whereas there is danger, given the irregular pattern of fixings at the end of the year and the uncertain trend of prices during that period, that if existing arrangements are adhered to, levies could be fixed in advance in the short term for quantities considerably in excess of the quantities which might be excepted under more normal conditions ;

Whereas the abovementioned situation requires that application of the provisions concerning advance fixing of

levies for the product concerned be temporarily suspended ;

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 the import levy for the products referred to in Article 1 (a), (b) and (c) of Regulation (EEC) No 1418/76 is hereby suspended from 17 December 1993 to 6 January 1994.

Article 2

This Regulation shall enter into force on 17 December 1993.

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No. L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 154, 25. 6. 1993, p. 5.

**COMMISSION REGULATION (EC) No 3463/93
of 16 December 1993**

fixing the export refunds on cereals and on wheat or rye flour, groats and meal

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European 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 the third subparagraph of Article 13 (2) thereof,

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

Whereas the refunds must be fixed taking into account the factors referred to in Article 2 of Commission Regulation (EEC) No 1533/93⁽³⁾, laying down detailed rules on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on the market for cereals;

Whereas export possibilities exist for a quantity of 18 000 tonnes of maize to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89⁽⁴⁾, as last amended by Regulation (EC) No 3224/93⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas, as far as wheat and rye flour, groats and meal are concerned, when the refund on these products is being calculated, account must be taken of the quantities of cereals required for their manufacture; whereas these quantities were fixed in Regulation (EEC) No 1533/93;

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

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁶⁾ are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁷⁾;

Whereas it follows from applying the detailed rules set out above to the present situation on the market in cereals, and in particular to quotations or prices for these products within the Community and on the world market, that the refunds should be as set out in the Annex hereto;

Whereas Council Regulation (EEC) No 990/93⁽⁸⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, excluding malt, exported in the natural state, shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 17 December 1993.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 196, 5. 8. 1993, p. 22.

⁽³⁾ OJ No L 151, 23. 6. 1993, p. 15.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 292, 26. 11. 1993, p. 15.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 16 December 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

to the Commission Regulation of 16 December 1993 fixing the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1005 90 00 000	03	29,00
0712 90 19 000	—	—		04	15,00
1001 10 00 200	—	—		05	39,00 (*)
1001 10 00 400	—	—		02	0
1001 90 91 000	—	—	1007 00 90 000	—	—
1001 90 99 000	03	33,00	1008 20 00 000	—	—
	02	15,00	1101 00 00 100	01	58,00
1002 00 00 000	03	25,00	1101 00 00 130	01	55,00
	02	15,00	1101 00 00 150	01	50,00
1003 00 10 000	—	—	1101 00 00 170	01	47,00
1003 00 20 000	03	58,00	1101 00 00 180	01	44,00
	02	15,00	1101 00 00 190	—	—
1003 00 80 000	03	58,00	1101 00 00 900	—	—
	02	15,00	1102 10 00 500	01	58,00
1004 00 00 200	—	—	1102 10 00 700	—	—
1004 00 00 400	—	—	1102 10 00 900	—	—
1005 10 90 000	—	—	1103 11 30 200	01	— (3)
			1103 11 30 900	—	—
			1103 11 50 200	01	— (3)
			1103 11 50 400	—	—
			1103 11 50 900	—	—
			1103 11 90 200	01	— (3)
			1103 11 90 800	—	—

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 04 Zones I, III b), VIII a), Cuba and Hungary,
- 05 Malta.

(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) No refund is granted when this product contains compressed meal.

(4) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 18 000 tonnes of maize destined for Malta.

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

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 10 December 1993

approving an amendment of the varietal conversion programme for hops submitted by the Federal Republic of Germany under Council Regulation (EEC) No 2997/87

(Only the German text is authentic)

(93/675/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2997/87 of 22 September 1987 laying down, in respect of hops, the amount of aid to producers for the 1986 harvest and providing for special measures for certain regions of production ⁽¹⁾, as last amended by Regulation (EEC) No 3338/92 ⁽²⁾, and in particular Article 2 (5) thereof,

Having regard to Commission Regulation (EEC) No 3889/87 of 22 December 1987 laying down detailed rules for the application of the special measures for certain regions of hops production ⁽³⁾, as last amended by Regulation (EEC) No 718/93 ⁽⁴⁾, and in particular Article 3 thereof,

Whereas the Federal Republic of Germany transmitted to the Commission on 28 March 1988 a varietal conversion programme for the hops sector in accordance with Article 2 (5) of Regulation (EEC) No 2997/87; whereas this programme, as amended on 3 July 1989, was approved in Commission Decision 89/482/EEC ⁽⁵⁾;

Whereas the Federal Republic of Germany transmitted to the Commission on 22 December 1989 amendments of

this programme which were approved — following further amendments adopted on 4 May 1990 — in Decision 90/341/EEC ⁽⁶⁾;

Whereas the Federal Republic of Germany sent the Commission on 8 January 1983 amendments to the programme which were approved by Decision 93/220/EEC ⁽⁷⁾;

Whereas the Federal Republic of Germany sent the Commission on 20 October 1993 further amendments to this programme;

Whereas the proposed amendments mainly cover the distribution between the two other producer groups of 4,2 hectares not used by the Spalt producer group, the range of varieties to be converted to having undergone only minor changes;

Whereas this programme is in line with the objectives pursued by that Regulation and contains the information required under Article 2 of Regulation (EEC) No 3889/87;

Whereas the programme submitted by the Federal Republic of Germany does not provide for any financial contribution from the national budget;

⁽¹⁾ OJ No L 284, 7. 10. 1987, p. 19.

⁽²⁾ OJ No L 336, 20. 11. 1992, p. 3.

⁽³⁾ OJ No L 365, 24. 12. 1987, p. 41.

⁽⁴⁾ OJ No L 74, 27. 3. 1993, p. 46.

⁽⁵⁾ OJ No L 235, 12. 8. 1989, p. 33.

⁽⁶⁾ OJ No L 162, 28. 6. 1990, p. 46.

⁽⁷⁾ OJ No L 94, 20. 4. 1993, p. 33.

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

HAS ADOPTED THIS DECISION:

Article 1

The amendment of the varietal conversion programme for the hops sector submitted under Regulation (EEC) No 2997/87 by the Federal Republic of Germany on 20 October is hereby approved. The main features of that programme as amended are set out in the Annex.

Article 2

The Federal Republic of Germany shall inform the Commission of the progress of the programme every six months.

Article 3

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 10 December 1993.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

1. List of producer groups covered by the programme

- Hopfenverwertungsgenossenschaft Spalt e.G.
- Hopfenverwertungsgenossenschaft Hallertau e.G.
- Hopfenverwertungsgenossenschaft Jura e.G.
- Hopfenverwertungsgenossenschaft Elbe-Saale e.G.

2. Duration of the programme

From 1 April 1988 to 31 December 1994.

In all cases, the last plantations must be made before 31 December 1994.

3. Area covered by the programme

HVG Spalt e.G.	10,8 ha ⁽¹⁾
HVG Hallertau e.G.	762,0 ha ⁽²⁾
HVG Jura e.G.	27,2 ha ⁽²⁾
HVG Elbe-Saale e.G.	200,0 ha ⁽³⁾
Total	1 000,0 ha

4. Varieties to be converted to and the areas involved

(in ha)

Aromatic varieties		Super-alpha varieties (*)	
Hallertauer	0,5	Nugget	163,5
Spalter	2,0	Target	40,9
Hersbrucker Spät	176,5	Hallertauer Magnum	365,4
Hallertauer Tradition	88,3	Galena	0,6
Spalter Select	141,2		
Perle	21,0		
Total	429,5	Total	570,5

(*) Within the meaning of Article 2 of Regulation (EEC) No 2997/87 and Article 1 (3) of Regulation (EEC) No 3889/87.

⁽¹⁾ Already completed in March 1991.

⁽²⁾ Terminating end 1993.

⁽³⁾ Terminating end 1994.

COMMISSION DECISION

of 10 December 1993

establishing that the exploitation of geographical areas for the purpose of exploring for or extracting oil or gas does not constitute in the Netherlands an activity defined in Article 2 (2) (b) (i) of Council Directive 90/531/EEC and that entities carrying on such an activity are not to be considered in the Netherlands as operating under special or exclusive rights within the meaning of Article 2 (3) (b) of the Directive

(Only the Dutch text is authentic)

(93/676/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/531/EEC of 17 September 1990 on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors ⁽¹⁾, and in particular Articles 3 (4) and 32 (4) to (7) thereof,

Whereas, pursuant to Article 3 of Directive 90/531/EEC, Member States may request the Commission to provide that exploitation of geographical areas for the purpose of exploring for or extracting oil, gas, coal or other solid fuels is not to be considered to be an activity defined in Article 2 (2) (b) (i) of the Directive and that entities are not to be considered as operating under special or exclusive rights within the meaning of Article 2 (3) (b) by virtue of carrying on one or more of these activities, provided that a number of precise conditions are satisfied with respect to the relevant national provisions concerning such activities and that any Member State requesting such a decision ensures that entities observe the principles of non-discrimination and competitive procurement in awarding contracts and communicates to the Commission information relating to the award of such contracts;

Whereas, by letter dated 7 February 1991 from their Ministry of Economic Affairs, confirmed by letter dated 10 April 1991 from the Office of their Permanent Representative to the European Communities, the Dutch authorities requested the Commission to provide that exploitation of geographical areas for the purpose of exploring for or extracting oil or gas should not be considered in the Netherlands to be an activity defined in Article 2 (2) (b) (i) of Directive 90/531/EEC and that entities carrying on such an activity are not to be considered in the Netherlands as operating under special or exclusive rights within the meaning of Article 2 (3) (b) of the Directive;

Whereas that request was accompanied by a copy of the laws and regulations in force;

Whereas, by letter of 24 October 1991, the Office of the Dutch Permanent Representative sent the Commission a statement of how the five criteria listed in Article 3 (1)

could be satisfied with respect to those laws and regulations;

Whereas additional information and documentation on the regulations or administrative provisions in force was supplied, in accordance with Article 3 (4) of the Directive, in correspondence from the Ministry of Economic Affairs dated 8 April 1992 and from the Office of the Dutch Permanent Representative dated 20 July 1992 and 6 November 1992;

Whereas, as regards compliance with the conditions laid down in Article 3 (1) of the Directive, the Commission has carried out a detailed analysis of the rules in force in the Netherlands (the Law of 21 April 1810 on mines and quarries (Mijnwet 1810), as amended by the Mining Law of 1903 (Mijnwet 1903); the Laws of 20 June 1924 and 3 May 1967 on minerals exploration; the Law of 23 September 1965 on exploration for and extraction of minerals on the North Sea continental shelf (Mijnwet continentaalplat); the Decree of 27 January 1967 implementing Article 12 of the Mining Law and the Decree of 6 February 1976 implementing the same Article, as amended by the Decrees of 20 February 1986 and 4 July 1988; the Decrees of 31 March 1967 and 30 March 1976 implementing Article 3 of the Mining Law and the Decree of 9 November 1983 implementing the same Article, as amended by the Decree of 22 July 1988; the Decrees of 30 October 1968, 14 December 1971 and 15 October 1982 implementing Article 5 of the Mining Law; the Decree of 7 February 1967 governing applications for authorizations and exemptions under the Mining Law, as amended by the Decree of 13 February 1976; and documents containing additional information, used during the procedure for granting authorizations to engage in exploration or extraction (such as the 'Declaration of priority for geophysical exploration' ⁽²⁾), and the information distributed by the Ministry of Economic Affairs for the seventh round of authorizations (Toewijzing 7e ronde Opsporingsvergunningen)). The findings of the analysis were communicated to the Dutch authorities by letter dated 9 October 1992, and by fax dated 1 December 1992, the main ones being set out below:

— as regards offshore exploration and extraction activities, the provisions of the Law of 23 September 1965 on the continental shelf satisfy the requirements of

⁽¹⁾ OJ No L 297, 29. 10. 1990, p. 1.

⁽²⁾ *Regeling geofysisch onderzoek ter ondersteuning van in te dienen aanvragen voor een boorvergunning.*

Article 3 (1) (a) relating to freedom of access ; however, as far as onshore exploration or extraction activities are concerned, although the applicable legislation is broadly in line with the aims of Article 3 (1) (a), it is apparent from the declaration of priority for geophysical exploration, and in particular Articles 5 and 12 thereof, that firms which are members of NOGEP A⁽¹⁾ receive, if they make an application for authorization, preferential treatment incompatible with the above-mentioned provision ;

- with regard to offshore exploration and extraction activities, the Law on the continental shelf, and in particular Article 14 thereof, and Articles 5a and 6a of the Decree of 7 February 1967, including its two Annexes, are such as to satisfy the requirement laid down in Article 3 (1) (b) that the technical and financial capacity of candidates must be established in advance ; as far as onshore activities are concerned, however, the nature of the financial and technical information that must be supplied in support of an application for authorization is specified neither in the Mining Law of 21 April 1810 nor in the Law of 3 May 1967 on minerals exploration, with the result that the requirements of Article 3 (1) (b) are not satisfied,
- only the provisions governing offshore exploration or extraction activities satisfy the requirements laid down in Article 3 (1) (c) relating to the prior establishment and publication of the criteria for assessing the way in which it is intended to carry out the exploration or extraction ; on the other hand, neither the Mining Law of 21 April 1810 nor the Law of 3 May 1967 on minerals exploration gives any indication as to the criteria applied for onshore activities,
- with regard to the requirements laid down in Article 3 (1) (d) relating to the prior establishment and communication of the conditions for carrying out exploration or extraction, the provisions relating to offshore activities in force in the Netherlands were, in the light of further explanations given by the Dutch authorities, deemed satisfactory ; however, although equivalent conditions apply in practice to authorizations for onshore exploitation, the corresponding provisions of the legislation do not satisfy the requirements of Article 3 (1) (d) since the conditions are not laid down in a binding general instrument which is published in advance,
- none of the general provisions examined lays down any obligation as referred to in Article 3 (1) (e) to provide information on sources of procurement ;

Whereas, in response to the comments addressed to them and following a meeting with the Commission held on 4 December 1992, the Dutch authorities agreed in a letter from their Ministry of Economic Affairs dated 18 December 1992 to make the necessary adjustments and submitted to the Commission the text of the amendments they proposed to make to the laws, regulations and administrative provisions in question ; whereas those adjustments were aimed at :

- reproducing the rules on the declaration of priority in a ministerial decree to be published in the Dutch Official Gazette to enable non-members of NOGEP A to obtain a declaration of priority under the same conditions as members,
- establishing, in a ministerial decree to be published in the Dutch Official Gazette, the requirements regarding technical and financial capacity to be met by entities applying for authorization to engage in onshore activities, such requirements being equivalent to those applied in the case of offshore activities,
- establishing, in a decree also to be published in the Dutch Official Gazette, the objective criteria on which authorizations to engage in onshore exploration or extraction are to be granted ;

Whereas, to remedy the shortcomings identified by the Commission, the Dutch authorities communicated, in an annex to the abovementioned letter dated 18 December 1992 from their Ministry of Economic Affairs, the draft texts of two ministerial orders, one relating to the requirements regarding technical and financial capacity to be met by entities requesting authorization and the other to applications for a declaration of priority ;

Whereas, by letter dated 24 February 1993, the Commission informed the Dutch authorities that the provisions of those two draft measures were such as to satisfy the requirements of Article 3 (1) ;

Whereas the two ministerial orders, one relating to the financial and technical conditions for obtaining authorization and for carrying on activities subject to such authorization and the other to applications for a declaration of priority, were adopted on 19 July 1993 ;

Whereas, by a notice published in the *Official Journal of the European Communities*⁽²⁾, the Commission invited interested parties to comment on the Dutch rules and

⁽¹⁾ *Nederlandse Olie en Gas Exploratie en Productie Associatie* (Dutch Oil and Gas Exploration and Production Association).

⁽²⁾ OJ No C 170, 29. 6. 1991, p. 8.

practices ; whereas no reply alleging discrimination in the treatment of requests for authorization to carry out exploration or extraction has been received by the Commission ;

Whereas, by the abovementioned letter dated 18 December 1992 from their Ministry of Economic Affairs, the Dutch authorities communicated the text of a draft Royal Decree transposing Article 3 (2) of Directive 90/531/EEC into Dutch law ;

Whereas a Royal Decree transposing into Dutch law the provisions of Directive 90/531/EEC, with the exception of Article 3 thereof, was adopted on 6 April 1993 ;

Whereas a Royal Decree amending the Royal Decree cited in the preceding recital and transposing Article 3 (2) of Directive 90/531/EEC was adopted on 6 July 1993 ; whereas that Royal Decree guarantees compliance with the principles of non-discrimination and competitive procurement by entities carrying out exploration or extraction, in particular as regards the information they make available to enterprises concerning their intentions with respect to the award of contracts, and with the obligation to transmit to the Commission information on the award of such contracts ;

Whereas, in accordance with Article 3 (3) of the Directive, the said Royal Decree also refers to the obligations on entities holding authorizations to carry out exploration or extraction issued before 1 January 1993 as regards non-discrimination, competitive procurement and transmission to the Commission of information on the award of contracts ;

Whereas, by letter dated 28 July 1993 from the Office of their Permanent Representative, the Dutch authorities communicated to the Commission the texts of the Royal Decree transposing Article 3 (2) of the Directive and of the two ministerial orders adopted with a view to bringing the Dutch rules on the granting of authorizations to carry out exploration or extraction into line with Article 3 (1) of the Directive ;

Whereas, in accordance with Article 32 (4) to (7) of Directive 90/531/EEC, the Advisory Committee for Public Contracts met on 13 October 1993 to deliver its opinion on this Decision,

HAS ADOPTED THIS DECISION :

Article 1

From 10 December 1993, the exploitation of geographical areas for the purpose of exploring for or extracting oil or

gas shall not be considered in the Netherlands to be an activity defined in Article 2 (2) (b) (i) of Directive 90/531/EEC, and entities carrying on such an activity shall not be considered in the Netherlands as operating under special or exclusive rights within the meaning of Article 2 (3) (b) of the Directive.

Article 2

This Decision is taken on the basis of the rules governing the exploitation of geographical areas for the purpose of exploring for or extracting oil or gas and applicable in the Netherlands on 10 December 1993.

Article 3

1. Any laws, regulations or administrative provisions amending the rules applicable on 10 December 1993 to the exploitation of geographical areas for the purpose of exploring for or extracting oil or gas in the Netherlands shall be communicated to the Commission as soon as they are adopted.

2. Whenever the Dutch authorities decide to grant authorizations to exploit geographical areas for the purpose of exploring for or extracting oil or gas, any documents laying down additional requirements for obtaining such authorization shall likewise be communicated to the Commission as soon as they are published, in so far as they differ substantially from documents published previously.

3. The information referred to in paragraphs 1 and 2 is notified to the Commission in order to enable it to assess if it is appropriate to amend, withdraw or maintain this Decision.

Article 4

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 10 December 1993.

For the Commission

Raniero VANNI D'ARCHIRAFI

Member of the Commission

COMMISSION DECISION

of 13 December 1993

amending Commission Decision 92/452/EEC establishing lists of embryo collection teams approved in third countries for export of bovine embryos to the Community

(93/677/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 89/556/EEC of 25 September 1989 on animal health conditions governing intra-Community trade in and imports from third countries of embryos of domestic animals of the bovine species⁽¹⁾, as last amended by Directive 90/425/EEC⁽²⁾ and in particular Article 8 thereof,

Whereas Commission Decision 92/452/EEC⁽³⁾ as last amended by Decision 93/433/EEC⁽⁴⁾ establishes a list of embryo collection teams approved in third countries for the export of embryos of domestic animals of the bovine species to the Community;

Whereas the competent authorities of Canada have forwarded amendments to the list of teams approved in its territory;

Whereas it is now necessary to amend the list of approved teams as regards Canada;

Whereas the measures provided for in this Decision are in accordance with the opinion of the Standing Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

In the Annex to Decision 92/452/EEC under the heading 'Canada' the following embryo collection teams are added:

'E546-MB	Emtech Genetics Ltd, Morden, Manitoba, R0G 1J0	Dr David Hamilton
E71	United Breeders Inc., R.R. 5, Guelph, Ontario, N1H 6J2	Dr Ken Christie'

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 13 December 1993.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1989, p. 1.
⁽²⁾ OJ No L 224, 18. 8. 1990, p. 29.
⁽³⁾ OJ No L 250, 29. 8. 1992, p. 40.
⁽⁴⁾ OJ No L 201, 11. 8. 1993, p. 17.

(Joint actions adopted by the Council of the European Union)

COUNCIL DECISION

of 6 December 1993

on a joint action adopted by the Council on the basis of Article J.3 of the Treaty on European Union concerning support for the transition towards a democratic and multi-racial South Africa

(93/678/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article J.3 thereof,

Having regard to the general guidelines issued by the European Council on 29 October 1993 which take up as an area for joint action support for the transition towards multi-racial democracy in South Africa through a coordinated programme of assistance in preparing for the elections and monitoring them, and through the creation of an appropriate cooperation framework to consolidate the economic and social foundations of this transition,

HAS DECIDED AS FOLLOWS:

Article 1

The European Union shall implement a coordinated programme of assistance in preparing for the elections taking place in South Africa on 27 April 1994 and monitoring them, on the basis of the following factors:

1. assistance in preparing for the elections will cover the provision of advice, technical assistance and training, continued support for non-partisan voter education, and the provision of a substantial number of European observers as part of an overall international effort coordinated by the United Nations;
2. the establishment at this stage of a 'European Electoral Unit' in South Africa in accordance with the procedures set out in the Annex.

Article 2

The operational expenditure incurred in implementing the coordinated programme referred to in Article 1 shall be charged to the Community budget (special programme).

However the salaries and travel expenses to and from South Africa of those monitoring the elections shall be charged to the Member States which send them.

Article 3

The Council will set in motion an internal debate on setting up an appropriate cooperation framework to consolidate the economic and social foundations of the democratic and multi-racial transition and will examine any proposals that the Commission may make to that end both for the immediate period of transition and for the longer term.

Article 4

This Decision shall take effect on the day of its publication in the *Official Journal of the European Communities*.

Done at Brussels, 6 December 1993.

For the Council

The President

W. CLAES

ANNEX

Composition, objectives and operation of the European electoral unit

1. The Electoral unit will further identify and coordinate the support of the European Union for the forthcoming election, as well as its involvement in the monitoring process.
2. The purpose of the electoral unit will be :
 - (i) to consult with the Independent Electoral Commission (IEC) on the nature and scale of the European Union's support for the election process ; and, in particular, what direct involvement, if any, the European Union should have in the IEC itself or on the International Advisory Committee ; and to consult with the IEC on the proposed guidelines and code of conduct for observers ;
 - (ii) to make available to the IEC advice and, where requested, technical assistance in the planning and running of the electoral process — such assistance might include the support for training of IEC personnel and election officials ;
 - (iii) to consult with the United Nations and the other multilateral organizations on the coordination of the international election observer presence in the country ;
 - (iv) to advise on the number and coordinate the deployment of European Union election observers, through the joint operations room ;
 - (v) to provide assistance, under the authority of the United Nations, for the establishment of a national and regional joint operations room to manage the deployment of international observers ;
 - (vi) to provide support to the associative structures to mobilize and coordinate local non-governmental organizations ;
 - (vii) to advise and, where requested, to provide support for the monitoring of the security forces responsible for the elections process ;
 - (viii) to advise and, where requested, to provide support for the monitoring of the media.
3. The electoral unit will be headed by a high-ranking individual with a high political profile, experienced in electoral matters and with a thorough knowledge of South Africa.
4. In addition to the Head of the electoral unit, the initial staff complement will comprise :
 - (i) a deputy : with good understanding of the political situation in South Africa and first-hand knowledge of the main players ;
 - (ii) a Head of Administration : a skilled administrator who can manage the day-to-day running of the unit ;
 - (iii) experts in the following fields :
 - (a) Elections Adviser ;
 - (b) Legal Adviser ;
 - (c) Voter Education Adviser ;
 - (d) Media Adviser ;
 - (e) Training Adviser ;
 - (f) Conflict Resolution Adviser ;
 - (g) Security Adviser ;
 - (h) Logistics Adviser ;
 - (iv) support staff.
5. The Head of the electoral unit and the other staff should be available throughout the anticipated period of existence of the unit.

The Council requests the Commission to select this staff on the basis of proposals from the Member States.
6. The lifetime of the electoral unit will end one month after the date of elections.
7. The electoral unit will have access to a fund to recruit short-term technical assistance personnel, to support training and to provide emergency assistance.

8. When setting up the electoral unit the largest possible use will be made of the infrastructure of Ecomsa and of its experience. When operational, the electoral unit will cooperate closely with Ecomsa and will continue to draw on its expertise. Ecomsa should provide support where and whenever this serves the electoral unit's tasks.
 9. The Head of the electoral unit will be invited to participate in CFSP meetings of the Heads of Mission in South Africa in a manner to be decided by them.
 10. The electoral unit will enjoy operational independence, based on a delegation of powers, under the control of a contact unit of the Steering Committee type, set up in South Africa. The electoral unit will report to the contact unit which will be made up of the Troika and the Commission.
 11. Another contact unit will be established in Brussels, made up mainly of the Troika and the Commission, but open to the Member States which wish to take part in its proceedings. This contact unit will deal principally with the matters which its opposite number in South Africa is unable to resolve. It will first examine the applications of persons seeking employment (paragraph 3 and paragraph 4 (i), (ii) and (iii) within the framework of the electoral unit).
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CORRIGENDA

Corrigendum to 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

(Official Journal of the European Communities No L 243 of 29 September 1993)

On page 1, in Article 2, second indent:

for: '... prior to the date of application ...',

read: '... prior to the date of publication ...'.
