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Legislation

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I

*(Acts whose publication is obligatory)***COMMISSION REGULATION (EC) No 880/94****of 21 April 1994****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 18 and 19 April 1994 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 22 April 1994.

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

Done at Brussels, 21 April 1994.

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 881/94**of 21 April 1994****determining the extent to which applications lodged in April 1994 for import licences for fresh, chilled or preserved beef and veal under the import arrangements provided for in the Bilateral Agreement between the Community and Sweden can be accepted****(Text with EEA relevance)**

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

Having regard to Commission Regulation (EC) No 266/94 of 4 February 1994 laying down detailed rules for the application in 1994 of the import arrangements for beef and veal provided for in the Bilateral Agreement between the Community and Sweden⁽¹⁾, as amended by Regulation (EC) No 394/94⁽²⁾, and in particular Article 4 (4) thereof,

Whereas Articles 1 (1) and 2 (1) of Regulation (EC) No 266/94 fix the quantity of fresh or chilled beef and veal falling within CN code 0201 and products falling within CN code 1602 50 31, 1602 50 39 or 1602 50 80 originating in Sweden which may be imported under special conditions during the period 1 April to 30 June 1994; whereas import licences for meat falling within CN code 0201 and for preserved meat have not been requested;

Whereas Article 2 (2) of Regulation (EC) No 266/94 states that if during 1994 the quantities for which applications for import licences have been submitted for the first, second or third period specified in paragraph 1 of that Article are less than the quantities available, the

remaining quantities are to be added to the quantities available in respect of the following period; whereas, given the quantities remaining in respect of the second period, the quantities available for Sweden for the third period, from 1 July to 30 September 1994, should therefore be determined,

HAS ADOPTED THIS REGULATION:

Article 1

The quantities available for the period referred to in Article 2 (1) of Regulation (EC) No 266/94 from 1 July to 30 September 1994 amount to:

- 3 000 tonnes, expressed as carcase weight, of beef falling within CN code 0201,
- 1 250 tonnes, expressed as carcase weight, of beef falling within CN code 1602 50 31, 1602 50 39 or 1602 50 80.

Article 2

This Regulation shall enter into force on 25 April 1994.

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

Done at Brussels, 21 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 32, 5. 2. 1994, p. 9.

⁽²⁾ OJ No L 53, 24. 2. 1994, p. 13.

COMMISSION REGULATION (EC) No 882/94
of 20 April 1994
amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

tical Nomenclature Section of the Customs Code Committee,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 779/94⁽²⁾, and in particular Article 9 thereof,

HAS ADOPTED THIS REGULATION:

Article 1

Whereas Articles 291 to 304 of Commission Regulation (EEC) No 2454/93⁽³⁾, as last amended by Regulation (EC) No 655/94⁽⁴⁾, determine the conditions under which certain goods are eligible on import for a favourable tariff arrangement by reason of their end-use;

The following Additional Notes are added to Chapter 90 of the combined nomenclature annexed to Regulation (EEC) No 2658/87:

Whereas certain types of integrated circuit test equipment, by virtue of Council Regulation (EEC) No 3080/93⁽⁵⁾, benefit from relief from customs duty under end-use provisions on importation when destined for the functionality testing of integrated circuits;

2. For the purposes of subheading 9030 81 20 the expression "Edge connected semiconductor production test apparatus" means electronic apparatus for functionality testing of integrated circuits (in the manufacturing process) mounted on test boards using edge connection, comprising an interface test head for connection to the devices under test, signal generators, a signal control unit, measure and compare units and associated power supplies.

Whereas there may be difficulties in distinguishing between the four different types of integrated circuit test equipment for the functionality testing of integrated circuits which benefit from relief from customs duty under end-use provisions on importation and similar goods, both types falling within CN code 9030 81; whereas it is feasible to make this distinction by means of specific definitions; whereas Additional Notes to this effect should be inserted in Chapter 90 of the combined nomenclature; whereas Regulation (EEC) No 2658/87 should be amended accordingly;

3. For the purposes of subheading 9030 81 81 the expression "semiconductor production test apparatus" means electronic apparatus for functionality testing of digital integrated circuits (in the manufacturing process), providing programmable timing, data format of signals and test rate, without interruption to the test cycle, comprising an interface test head for connection to the devices under test, a signal control unit, digital signal generators, digital measure and compare units and associated power supplies.

Whereas, in order to ensure uniform application of the combined nomenclature, it is necessary to adopt provisions concerning the classification of certain specific types of integrated circuit test equipment;

4. For the purposes of subheading 9030 81 83 the expression "semiconductor production test apparatus" means electronic apparatus for functionality testing of mixed signal (analogue and digital) integrated circuits (in the manufacturing process), comprising an interface test head for connection to the devices under test, a signal control unit, analogue and digital signal generators, analogue and digital measure and compare units and associated power supplies.

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statis-

5. For the purposes of subheading 9030 81 85 the expression "semiconductor production test apparatus" means electronic apparatus for functionality

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ OJ No L 91, 8. 4. 1994, p. 12.

⁽³⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽⁴⁾ OJ No L 82, 25. 3. 1994, p. 15.

⁽⁵⁾ OJ No L 277, 10. 11. 1993, p. 1.

testing of analogue integrated circuits (in the manufacturing process), comprising an interface test head for connection to the devices under test, a signal control unit, analogue signal generators, analogue measure and compare units and associated power supplies.'

Article 2

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

It shall apply with effect from 1 December 1993.

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

Done at Brussels, 20 April 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

COMMISSION REGULATION (EC) No 883/94

of 20 April 1994

concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 882/94⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3;

Whereas it is accepted that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the combined

nomenclature and which do not conform to the rights established by this Regulation, can continue to be invoked, under the provisions in Article 12 (6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, for a period of three months by the holder;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12 (6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 21st 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, 20 April 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ See page 5 of this Official Journal.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Description of goods	Classification CN code	Reason
(1)	(2)	(3)
1. A rectangular polymethyl methacrylate plate onto which a layer of metal is applied by means of vacuum deposition	3921 90 60	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 3921, 3921 90 and 3921 90 60. The product cannot be classified within heading 9001 because it cannot be considered as a mirror constituting an optical element for the purposes of that heading
2. A portable battery-operated audio cassette tape recorder/player in a housing of coloured plastics, with large operating buttons and an attached microphone enabling the user to broadcast through the built-in loudspeaker either with or without the audio cassette function operating	8520 31 11	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 8520, 8520 31 and 8520 31 11. Although the product appears to be designed for children, having regard to its function it cannot be classified as a toy under Chapter 95
3. A still image video camera which can record, play back and erase a series of still images without sound. The images are stored on a floppy disk and can be played back through a television screen	8525 30 99	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 8525, 8525 30 and 8525 30 99. The product cannot be considered as photographic apparatus within the meaning of heading 9006
4. A portable battery-operated long-wave/FM radio receiver and audio cassette recorder/player in a housing of coloured plastics, large operating buttons, a telescopic aerial, a built-in microphone and a loudspeaker	8527 11 90	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 8527, 8527 11 and 8527 11 90. Although the product appears to be designed for children, having regard to its function it cannot be classified as a toy under Chapter 95
5. A portable battery-operated long-wave/FM radio receiver in a housing of coloured plastics with large operating buttons and with an attached microphone enabling the user to broadcast through the built-in loudspeaker either with or without the radio operating	8527 19 00	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 8527, 8527 19 and 8527 19 00. Although the product appears to be designed for children, having regard to its function it cannot be classified as a toy under Chapter 95
6. A printed circuit board, intended for incorporation into a video cassette recorder and consisting, <i>inter alia</i> , of a tuner block and an intermediate frequency block which together isolate and modulate a video signal, which must be further converted by additional processes before it becomes directly usable by the video head	8528 10 91	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 8528, 8528 10 and 8528 10 91. The apparatus is considered to have the essential character of a video tuner
7. A new (all-terrain) four-wheeled vehicle with a single-cylinder 4-stroke 348 cm ³ spark-ignition internal combustion piston engine, gearbox with five forward speeds plus reverse and twin hydraulic front brakes. The vehicle has both a single seat accommodating the driver and a pillion passenger and handle bar mounted controls. It is fitted with a towing hook		Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 8703, 8703 21 and 8703 21 10. Even though the vehicles are fitted with a towing hook they do not fulfil the conditions of Note 2 to Chapter 87
(a) Dimensions (length, width and height): 1 850 × 1 100 × 1 150 mm. Unladen weight: 260 kg; maximum load: 190 kg	8703 21 10	
(b) Dimensions (length, width and height): 1 870 × 1 070 × 1 150 mm. Unladen weight: 240 kg; maximum load: 210 kg	8703 21 10	

Description of goods	Classification CN code	Reason
(1)	(2)	(3)
8. A new motor vehicle (so called crane undercarriage vehicle) consisting of a lorry chassis with cab, a compression-ignition internal combustion piston engine, gears, brakes, steering gear and electrical equipment and of a gross vehicle weight exceeding 20 tonnes	8704 23 91	Classification is determined by the provisions of General Rules 1, 3 (c) and 6 for the interpretation of the combined nomenclature and by the texts of CN codes 8704, 8704 23 and 8704 23 91. The vehicle cannot be classified within CN code 8705 10 00 since it lacks a crane slewing ring and it is not identifiable as any other special purpose motor vehicle

COMMISSION REGULATION (EC) No 884/94
of 20 April 1994
concerning the classification of certain goods in the combined nomenclature

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, as last amended by Commission Regulation (EC) No 882/94⁽²⁾, and in particular Article 9 thereof,

Whereas in order to ensure uniform application of the combined nomenclature annexed to the said Regulation, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation ;

Whereas Regulation (EEC) No 2658/87 has set down the general rules for the interpretation of the combined nomenclature and those rules also apply to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific Community provisions, with a view to the application of tariff and other measures relating to trade in goods ;

Whereas, pursuant to the said general rules, the goods described in column 1 of the table annexed to the present Regulation must be classified under the appropriate CN codes indicated in column 2, by virtue of the reasons set out in column 3 ;

Whereas it is accepted that binding tariff information issued by the customs authorities of Member States in respect of the classification of goods in the combined

nomenclature and which do not conform to the rights established by this Regulation, can continue to be invoked, under the provisions in Article 12 (6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽³⁾, for a period of three months by the holder ;

Whereas the measures provided for in this Regulation are in accordance with the opinion of the Tariff and Statistical Nomenclature Section of the Customs Code Committee,

HAS ADOPTED THIS REGULATION :

Article 1

The goods described in column 1 of the annexed table are now classified within the combined nomenclature under the appropriate CN codes indicated in column 2 of the said table.

Article 2

Binding tariff information issued by the customs authorities of Member States which do not conform to the rights established by this Regulation can continue to be invoked under the provisions of Article 12 (6) of Regulation (EEC) No 2913/92 for a period of three months.

Article 3

This Regulation shall enter into force on the 21st 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, 20 April 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 256, 7. 9. 1987, p. 1.

⁽²⁾ See page 5 of this Official Journal.

⁽³⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX

Description of goods	Classification CN code	Reason
(1)	(2)	(3)
<p>1. Facsimile machine for the transmission and automatic reception of documents containing text and/or graphics via the telephone lines. Documents may be transmitted to one or multiple recipients.</p> <p>The machine consists of a device for the dot-by-dot scanning of the original document, a modem for sending and receiving the result of the scanning and a receiver section incorporating a recording device.</p> <p>The recording device may also be used for copying documents.</p>	8517 82 10	Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and the wording of CN codes 8517, 8517 82 and 8517 82 10
<p>2. A satellite receiver which converts high frequency television signals received by the satellite dish and transfers them in a usable form to a connected colour television receiver.</p> <p>The satellite receiver may incorporate a means of selecting the channels (by keyboard or remote control).</p>	8528 10 91	<p>Classification is determined by the provisions of General Rules 1 and 6 for the interpretation of the combined nomenclature and by the wording of CN codes 8528, 8528 10 and 8528 10 91</p> <p>Classification within CN code 8525 is not possible since the transfer of converted signals is not regraded as transmission in the sense of CN code 8525</p>

COMMISSION REGULATION (EC) No 885/94

of 21 April 1994

on the free distribution in Saint Petersburg (Russia) of apples withdrawn from the market during 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 (EC) No 3511/93 of 14 December 1993 on the free distribution outside the Community of fruit and vegetables withdrawn from the market⁽¹⁾, and in particular the second paragraph of Article 2 thereof, during the 1993/94 marketing year,

Whereas the Community apple harvest in the 1993/1994 marketing year is particularly abundant; whereas major quantities were therefore withdrawn from the market pursuant to Council Regulation (EEC) No 1035/72 of 18 May 1972 on the common organization of the market in fruit and vegetables⁽²⁾, as last amended by Regulation (EC) No 3669/93⁽³⁾;

Whereas, on account of the serious difficulties of supply to which the city of Saint Petersburg (Russia) is currently subject, apples withdrawn from the market should be made available to the competent local authorities with a view to their free distribution in that city;

Whereas, in the case of the free distribution of apples withdrawn from the market, the costs of sorting, packing and transport costs may be taken over pursuant to Commission Regulation (EEC) No 2103/90 of 23 July 1990 laying down the conditions for taking over sorting and packing costs relating to the free distribution of apples and citrus fruit⁽⁴⁾, Commission Regulation (EEC) No 3587/86 of 20 November 1986 fixing the conversion factors to be applied to the buying-in prices for fruit and vegetables⁽⁵⁾, as last amended by Regulation (EEC) No 2868/93⁽⁶⁾, and Commission Regulation (EEC) No 2276/92 of 4 August 1992 laying down detailed rules for the application of Article 21 of Council Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables⁽⁷⁾;

Whereas outside the territory of the Member States the costs of transport of the products concerned are defrayed by the charitable organizations undertaking the operations in question;

Whereas the Commission should be informed concerning such apple distribution operations;

Whereas the provisions of this Regulation should be applied immediately;

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

As provided for in Article 1 of Regulation (EC) No 3511/93, dessert apples of Community origin withdrawn from the market in accordance with Regulation (EEC) No 1035/72 may, during the 1993/94 marketing year, be made available to charitable organizations approved by the Member States pursuant to Article 1 of Regulation (EEC) No 2103/90 with a view to their free distribution to the population of the city of Saint Petersburg (Russia).

Article 2

The provisions of Regulation (EEC) No 2103/90, of Article 2 of Regulation (EEC) No 3587/86 and of Regulation (EEC) No 2276/92 shall apply, within the territory of the Member States, to the free distribution operations referred to in Article 1.

Article 3

The Member States shall obtain assurances from the approved charitable organizations that the products are transferred free of charge to agencies or bodies with a view to their distribution to the intended recipients.

Article 4

The Member States shall inform the Commission, by 30 June 1994 at the latest, of the quantities distributed pursuant to this Regulation.

Article 5

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

⁽¹⁾ OJ No L 320, 22. 12. 1993, p. 1.

⁽²⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽³⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽⁴⁾ OJ No L 191, 24. 7. 1990, p. 19.

⁽⁵⁾ OJ No L 334, 27. 11. 1986, p. 1.

⁽⁶⁾ OJ No L 262, 21. 10. 1993, p. 27.

⁽⁷⁾ OJ No L 220, 5. 8. 1992, p. 22.

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

Done at Brussels, 21 April 1994.

For the Commission

René STEICHEN

Member of the Commission

COMMISSION REGULATION (EC) No 886/94
of 21 April 1994

determining the extent to which applications lodged in April 1994 for import licences for fresh, chilled or frozen beef under the import arrangements provided for in the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary and the Czech Republic and the Slovak Republic can be accepted

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

Having regard to Commission Regulation (EEC) No 2697/93 of 30 September 1993 laying down detailed rules for the period 1 July 1993 to 30 June 1994 for the application of the import arrangements for fresh, chilled or frozen beef provided for in the Additional Protocols to the Association Agreements between the Community and the Republic of Poland, the Republic of Hungary and the former Czech and Slovak Federal Republic⁽¹⁾, as amended by Regulation (EC) No 3558/93⁽²⁾, and in particular Article 3 (4) thereof,

Whereas Article 1 (1) and (2) of Regulation (EEC) No 2697/93 fixes the quantity of fresh, chilled and frozen beef originating in Poland, Hungary, the Czech Republic and the Slovak Republic which may be imported under

special conditions in respect of the period 1 April to 30 June 1994; whereas the quantities covered by import licence applications are such that import licences may be granted for the full quantities applied for,

HAS ADOPTED THIS REGULATION:

Article 1

Import licences shall be granted for the full quantities covered by applications submitted for the period 1 April to 30 June 1994 under the import arrangements referred to the Regulation (EEC) No 2697/93.

Article 2

This Regulation shall enter into force on 22 April 1994.

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

Done at Brussels, 21 April 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 245, 1. 10. 1993, p. 75.

⁽²⁾ OJ No L 324, 24. 12. 1993, p. 38.

COMMISSION REGULATION (EC) No 887/94
of 21 April 1994
abolishing the countervailing charge on tomatoes originating in Morocco

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 (EC) No 3669/93⁽²⁾, and in particular the first subparagraph of Article 27 (2) thereof,

Whereas Commission Regulation (EC) No 769/94⁽³⁾, as amended by Regulation (EC) No 831/94⁽⁴⁾, introduced a countervailing charge on tomatoes originating in Morocco;

Whereas for tomatoes originating in Morocco there were no prices for six consecutive working days; whereas the

conditions specified in Article 26 (1) of Regulation (EEC) No 1035/72 are therefore fulfilled and the countervailing charge on imports of tomatoes originating in Morocco can be abolished,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 769/94 is hereby repealed.

Article 2

This Regulation shall enter into force on 22 April 1994.

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

Done at Brussels, 21 April 1994.

For the Commission
René STEICHEN
Member of the Commission

⁽¹⁾ OJ No L 118, 20. 5. 1972, p. 1.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 26.

⁽³⁾ OJ No L 90, 7. 4. 1994, p. 23.

⁽⁴⁾ OJ No L 95, 14. 4. 1994, p. 16.

COMMISSION REGULATION (EC) No 888/94**of 21 April 1994****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⁾, as amended by Regulation (EC) No 3528/93⁽⁴⁾,

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 819/94⁽⁵⁾ 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 20 April 1994, as regards floating currencies, should be used to calculate the levies ;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 819/94 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 22 April 1994.

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

Done at Brussels, 21 April 1994.

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 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 94, 13. 4. 1994, p. 16.

ANNEX

to the Commission Regulation of 21 April 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

<i>(ECU/tonne)</i>	
CN code	Third countries ^(*)
0709 90 60	95,32 ⁽²⁾ ⁽³⁾
0712 90 19	95,32 ⁽²⁾ ⁽³⁾
1001 10 00	3,84 ⁽¹⁾ ⁽³⁾
1001 90 91	93,23
1001 90 99	93,23 ⁽²⁾
1002 00 00	119,50 ⁽⁶⁾
1003 00 10	123,17
1003 00 90	123,17 ⁽²⁾
1004 00 00	98,40
1005 10 90	95,32 ⁽²⁾ ⁽³⁾
1005 90 00	95,32 ⁽²⁾ ⁽³⁾
1007 00 90	103,35 ⁽⁴⁾
1008 10 00	31,54 ⁽²⁾
1008 20 00	46,09 ⁽⁴⁾ ⁽²⁾
1008 30 00	0 ⁽²⁾
1008 90 10	(?)
1008 90 90	0
1101 00 00	167,66 ⁽²⁾
1102 10 00	205,81
1103 11 10	38,66
1103 11 90	191,45
1107 10 11	176,83
1107 10 19	134,88
1107 10 91	230,12 ⁽¹⁰⁾
1107 10 99	174,70 ⁽²⁾
1107 20 00	201,79 ⁽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 or Hungary under the Agreements concluded between those countries and the Community and under the Interim Agreement between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and in respect of which EUR.1 certificates issued in accordance with Regulation (EC) No 121/94 or (EC) No 335/94 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 889/94
of 21 April 1994**

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⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾,

Whereas the premiums to be added to the levies on cereals and malt were fixed by Commission Regulation (EEC) No 1681/93 ⁽⁵⁾ 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 20 April

1994, 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 22 April 1994.

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

Done at Brussels, 21 April 1994.

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 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 159, 1. 7. 1993, p. 11.

ANNEX

to the Commission Regulation of 21 April 1994 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
	4	5	6	7
0709 90 60	0	1,14	0	0
0712 90 19	0	1,14	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 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	1,14	0	0
1005 90 00	0	1,14	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 10	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
	4	5	6	7	8
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 DIRECTIVE 94/15/EC

of 15 April 1994

adapting to technical progress for the first time Council Directive 90/220/EEC on the deliberate release into the environment of genetically modified organisms

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/220/EEC of 23 April 1990 on the deliberate release into the environment of genetically modified organisms⁽¹⁾, and in particular Article 20 thereof,

Whereas Annex II to Directive 90/220/EEC contains the information required to be provided in a notification for a deliberate release of genetically modified organisms (GMOs);

Whereas the information requirements for notifications for a deliberate release of GMOs, as set out in Annex II, are very broad in order to apply to all types of GMOs; whereas some of the information is only applicable or appropriate for specific types of organisms;

Whereas, on the basis of the experience gained with the releases of genetically modified higher plants, it is appropriate to adapt Annex II to technical progress by making provision for a sub-Annex specific to higher plants;

Whereas it is therefore appropriate that Annex II should be divided in two sub-Annexes: Annex II A outlining the information required in the notifications concerning releases of GMOs other than higher plants, and Annex II B outlining the information required in the notifications concerning releases of genetically modified higher plants;

Whereas the measures provided for in this Directive are in accordance with the opinion of the committee provided for in Article 21 of Directive 90/220/EEC,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Annex II to Directive 90/220/EEC is replaced by the Annex hereto.

Article 2

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 June 1994. They shall immediately inform the Commission thereof.

When Member States adopt these provisions, these shall contain a reference to this Directive or shall be accompanied by such reference at the time of their official publication. The procedure for such reference shall be adopted by Member States.

*Article 3*This Directive shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

Done at Brussels, 15 April 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 117, 8. 5. 1990, p. 15.

*ANNEX**ANNEX II***INFORMATION REQUIRED IN THE NOTIFICATION**

The notification for a deliberate release referred to in Article 5 and of the placing on the market referred to in Article 11 is to include, as appropriate, the information set out below in the sub-Annexes.

Not all points included will apply to every case. It is to be expected that individual notifications will address only the particular subset of considerations which is appropriate to individual situations.

The level of detail required in response to each subset of considerations is also likely to vary according to the nature and scale of the proposed release.

Annex II A applies to releases of all types of genetically modified organisms other than higher plants. Annex II B applies to releases of genetically modified higher plants.

The term "higher plants" means plants which belong to the taxonomic groups *Gymnospermae* and *Angiospermae*.

ANNEX II A

INFORMATION REQUIRED IN NOTIFICATIONS CONCERNING RELEASES OF GENETICALLY MODIFIED ORGANISMS OTHER THAN HIGHER PLANTS

I. GENERAL INFORMATION

- A. Name and address of the notifier (company or institute)
- B. Name, qualifications and experience of the responsible scientist(s)
- C. Title of the project

II. INFORMATION RELATING TO THE GMO

A. Characteristics of (a) the donor, (b) the recipient or (c) (where appropriate) parental organism(s):

- 1. scientific name ;
- 2. taxonomy ;
- 3. other names (usual name, strain name, etc.);
- 4. phenotypic and genetic markers ;
- 5. degree of relatedness between donor and recipient or between parental organisms ;
- 6. description of identification and detection techniques ;
- 7. sensitivity, reliability (in quantitative terms) and specificity of detection and identification techniques ;
- 8. description of the geographic distribution and of the natural habitat of the organism including information on natural predators, preys, parasites and competitors, symbionts and hosts ;
- 9. potential for genetic transfer and exchange with other organisms ;
- 10. verification of the genetic stability of the organisms and factors affecting it ;
- 11. pathological, ecological and physiological traits :
 - (a) classification of hazard according to existing Community rules concerning the protection of human health and/or the environment ;
 - (b) generation time in natural ecosystems, sexual and asexual reproductive cycle ;
 - (c) information on survival, including seasonability and the ability to form survival structures e.g. : seeds, spores or sclerotia ;
 - (d) pathogenicity : infectivity, toxigenicity, virulence, allergenicity, carrier (vector) of pathogen, possible vectors, host range including non-target organism. Possible activation of latent viruses (proviruses). Ability to colonize other organisms ;
 - (e) antibiotic resistance, and potential use of these antibiotics in humans and domestic organisms for prophylaxis and therapy ;
 - (f) involvement in environmental processes : primary production, nutrient turnover, decomposition of organic matter, respiration, etc.
- 12. Nature of indigenous vectors :
 - (a) sequence ;
 - (b) frequency of mobilization ;
 - (c) specificity ;
 - (d) presence of genes which confer resistance.
- 13. History of previous genetic modifications.

B. Characteristics of the vector :

- 1. nature and source of the vector ;
- 2. sequence of transposons, vectors and other non-coding genetic segments used to construct the GMO and to make the introduced vector and insert function in the GMO ;

3. frequency of mobilization of inserted vector and/or genetic transfer capabilities and methods of determination;
4. information on the degree to which the vector is limited to the DNA required to perform the intended function.

C. Characteristics of the modified organism :

1. Information relating to the genetic modification :

- (a) methods used for the modification;
- (b) methods used to construct and introduce the insert(s) into the recipient or to delete a sequence;
- (c) description of the insert and/or vector construction;
- (d) purity of the insert from any unknown sequence and information on the degree to which the inserted sequence is limited to the DNA required to perform the intended function;
- (e) sequence, functional identity and location of the altered/inserted/deleted nucleic acid segment(s) in question with particular reference to any known harmful sequence.

2. Information on the final GMO :

- (a) description of genetic trait(s) or phenotypic characteristics and in particular any new traits and characteristics which may be expressed or no longer expressed;
- (b) structure and amount of any vector and/or donor nucleic acid remaining in the final construction of the modified organism;
- (c) stability of the organism in terms of genetic traits;
- (d) rate and level of expression of the new genetic material. Method and sensitivity of measurement;
- (e) activity of the expressed protein(s);
- (f) description of identification and detection techniques including techniques for the identification and detection of the inserted sequence and vector;
- (g) sensitivity, reliability (in quantitative terms) and specificity of detection and identification techniques;
- (h) history of previous releases or uses of the GMO;
- (i) health considerations :
 - (i) toxic or allergenic effects of the non-viable GMOs and/or their metabolic products;
 - (ii) product hazards;
 - (iii) comparison of the modified organism to the donor, recipient or (where appropriate) parental organism regarding pathogenicity;
 - (iv) capacity for colonization;
 - (v) if the organism is pathogenic to humans who are immunocompetent :
 - diseases caused and mechanism of pathogenicity including invasiveness and virulence,
 - communicability,
 - infective dose,
 - host range, possibility of alteration,
 - possibility of survival outside of human host,
 - presence of vectors or means of dissemination,
 - biological stability,
 - antibiotic-resistance patterns,
 - allergenicity,
 - availability of appropriate therapies.

III. INFORMATION RELATING TO THE CONDITIONS OF RELEASE AND THE RECEIVING ENVIRONMENT

A. Information on the release :

1. description of the proposed deliberate release, including the purpose(s) and foreseen products;
2. foreseen dates of the release and time planning of the experiment including frequency and duration of releases;
3. preparation of the site previous to the release;
4. size of the site;

5. method(s) to be used for the release ;
6. quantities of GMOs to be released ;
7. disturbance on the site (type and method of cultivation, mining, irrigation, or other activities) ;
8. worker protection measures taken during the release ;
9. post-release treatment of the site ;
10. techniques foreseen for elimination or inactivation of the GMOs at the end of the experiment ;
11. information on, and results of, previous releases of the GMOs, especially at different scales and in different ecosystems.

B. Information on the environment (both on the site and in the wider environment) :

1. geographical location and grid reference of the site(s) (in case of notifications under Part C the site(s) of release will be the foreseen areas of use of the product) ;
2. physical or biological proximity to humans and other significant biota ;
3. proximity to significant biotopes or protected areas ;
4. size of local population ;
5. economic activities of local populations which are based on the natural resources of the area ;
6. distance to closest areas protected for drinking water and/or environmental purpose ;
7. climatic characteristics of the region(s) likely to be affected ;
8. geographical, geological and pedological characteristics ;
9. flora and fauna, including crops, livestock and migratory species ;
10. description of target and non-target ecosystems likely to be affected ;
11. a comparison of the natural habitat of the recipient organism with the proposed site(s) of release ;
12. any known planned developments or changes in land use in the region which could influence the environmental impact of the release.

IV. INFORMATION RELATING TO THE INTERACTIONS BETWEEN THE GMOs AND THE ENVIRONMENT

A. Characteristics affecting survival, multiplication and dissemination :

1. biological features which affect survival, multiplication and dispersal ;
2. known or predicted environmental conditions which may affect survival, multiplication and dissemination (wind, water, soil, temperature, pH, etc.) ;
3. sensitivity to specific agents.

B. Interactions with the environment :

1. predicted habitat of the GMOs ;
2. studies of the behaviour and characteristics of the GMOs and their ecological impact carried out in simulated natural environments, such as microcosms, growth rooms, greenhouses ;
3. genetic transfer capability :
 - (a) post-release transfer of genetic material from GMOs into organisms in affected ecosystems ;
 - (b) post-release transfer of genetic material from indigenous organisms to the GMOs ;
4. likelihood of post-release selection leading to the expression of unexpected and/or undesirable traits in the modified organism ;
5. measures employed to ensure and to verify genetic stability. Description of genetic traits which may prevent or minimize dispersal of genetic material. Methods to verify genetic stability ;
6. routes of biological dispersal, known or potential modes of interaction with the disseminating agent, including inhalation, ingestion, surface contact, burrowing, etc. ;
7. description of ecosystems to which the GMOs could be disseminated.

C. Potential environmental impact :

1. potential for excessive population increase in the environment ;
2. competitive advantage of the GMOs in relation to the unmodified recipient or parental organism(s) ;
3. identification and description of the target organisms ;
4. anticipated mechanism and result of interaction between the released GMOs and the target organism ;
5. identification and description of non-target organisms which may be affected unwittingly ;
6. likelihood of post-release shifts in biological interactions or in host range ;
7. known or predicted effects on non-target organisms in the environment, impact on population levels of competitors : preys, hosts, symbionts, predators, parasites and pathogens ;
8. known or predicted involvement in biogeochemical processes ;
9. other potentially significant interactions with the environment.

V. INFORMATION ON MONITORING, CONTROL, WASTE TREATMENT AND EMERGENCY RESPONSE PLANS**A. Monitoring techniques :**

1. methods for tracing the GMOs, and for monitoring their effects ;
2. specificity (to identify the GMOs, and to distinguish them from the donor, recipient or, where appropriate, the parental organisms), sensitivity and reliability of the monitoring techniques ;
3. techniques for detecting transfer of the donated genetic material to other organisms ;
4. duration and frequency of the monitoring.

B. Control of the release :

1. methods and procedures to avoid and/or minimize the spread of the GMOs beyond the site of release or the designated area for use ;
2. methods and procedures to protect the site from intrusion by unauthorized individuals ;
3. methods and procedures to prevent other organisms from entering the site.

C. Waste treatment :

1. type of waste generated ;
2. expected amount of waste ;
3. possible risks ;
4. description of treatment envisaged.

D. Emergency response plans :

1. methods and procedures for controlling the GMOs in case of unexpected spread ;
2. methods for decontamination of the areas affected, e.g. eradication of the GMOs ;
3. methods for disposal or sanitation of plants, animals, etc., that were exposed during or after the spread ;
4. methods for the isolation of the area affected by the spread ;
5. plans for protecting human health and the environment in case of the occurrence of an undesirable effect.

ANNEX II B

INFORMATION REQUIRED IN NOTIFICATIONS CONCERNING RELEASES OF GENETICALLY MODIFIED HIGHER PLANTS (GMHPs) (*GYMNOSPERMAE* AND *ANGIOSPERMAE*)**A. GENERAL INFORMATION**

1. Name and address of the notifier (company or institute)
2. Name, qualifications and experience of the responsible scientist(s)
3. Title of the project

B. INFORMATION RELATING TO (A) THE RECIPIENT OR (B) (WHERE APPROPRIATE) PARENTAL PLANTS

1. Complete name :
 - (a) family name ;
 - (b) genus ;
 - (c) species ;
 - (d) subspecies ;
 - (e) cultivar/breeding line ;
 - (f) common name.
2. (a) Information concerning reproduction :
 - (i) mode(s) of reproduction ;
 - (ii) specific factors affecting reproduction, if any ;
 - (iii) generation time.(b) Sexual compatibility with other cultivated or wild plant species.
3. Survivability :
 - (a) ability to form structures for survival or dormancy ;
 - (b) specific factors affecting survivability, if any.
4. Dissemination :
 - (a) ways and extent of dissemination ;
 - (b) specific factors affecting dissemination, if any.
5. Geographical distribution of the plant.
6. In the case of plant species not normally grown in the Member State(s), description of the natural habitat of the plant, including information on natural predators, parasites, competitors and symbionts.
7. Potentially significant interactions of the plant with organisms other than plants in the ecosystem where it is usually grown, including information on toxic effects on humans, animals and other organisms.

C. INFORMATION RELATING TO THE GENETIC MODIFICATION

1. Description of the methods used for the genetic modification.
2. Nature and source of the vector used.
3. Size, source (name of donor organism(s) and intended function of each constituent fragment of the region intended for insertion.

D. INFORMATION RELATING TO THE GENETICALLY MODIFIED PLANT

1. Description of the trait(s) and characteristics which have been introduced or modified.
2. Information on the sequences actually inserted/deleted :
 - (a) size and structure of the insert and methods used for its characterization, including information on any parts of the vector introduced in the GMHP or any carrier or foreign DNA remaining in the GMHP ;
 - (b) in case of deletion, size and function of the deleted region(s) ;
 - (c) location of the insert in the plant cells (integrated in the chromosome, chloroplasts, mitochondria, or maintained in a non-integrated form), and methods for its determination ;
 - (d) copy number of the insert.
3. Information on the expression of the insert :
 - (a) information on the expression of the insert and methods used for its characterization ;
 - (b) parts of the plant where the insert is expressed (e.g. roots, stem, pollen etc.).

4. Information on how the genetically modified plant differs from the recipient plant in :
 - (a) mode(s) and/or rate of reproduction ;
 - (b) dissemination ;
 - (c) survivability.
 5. Genetic stability of the insert.
 6. Potential for transfer of genetic material from the genetically modified plants to other organisms.
 7. Information on any toxic or harmful effects on human health and the environment, arising from the genetic modification.
 8. Mechanism of interaction between the genetically modified plant and target organisms (if applicable).
 9. Potentially significant interactions with non-target organisms.
 10. Description of detection and identification techniques for the genetically modified plant.
 11. Information about previous releases of the genetically modified plant, if applicable.
- E. INFORMATION RELATING TO THE SITE OF RELEASE (ONLY FOR NOTIFICATIONS SUBMITTED PURSUANT TO ARTICLE 5)
1. Location and size of the release site(s).
 2. Description of the release site ecosystem, including climate, flora and fauna.
 3. Presence of sexually compatible wild relatives or cultivated plant species.
 4. Proximity to officially recognized biotopes or protected areas which may be affected.
- F. INFORMATION RELATING TO THE RELEASE (ONLY FOR NOTIFICATIONS SUBMITTED PURSUANT TO ARTICLE 5)
1. Purpose of the release.
 2. Foreseen date(s) and duration of the release.
 3. Method by which the genetically modified plants will be released.
 4. Method for preparing and managing the release site, prior to, during and post-release, including cultivation practices and harvesting methods.
 5. Approximate number of plants (or plants per m²).
- G. INFORMATION ON CONTROL, MONITORING, POST-RELEASE AND WASTE TREATMENT PLANS (ONLY FOR NOTIFICATIONS SUBMITTED PURSUANT TO ARTICLE 5)
1. Any precautions taken :
 - (a) distance(s) from sexually compatible plant species ;
 - (b) any measures to minimize/prevent pollen or seed dispersal.
 2. Description of methods for post-release treatment of the site.
 3. Description of post-release treatment methods for the genetically modified plant material including wastes.
 4. Description of monitoring plans and techniques.
 5. Description of any emergency plans.
- H. INFORMATION ON THE POTENTIAL ENVIRONMENTAL IMPACT FROM THE RELEASE OF THE GENETICALLY MODIFIED PLANTS
1. Likelihood of the GMHP becoming more persistent than the recipient or parental plants in agricultural habitats or more invasive in natural habitats.
 2. Any selective advantage or disadvantage conferred to other sexually compatible plants species, which may result from genetic transfer from the genetically modified plant.
 3. Potential environmental impact of the interaction between the genetically modified plant and target organisms (if applicable).
 4. Possible environmental impact resulting from potential interactions with non-target organisms.'
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II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 21 April 1994

winding up the Consultative Council of Regional and Local Authorities

(94/209/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas the Consultative Council of Regional and Local Authorities was established by Decision 88/487/EEC⁽¹⁾;

Whereas Article 198a of the Treaty establishes a Committee of the Regions consisting of representatives of regional and local bodies, thus creating an institution through which regional and local bodies can officially be involved in drawing up and implementing Community policies;

Whereas the Committee of the Regions provided for in Articles 198a, 198b and 198c of the Treaty started to operate officially on 9 March 1994;

Whereas the functions of the Consultative Council of Regional and Local Authorities established by Decision

88/487/EEC can be fulfilled by the Committee of the Regions; whereas, therefore, the Consultative Council of Regional and Local Authorities should be wound up,

HAS DECIDED AS FOLLOWS:

Article 1

Commission Decision 88/487/EEC is hereby repealed.

Article 2

This Decision shall enter into force on 15 March 1994.

Done at Brussels, 21 April 1994.

For the Commission

Bruce MILLAN

Member of the Commission

⁽¹⁾ OJ No L 247, 6. 9. 1988, p. 23.