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I

(Acts whose publication is obligatory)

COMMISSION REGULATION (EC) No 276/94

of 7 February 1994

amending Regulations (EEC) No 266/93 and (EEC) No 936/93 concerning applications for the granting and payment of special temporary compensation in respect of certain consignments of fresh fruit and vegetables originating in Greece

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3438/92 of 23 November 1992 laying down special measures for the transport of certain fresh fruit and vegetables originating in Greece⁽¹⁾, and in particular, Article 3 thereof,

Whereas Commission Regulation (EEC) No 266/93 of 5 February 1993, on detailed rules for the application of Council Regulation (EEC) No 3438/92 on special measures applying to consignments of certain fresh fruit and vegetables originating in Greece⁽²⁾, as last amended by Regulation (EC) No 3320/93⁽³⁾, lists the documents to be attached to applications for the granting of special temporary compensation and specifies the time limit for the submission of such applications to the relevant Greek authority;

Whereas, on account of the time required for the stamping of the T 5 form by the Member State of destination, applications may not always be submitted within the time limit specified; whereas that limit should therefore be extended;

Whereas Commission Regulation (EEC) No 936/93 of 21 April 1993, laying down detailed rules for the application of Council Regulations (EEC) No 525/92 and (EEC) No 3438/92 as regards special measures for the transport of certain fresh fruit and vegetables from Greece⁽⁴⁾, as last amended by Regulation (EEC) No 2827/93⁽⁵⁾, lays down the time limit for payment of the special temporary compensation by the relevant Greek authority after the submission of the application;

Whereas, on account of the extension of the time limit for the submission of the application, a number of ap-

plications hitherto declared inadmissible will become admissible and should therefore be honoured; whereas, in respect of some of those applications, the time limit for payment of the compensation has expired and should therefore be extended;

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

Regulation (EEC) No 266/93 is hereby amended as follows:

1. In the two subparagraphs of Article 2 (1), 'three months' is replaced by 'six months'.
2. In Article 3, '31 May 1994' is replaced by '31 August 1994'.

Article 2

In Article 1 (3) of Regulation (EEC) No 936/93, the following subparagraph is added:

'However, for applications concerning 1993 consignments which, under Article 1 of Regulation (EC) No 276/94 are declared admissible, payment shall be made not later than three months after the date of entry into force of this Regulation.'

Article 3

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

Article 1 shall apply from 8 February 1993.

⁽¹⁾ OJ No L 350, 1. 12. 1992, p. 1.

⁽²⁾ OJ No L 30, 6. 2. 1993, p. 49.

⁽³⁾ OJ No L 298, 3. 12. 1993, p. 20.

⁽⁴⁾ OJ No L 96, 22. 4. 1993, p. 22.

⁽⁵⁾ OJ No L 258, 16. 10. 1993, p. 14.

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

Done at Brussels, 7 February 1994.

For the Commission
René STEICHEN
Member of the Commission

COMMISSION REGULATION (EC) No 277/94

of 7 February 1994

amending Regulation (EEC) No 2814/90 laying down detailed rules for the definition of lambs fattened as heavy carcasses

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3013/89 of 25 September 1989 on the common organization of the market in sheepmeat and goatmeat⁽¹⁾, as last amended by Regulation (EEC) No 363/93⁽²⁾, and in particular Article 5 (9) thereof,

Having regard to Council Regulation (EEC) No 3901/89 of 12 December 1989 defining lambs fattened as heavy carcasses⁽³⁾, and in particular Article 1 (2) thereof,

Whereas detailed rules for the definition of lambs fattened as heavy carcasses were adopted by Commission Regulation (EEC) No 2814/90⁽⁴⁾, as last amended by Regulation (EEC) No 642/92⁽⁵⁾; whereas Article 1 of that Regulation specifies a period for the submission of premium applications which differs from that specified for producers not marketing milk; whereas, given the entry into force as from the 1994 marketing year in the sheepmeat and goatmeat sector of Commission Regulation (EEC) No 3887/92 of 23 December 1992 laying down detailed rules for applying the integrated administration and control system for certain Community aid schemes⁽⁶⁾, it is deemed appropriate, with a view to simplification and harmonization of the procedures for processing the various Community aid applications, to authorize the Member States to provide for a single period for the submission of ewe premium applications by all producers concerned in a given Member State; whereas, however, such authorization should be subject to submission of the specific declaration referred to in Article 1 (1) of Regulation (EEC) No 2814/90 once fattening of the

first batch begins, in order to ensure effective monitoring of the measure;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph 1a is inserted in Article 1 of Regulation (EEC) No 2814/90:

'1a. Notwithstanding the first subparagraph of paragraph 1, the Member States shall be authorized to make provision for submission of the premium application during the period or, as the case may be, first period provided for pursuant to Article 1 (2) of Commission Regulation (EEC) No 2700/93⁽⁷⁾. Where a Member State takes this option, the producers concerned shall, in addition to complying with the terms of paragraph 1, submit to the competent authority, not later than the day on which the fattening of each batch began, the specific declarations concerning batches in respect of which fattening began prior to the date of submission of the ewe premium application.

(⁷) OJ No L 245, 1. 10. 1993, p. 99.'

Article 2

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

It shall apply from the beginning of the 1994 marketing year.

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

Done at Brussels, 7 February 1994.

For the Commission

René STEICHEN

Member of the Commission

(¹) OJ No L 289, 7. 10. 1989, p. 1.

(²) OJ No L 42, 19. 2. 1993, p. 1.

(³) OJ No L 375, 23. 12. 1989, p. 4.

(⁴) OJ No L 268, 29. 9. 1990, p. 35.

(⁵) OJ No L 69, 14. 3. 1992, p. 25.

(⁶) OJ No L 391, 31. 12. 1992, p. 36.

COMMISSION REGULATION (EC) No 278/94
of 7 February 1994
fixing the aid for cotton

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

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

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

Whereas the amount of the additional aid referred to in Article 5 (1) of Regulation (EEC) No 2169/81 was fixed by Commission Regulation (EEC) No 2419/93⁽⁴⁾, as last amended by Regulation (EC) No 223/94⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EEC) No 2419/93 to the information at present available to the Commission that the amount of the aid at present in force should be altered as shown in Article 1 to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The aid for unginned cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 50,136 per 100 kilograms.

Article 2

This Regulation shall enter into force on 8 February 1994.

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

Done at Brussels, 7 February 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 377, 31. 12. 1987, p. 49.

⁽²⁾ OJ No L 211, 31. 7. 1981, p. 2.

⁽³⁾ OJ No L 154, 25. 6. 1993, p. 23.

⁽⁴⁾ OJ No L 222, 1. 9. 1993, p. 35.

⁽⁵⁾ OJ No L 28, 2. 2. 1994, p. 21.

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 31 January 1994

drawing up a provisional list of third countries from which Member States authorize imports of raw milk, heat treated milk and milk based products

(94/70/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/46/EEC of 16 June 1992 laying down the health rules for the production and placing on the market of raw milk, heat treated milk and milk based products⁽¹⁾, and in particular Article 23 (2) and (3) thereof,

Whereas imports of raw milk, heat treated milk and milk based products must come from third countries or part of third countries which are able to offer to Member States and to the Commission equivalent guarantees to the conditions laid down for the placing on the Community market;

Whereas in view of facilitating the new system of veterinary controls at the external borders of the Community, it is necessary to draw up a provisional list of third countries or parts of third countries concerned;

Whereas considering the different categories of milk and milk based products concerned and the list of part I of the Annex to Council Decision 79/542/EEC⁽²⁾, as last amended by Commission Decision 93/507/EEC⁽³⁾, it is justified to base the list for non-treated milk and milk based products on the list for live animals, the list for pas-

teurized milk and milk based products on the list for fresh meat and the list for sterilized milk and milk based products on the list for meat products;

Whereas considering the adaptation to the new regime which will follow the adoption of these lists, it is justified to foresee a period of time for their application;

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

HAS ADOPTED THIS DECISION:

Article 1

1. Member States shall authorize imports of non treated milk and milk based products which have not undergone a treatment which ensures the destruction of the foot-and-mouth virus (heat treatment or change in the pH) from third countries appearing in the list in Part I of the Annex.

2. Member States shall authorize imports of heat treated milk and milk based products which at least have undergone a pasteurization sufficient to inactivate the foot-and-mouth virus and of milk based products which, after fermentation shows a pH lower than 6, from third countries appearing on the list in Part II of the Annex.

3. Member States shall authorize imports of UHT and sterilized milk and milk based products, or these which

⁽¹⁾ OJ No L 268, 14. 9. 1992, p. 1.

⁽²⁾ OJ No L 146, 14. 6. 1979, p. 15.

⁽³⁾ OJ No L 237, 22. 9. 1993, p. 36.

have undergone an equivalent heat treatment, excluding those provided for by paragraphs 1 and 2, from third countries appearing on the list in Part III of the Annex.

Article 2

This Decision shall apply from 1 July 1994.

Article 3

This Decision is addressed to Member States.

Done at Brussels, 31 January 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

The following lists are lists in principle and importations shall fulfil the relevant animal health and public health requirements.

Country code ISO	List of third countries	Part I	Part II	Part III
AL	Albania	x	x	x
AR	Argentina	x (1)	x	x
AT	Austria	x	x	x
AU	Australia	x	x	x
BG	Bulgaria	x	x	x
BR	Brazil	0	x	x
BW	Botswana	0	x	x
BY	Belarus	x	x	x
BZ	Belize	0	x (2)	x
	Bosnia-Herzegovina	x	x	x
CA	Canada	x	x	x
CH	Switzerland	x	x	x
CL	Chile	x	x	x
CN	People's Republic of China	0	0	x
CO	Columbia	0	x (2)	x
CR	Costa Rica	0	x (2)	x
CU	Cuba	0	x (2)	x
CY	Cyprus	0	x	x
CZ	Czech Republic	x	x	x
DZ	Algeria	0	0	x
EE	Estonia	x	x	x
ET	Ethiopia	0	0	x
FI	Finland	x	x	x
GL	Greenland	x	x	x
GT	Guatemala	0	x (2)	x
HK	Hong Kong	0	0	x
HN	Honduras	0	x (2)	x
HR	Croatia	x	x	x
HU	Hungary	x	x	x
IL	Israel	0	0	x
IN	India	0	0	x
IS	Iceland	x	x	x
KE	Kenya	0	0	x
LI	Lithuania	x	x	x
LV	Latvia	x	x	x
MA	Morocco	0	0	x
MG	Madagascar	0	0	x
MT	Malta	0	x (2)	x
MU	Mauritius	0	0	x
MX	Mexico	0	x (2)	x
NA	Namibia	0	x	x
NI	Nicaragua	0	x (2)	x
NO	Norway	x	x	x
NZ	New Zealand	x	x	x
PA	Panama	0	x (2)	x
PL	Poland	x	x	x
PY	Paraguay	0	x	x
RO	Romania	x	x	x
RU	Russia	x	x	x
SE	Sweden	x	x	x
SG	Singapore	0	0	x

Country code ISO	List of third countries	Part I	Part II	Part III
SI	Slovenia	×	×	×
SK	Slovak Republic	×	×	×
SU	El Salvador	0	×	×
SZ	Swaziland	0	× ⁽²⁾	×
TH	Thailand	0	0	×
TN	Tunisia	0	0	×
TR	Turkey	0	0	×
UA	Ukraine	×	×	×
US	United States of America	×	×	×
UY	Uruguay	0	×	×
	Former Yugoslav Republic of Macedonia	×	×	×
ZA	South Africa	0	×	×
ZW	Zimbabwe	0	× ⁽²⁾	×

(¹) Only regions south of the 42 parallel

(²) From milk of the bovine species only:

COMMISSION DECISION

of 1 February 1994

amending Decision 90/178/Euratom, EEC authorizing Luxembourg not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the French text is authentic)

(94/71/EC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾ and, in particular, Article 13 thereof,

Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', the Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT resources base;

Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of Article 1 (1), first sentence, and (2) (a) of Council Directive 89/465/EEC⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;

Whereas, in the case of Luxembourg, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/178/Euratom, EEC⁽⁴⁾ authorizing

Luxembourg, with effect from 1989, not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since 1 January 1991, Luxembourg has taxed the transactions referred to in point 13 of Annex F to the sixth VAT Directive; whereas the authorization not to take such transactions into account for the calculation of the VAT base should be discontinued with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 1 (4) of Decision 90/178/Euratom, EEC is hereby repealed in respect of transactions conducted with effect from 1 January 1991.

Article 2

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 1 February 1994.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 26.

COMMISSION DECISION

of 1 February 1994

amending Decision 90/179/Euratom, EEC authorizing the Federal Republic of Germany to use statistics for years earlier than the last year but one and not to take into account certain categories of transactions or to use certain approximate estimates for the calculation of the VAT own resources base

(Only the German text is authentic)

(94/72/EC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾ and, in particular, Article 13 thereof,

Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', the Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the value added tax resources base;

Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of Article 1 (1), first paragraph, and (2) (a) of Council Directive 89/465/EEC⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;

Whereas, in the case of the Federal Republic of Germany, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/179/Euratom, EEC⁽⁴⁾ authorizing the Federal Republic of Germany, with effect from 1989, not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since 1 January 1991, the Federal Republic of Germany has taxed the transactions referred to in point 15 of Annex F to the sixth VAT Directive; whereas the

authorization to use certain approximate estimates for these transactions should be discontinued with effect from that date;

Whereas, since 1 July 1990, the Federal Republic of Germany has taxed the supply (Überlassung) and maintenance (Instandhaltung) of terminals (Endstelleneinrichtungen) by the Federal Post and Telecommunications Authority, Deutsche Bundespost Telekom; whereas the authorization to use approximate estimates to calculate telecommunications services and supplies of goods incidental thereto should therefore be restricted with effect from 1 July 1990;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Decision 90/179/Euratom, EEC is amended as follows:

1. The last part of Article 3 (3) is amended to read as follows in respect of transactions conducted on or after 1 July 1990:
'with the exception of the supply (Überlassung) and maintenance (Instandhaltung) of terminals (Endstelleneinrichtungen) by the Federal Post and Telecommunications Authority, Deutsche Bundespost Telekom (Annex F, ex point 5)';
2. Article 3 (4) is repealed in respect of transactions conducted on or after 1 January 1991.

Article 2

This Decision is addressed to the Federal Republic of Germany.

Done at Brussels, 1 February 1994.

For the Commission

Peter SCHMIDHUBER

Member of the Commission⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 28.

COMMISSION DECISION

of 1 February 1994

amending Decision 90/180/Euratom, EEC authorizing the Netherlands not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the Dutch text is authentic)

(94/73/EC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾ and, in particular, Article 13 thereof,Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', the Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT resources base;Whereas, in the case of the Netherlands, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/180/Euratom, EEC⁽³⁾ authorizing the Netherlands, with effect from 1989, not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since 1 January 1991, the Netherlands has taxed the services supplied by notaries and bailiffs referred to in point 2 of Annex F to the sixth VAT Directive; whereas the authorization granted in this connection should be discontinued with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 (1) of Decision 90/180/Euratom, EEC is hereby repealed in respect of transactions conducted with effect from 1 January 1991.

Article 2

This Decision is addressed to the Kingdom of the Netherlands.

Done at Brussels, 1 February 1994.

For the Commission

Peter SCHMIDHUBER

Member of the Commission⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.⁽³⁾ OJ No L 99, 19. 4. 1990, p. 30.

COMMISSION DECISION

of 1 February 1994

amending Decision 90/183/Euratom, EEC authorizing Ireland not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the English text is authentic)

(94/74/EC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾ and, in particular, Article 13 thereof,

Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', the Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT resources base;

Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of Article 1 (1), first sentence, and (2) (a) of Council Directive 89/465/EEC⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;

Whereas, in the case of Ireland, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted

Decision 90/183/Euratom, EEC⁽⁴⁾ authorizing Ireland, with effect from 1989, not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since 1 January 1991, Ireland has taxed the transactions referred to in point 4 of Annex F to the sixth VAT Directive; whereas the authorization granted in this connection should be discontinued with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

Article 2 (2) of Decision 90/183/Euratom, EEC is hereby repealed in respect of transactions conducted with effect from 1 January 1991.

Article 2

This Decision is addressed to Ireland.

Done at Brussels, 1 February 1994.

For the Commission

Peter SCHMIDHUBER

Member of the Commission

⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.

⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.

⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.

⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 35.

COMMISSION DECISION

of 1 February 1994

amending Decision 90/184/Euratom, EEC authorizing Denmark not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base

(Only the Danish text is authentic)

(94/75/EC, Euratom)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to Council Regulation (EEC, Euratom) No 1553/89 of 29 May 1989 on the definitive uniform arrangements for the collection of own resources accruing from value added tax⁽¹⁾ and, in particular, Article 13 thereof,Whereas, pursuant to Article 28 (3) of the Sixth Council Directive 77/388/EEC of 17 May 1977 on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value added tax: uniform basis of assessment⁽²⁾, hereinafter called 'the Sixth Directive', the Member States may continue to exempt or tax certain transactions; whereas these transactions must be taken into account for the determination of the VAT resources base;Whereas with effect from 1 January 1990 the possibility afforded Member States of continuing to tax or exempt certain transactions listed in Annexes E and F to the Sixth Directive was terminated by virtue of Article 1 (1), first sentence, and (2) (a) of Council Directive 89/465/EEC⁽³⁾; whereas, consequently, the authorizations granted in this connection by the Commission for the purposes of determining the VAT own resources base should also be discontinued;Whereas, in the case of Denmark, the Commission, on the basis of Regulation (EEC, Euratom) No 1553/89, adopted Decision 90/184/Euratom, EEC⁽⁴⁾ authorizing Denmark, with effect from 1989, not to take into account

certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base;

Whereas, since 1 January 1991, Denmark has taxed the transactions referred to in points 13 and 15 of Annex F to the sixth VAT Directive; whereas the authorizations granted in this connection should be discontinued with effect from that date;

Whereas the Advisory Committee on Own Resources has approved the report recording the opinions of its members on this Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. Article 1 (2) of Decision 90/184/Euratom, EEC is hereby repealed in respect of transactions conducted with effect from 1 January 1991.
2. Article 2 (2) of Decision 90/184/Euratom, EEC is hereby repealed in respect of transactions conducted with effect from 1 January 1991.

Article 2

This Decision is addressed to the Kingdom of Denmark.

Done at Brussels, 1 February 1994.

For the Commission

Peter SCHMIDHUBER

Member of the Commission⁽¹⁾ OJ No L 155, 7. 6. 1989, p. 9.⁽²⁾ OJ No L 145, 13. 6. 1977, p. 1.⁽³⁾ OJ No L 226, 3. 8. 1989, p. 21.⁽⁴⁾ OJ No L 99, 19. 4. 1990, p. 37.

COMMISSION DECISION

of 7 February 1994

approving the criteria for the allocation in Luxembourg of additional reference quantities to the producers referred to in Article 5 of Regulation (EEC) No 3950/92 in the milk and milk products sector

(Only the French text is authentic)

(94/76/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3950/92 of 28 December 1992, establishing an additional levy in the milk and milk products sector ⁽¹⁾, as last amended by Regulation (EEC) No 1560/93 ⁽²⁾, and in particular the first paragraph of Article 5 thereof,

Whereas the second subparagraph of Article 3 (2) of Regulation (EEC) No 3950/92 lays down that the increase of 0,6 % in the total quantities is intended to permit the allocation of additional reference quantities, not only to certain producers who had been excluded from allocation of a specific reference quantity and producers situated in mountain areas, but also to the producers referred to in Article 5 of the said Regulation ; whereas that Article lays down that the said producers are to be determined in accordance with objective criteria agreed with the Commission ;

Whereas the criteria proposed by Luxembourg on 13 December 1993 should be approved,

HAS ADOPTED THIS DECISION :

*Article 1*The national provisions providing for the allocation of additional reference quantities in Luxembourg first of all to young farmers who set up between 1 April 1991 and 1 January 1994 then to the producers referred to in Article 1 of Regulation (EEC) No 1637/91 ⁽³⁾, are hereby approved.*Article 2*

This Decision is addressed to the Grand Duchy of Luxembourg.

Done at Brussels, 7 February 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 405, 31. 12. 1992, p. 1.⁽²⁾ OJ No L 154, 25. 6. 1993, p. 30.⁽³⁾ OJ No L 150, 15. 6. 1991, p. 30.

COMMISSION DECISION
of 7 February 1994
amending Council Decision 90/424/EEC on expenditure in the veterinary field

(94/77/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Decision 90/424/EEC of 26 June 1990 on expenditure in the veterinary field ⁽¹⁾, as last amended by Decision 93/439/EEC ⁽²⁾, and in particular Article 24 (1) thereof,

Whereas Article 24 of Decision 90/424/EEC provides for the possibility of a Community financial measure for the eradication and monitoring of the diseases listed in the Annex thereto;

Whereas heartwater, babesiosis and anaplasmosis transmitted by vector insects are present in the French overseas departments;

Whereas the specific health situation of the French overseas departments justifies the addition of the abovementioned diseases to the Annex to Decision 90/424/EEC;

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

The following indents are hereby added to Group 1 of the disease list in the Annex to Decision 90/424/EEC:

- heartwater transmitted by vector insects in the French overseas departments
- babesiosis transmitted by vector insects in the French overseas departments
- anaplasmosis transmitted by vector insects in the French overseas departments¹.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 7 February 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 19.

⁽²⁾ OJ No L 203, 13. 8. 1993, p. 34.