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(1) Text with EEA relevance

I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 1798/94
of 18 July 1994

opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Bulgaria, the Czech Republic, Hungary, Poland, Romania and Slovakia and establishing the detailed provisions for adapting these quotas (1994-97)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the Europe Agreements between the European Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Republic of Hungary and the Republic of Poland, of the other part, were signed on 16 December 1991 and entered into force on 1 February 1994; whereas Interim Agreements on trade and trade-related measures have been applied between the Community and the two countries concerned from 1 March 1992 pending the entry into force of the Europe Agreements⁽¹⁾ ⁽²⁾; whereas the Europe Agreements between the European Economic Community, the European Coal and Steel Community and the European Atomic Energy Community, of the one part, and the Czech and Slovak Federal Republic (CSFR), Romania and the Republic of Bulgaria, of the other part, were signed on 16 December 1991, 1 February 1993 and 8 March 1993 respectively; whereas, pending the entry into force of the latter three Agreements, the Community has concluded Interim Agreements on trade and trade-related measures with those countries⁽³⁾ ⁽⁴⁾ ⁽⁵⁾, which were signed on the same day and which entered into force, respectively, on 1 March 1992, 1 May 1993 and 31 December 1993;

Whereas the Additional Protocols⁽⁶⁾ to the said Agreements signed with the countries in question in the light of the conclusions of the Copenhagen European Council

of 21 and 22 June 1993 are intended to improve access to the Community market for products originating in those countries; whereas, in the agriculture sector, this improvement consists in bringing forward by six months the tariff concessions due to be opened on 1 January of each year; whereas, therefore, it is necessary to open on 1 July 1994 the tariff quotas granted to the Czech and Slovak Federal Republic (Annex XIII b of the Interim Agreement for products falling within tariff heading 1210), Poland (Annex X c of the Europe Agreement) and Hungary (Annex X c of the Europe Agreement) in respect of the fourth year of application, and the tariff quotas granted to Romania (Annex XII b of the Interim Agreement) and Bulgaria (Annex XIII b of the Interim Agreement) in respect of the third year of application;

Whereas the Additional Protocols concluded between the European Economic Community and the European Coal and Steel Community, of the one part, and the Czech Republic and Slovakia, of the other part, initialled in Brussels on 18 July 1993, provide, *inter alia*, for the tariff quotas and ceilings granted by the Community to the former Czech and Slovak Federal Republic to be shared between the successor states to the former Czech and Slovak Federal Republic as from 1 January 1994;

Whereas the Agreements in question provide through a transitional period ending on 30 June 1996 or 30 June 1997 the opening of tariff quotas; whereas the Agreements also set out the conditions required for granting the tariff advantages in the context of the said tariff quotas; whereas, therefore, in the interests of rationalizing implementation of the measures concerned, the provisions currently contained in the various regulations covering each of the abovementioned countries should be grouped together in a single regulation, applicable for a specific period, by including in Annexes I, II and III to this Regulation the tariff quotas to be opened for the periods 1 July 1994 to 30 June 1995, 1 July 1995 to 30 June 1996 and 1 July 1996 to 30 June 1997;

(¹) OJ No L 116, 30. 4. 1992, p. 2.

(²) OJ No L 114, 30. 4. 1992, p. 2.

(³) OJ No L 115, 30. 4. 1992, p. 2.

(⁴) OJ No L 81, 2. 4. 1993, p. 2.

(⁵) OJ No L 323, 23. 12. 1993, p. 2.

(⁶) OJ No L 25, 29. 1. 1994, p. 2, 7, 12, 17, 22 and 27.

Whereas tariff quotas may not be carried over from one period to the next;

Whereas the quotas provided for in the agreements concerned are of determinate duration; whereas the agreements have already established the annual rates of increase of the relevant quota volumes; whereas they also set out the conditions required for granting tariff advantages in the context of the said tariff quotas; whereas, therefore, in the interests of rationalizing implementation of the measures concerned, the provisions relating to tariff quotas currently included in various regulations covering each of the abovementioned countries for agricultural products should be grouped together in a single regulation, applicable for a determinate period;

Whereas the decision to open Community tariff quotas should be taken by the Community in execution of its international obligations in the case of the products listed in Annexes I, II and III hereto; whereas it is necessary, in particular, to ensure that all Community importers have equal continuous access to the said quotas and that the rates laid down for the quotas apply continuously to all imports of the products concerned into all Member States until the quotas have been used up; whereas, to ensure the efficiency of the common administration of the quotas, there is no reason why the Member States should not be authorized to draw from the quota volumes the necessary quantities corresponding to actual imports; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must, in particular, be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas amendments to the combined nomenclature and Taric codes and adaptations of quota volumes and rates arising from decisions of the Council or Commission do not involve changes of substance; whereas, in the interests of simplicity, provision should be made for the Commission to make the necessary amendments and technical adaptations to the Annexes of this Regulation after having obtained the opinion of the Customs Code Committee;

Whereas the application of this Regulation must not be prejudiced by the amendment of agreements existing between the Community and these countries, insofar as any amendments thus agreed provide details of the products eligible for the benefit of tariff quotas, their volumes, rates of duty and quota periods, and in some cases the respective conditions for granting that benefit; whereas provision should therefore be made for the Commission to make corresponding amendments to the provisions and Annexes of this Regulation, after having obtained an opinion from the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

From 1 July 1994 to 30 June 1997, goods originating in Bulgaria, the Czech Republic, Hungary, Poland, Romania and Slovakia which are listed in Annexes I, II and III to this Regulation shall be subject to Community tariff quotas, according to the provisions contained within those Annexes.

Article 2

1. The tariff quotas referred to in Article 1 shall be administered by the Commission, which may take all appropriate administrative measures in order to ensure efficient administration thereof.

2. Where an importer presents products covered by this Regulation for release for free circulation in a Member State, applying to take advantage of the preferential arrangements, and the declaration is accepted by the customs authorities, the Member State concerned shall, by notifying the Commission, draw an amount corresponding to its requirements from the quota volume concerned.

Requests for drawings, indicating the date on which the declarations were accepted, must be sent to the Commission without delay.

Drawings shall be granted by the Commission in chronological order of the dates on which the customs authorities of the Member State concerned accepted the declarations for release for free circulation, to the extent that the available balance so permits.

3. If a Member State does not use a drawing in full, it shall return any unused portion to the corresponding quota volume as soon as possible.

4. If the quantities requested are greater than the available balance of the quota volume, the balance shall be allocated among applicants pro rata. The Commission shall inform the Member States of the drawings made.

Article 3

1. The Member States and the Commission shall cooperate closely to ensure that this Regulation is complied with.

2. Each year, within three months of the end of the application period of the tariff quotas, the Commission shall prepare a summary, by product and country, of the allocations of the quotas appearing in the Annex to this Regulation. The summary shall be communicated to the committee referred to in Article 6.

Article 4

Each Member State shall ensure that importers of the products in question have equal and uninterrupted access to the quotas for as long as the balance of the relevant quota volumes so permits.

Article 5

1. The provisions necessary for the application of this Regulation, in particular:

- (a) the amendments and technical adaptations, insofar as necessary, arising from amendments of the combined nomenclature and Taric codes, and
- (b) the necessary adaptations arising from the conclusion by the Council of protocols, exchanges of letters within the framework of existing agreements, of agreements between the Community and these countries within the framework of the agreements referred to in this Regulation.

shall be adopted in accordance with the procedure laid down in Article 6 (2).

2. Provisions adopted pursuant to this Regulation shall not authorize the Commission to:

- carry over preference quantities from one quota period to another,
- transfer quantities from one quota to another,
- open and manage quotas under new agreements.

Article 6

1. The Commission shall be assisted by the Customs Code Committee set up by Article 247 of Regulation (EEC) No 2913/92⁽¹⁾.

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft within a

time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148 (2) of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the committee shall be weighted in the manner set out in that Article. The chairman shall not vote.

The Commission shall adopt the measures, which apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall be communicated by the Commission to the Council forthwith. In that event:

- the Commission shall defer application of the measures which it has decided for three months from the date of such communication;
- the Council, acting by qualified majority, may take a different decision within the period referred to in the previous paragraph.

3. The Committee may examine any question concerning the application of this Regulation which is raised by its chairman either on his own initiative or at the request of a Member State.

Article 7

The Protocol concerning the definition of the concept of originating products and methods of administrative cooperation annexed to the Agreements in question concluded between the Community and each of the Republics shall apply.

Article 8

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

It shall apply from 1 July 1994.

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

Done at Brussels, 18 July 1994.

For the Council

The President

K. KINKEL

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

ANNEX I

List of agricultural products subject to tariff quotas at a reduced rate of duty (1.7.1994 — 30.6.1995)

Order No	CN code	Description (extracts of CN codes) (a)	Origin (b)	Quota volume (tonnes)	Duty to be applied (%)
(1)	(2)	(3)	(4)	(5)	(6)
09.6221	0603 10 13 0603 10 51 0603 10 53 0603 10 55		BU	150	8 6,8 6,8 6,8
09.5101	0701 10 00		PL	370	2,8
09.6223	0701 90 51 0701 90 59 0701 90 90		BU	2 120	6 8,4 7,2
09.5103	0701 90 90		PL	3 700	7,2
09.6101	0702 00 10 0702 00 90		RO	3 720	7,7 12,6
09.6225	0702 00 10 0702 00 90		BU	680	7,7 12,6
09.5105	0703 10		H	54 400	4,8
09.5107	0703 10 11		PL	270	4,8
09.5109	0703 10 19		PL	136 000	4,8
09.6103	0703 10 19		RO	150	4,8
09.6227	0703 10 19		BU	260	4,8
09.5111	0703 10 90		PL	1 400	4,8
09.5113	0703 20 00		PL	570	4,8
09.6229	0703 20 00		BU	590	4,8
09.5115	0703 90 00		PL	180	5,2
09.5117	0704 10 10 0704 10 90 0704 20 00 0704 90 10 0704 90 90		PL	700	6,8 4,8 6 6 6
09.6105	0704 10 10 0704 90 10 0704 90 90		RO	1 800	6,8 6 6
09.5119	0705 11 10 0705 11 90 0705 19 00 0705 21 00		PL	130	5,2 5,2 5,2 5,2
09.5121	0706 10 00*11 *12 *13	Carrots, from 1 January to 31 March Carrots, from 1 April to 15 May Carrots from 16 May to 31 December	PL	700	6,8
09.5123	0706 90 11 0706 90 19		PL	700	5,2 6,8
09.5125	0706 90 90		PL	230	6,8

(a) The wording for the description of the products covered by this Annex is that of the combined nomenclature (OJ No L 241, 27. 9. 1993). For products having a Taric code the combined nomenclature description is supplemented by the product description appearing in column (3).

(b) H — Hungary,
PL — Poland,
CS — Czech Republic,
SK — Slovakia,
BU — Bulgaria,
RO — Romania.

(1)	(2)	(3)	(4)	(5)	(6)
09.5127	0707 00 11		H PL	130 1 400	6,4 6,4
09.6107	0707 00 11		RO	1 750	6,8
09.6231	0707 00 11 0707 00 90		BU	750	6,4 6,4
09.5129	0708 10 10 0708 20 10 0708 20 90 0708 90 00		PL	390	4 5,2 6,8 6,8
09.6109	0708 20 10 0708 20 90		RO	150	5,2 6,8
09.5131	0708 20 90		PL	450	6,8
09.5133	0709 51 10		H	1 273	6,4
09.5135	0709 51 50		PL	340	2,8
09.5137	0709 52 00		H	127	3,2
09.5139	0709 60 10		H PL	12 727 150	3,6
09.6111	0709 60 10		RO	2 020	3,6
09.6233	0709 60 10		BU	890	3,6
09.5141	0710 21 00		H PL	11 300 2 050	7,2 7,2
09.6113	0710 21 00 0710 22 00 0710 29 00		RO	130	7,2 7,2 7,2
09.6235	0710 21 00 0710 22 00 0710 29 00		BU	320	7,2
09.5143	0710 22 00		H PL	2 800 12 500	7,2 7,2
09.5145	0710 29 00		H PL	1 400 1 650	7,2 7,2
09.5147	0710 30 00		PL	1 650	7,2
09.5149	0710 80 85 0710 80 95		H PL	14 000 34 500	7,2 7,2
09.6237	0710 80 85 0710 80 95		BU	490	7,2
09.5151	0710 90 00		H PL	1 900 1 750	7,2 7,2
09.6115	ex 0711 90 40 2003 10 20 2003 10 30	Mushrooms (*)	RO	350	8,4
09.6239	ex 0711 90 40 2003 10 20 2003 10 30	Mushrooms (*)	BU	1 240	8,4
09.5153	0712 10 00		PL	170	6,4
09.5155	0712 90 50		PL	1 800	6,4
09.6241	0713 40 90		BU	260	0,8
09.6117	0802 31 00 0802 32 00		RO	240	3,2 3,2
09.6243	0802 31 00 0802 32 00		BU	390	3,2 3,2

(*) These CN codes are subject to the import arrangements laid down by Regulation (EEC) No 1796/81 (OJ No L 183, 4. 7. 1981, p. 1), as last amended by Regulation (EEC) No 1122/92 (OJ No L 117, 1. 5. 1992, p. 98).

(1)	(2)	(3)	(4)	(5)	(6)
09.6245	0806 10 19 0806 10 99		BU	350	8,8 8,8
09.5157	0808 10 10		H	21 000	3,6
09.6119	0808 10 31 0808 10 33 0808 10 39 0808 10 51 0808 10 53 0808 10 59		RO	120	5,6 5,6 5,6 3,2 3,2 3,2
09.6247	0808 10 10 0808 10 31 0808 10 33 0808 10 39		BU	750	3,6 5,6
09.5159	0808 10 91 0808 10 93 0808 10 99		H PL	4 200 1 400	5,6 3,2 2,4
09.6249	0808 20 10 0808 20 39		BU	2 130	3,6 5,2
09.6251	0808 20 90		BU	180	3,6
09.6121	0809 10 00		RO	970	10
09.6253	0809 10 00		BU	130	10
09.5161	0809 10 00		H	1 400	10
09.6255	0809 30		BU	473	8,8
09.6123	0809 40 11 0809 40 19		RO	2 130	6 3,2
09.6257	0809 40 11		BU	4 990	6
09.6259	0809 40 19		BU	1 170	3,2
09.5163	0809 40 11 0809 40 19		H PL	5 600 700	6 3,2
09.6125	0810 10 10		RO	2 030	6,4
09.5165	0811 10 11 0811 10 19		PL	1 100	10,4 10,4
09.6127	0810 10 90		RO	415	4,8
09.6261	0810 10 10 0810 10 90		BU	1 810	6,4 4,8
09.5167	0811 20 59 0811 20 90 0811 90 50 0811 90 70 0811 90 90		PL	14 000	6 7,2 6 1,6 7,2
09.6129	0812 10 00		RO	89	4,4
09.6263	0812 10 00		BU	785	4,4
09.6265	0812 90 10		BU	89	6,4
09.6131	0813 10 00 0813 20 00 0813 30 00 0813 40 80		RO	670	2,8 4,8 3,2 2,4
09.5169	0813 20 00 0813 50 19 0813 50 91 0813 50 99 0813 30 00 0813 40 30 0813 50 11 0813 50 30 0813 10 00 0813 40 10 0813 40 80		H PL	1 400 1 359	4,8 4,8 4 4,8 3,2 3,2 3,2 3,2 2,8 2,8 2,4

(1)	(2)	(3)	(4)	(5)	(6)
09.6267	0813 40 80		BU	530	2,4
09.6133	1209 25 80		RO	360	1,6
	1209 29 80				2
	1209 91 90				2,8
	1209 99 91				2,4
	1209 99 99				2,8
09.5171	1210		CS	5 120	3,6
			SK	630	
09.6135	1212 99 10		RO	400	0,8
09.6269	1210 10 00		BU	260	3,6
	1210 20				
09.6271	1209 21 00		BU	950	2
	1209 22 00				1,6
	1209 25 90				1,6
	1209 29 10				1,6
	1209 29 80				2
	1209 91 90				2,8
	1209 99 99				2,8
09.6273	1501 00 11		BU	4 120	1,2
09.5173	1512 11 91		H	1 800	4
09.6137	1512 11 91		RO	3 190	4
	1512 19 91				6
09.6275	1512 11 91		BU	290	4
09.6139	1602 31 11		RO	360	6,8
09.6277	1602 31 11		BU	177	6,8
	1602 39 19				6,8
09.5175	2001 10 00		H	18 800	8,8
			PL	1 800	8,8
09.6141	2001 10 00		RO	120	8,8
	2001 90 90				8
09.6279	2001 10 00		BU	2 070	8,8
09.6281	2002 10 10		BU	7 140	12,6
	2002 10 90				12,6
09.6283	2002 90 10		BU	7 430	12,6
	2002 90 31				12,6
	2002 90 39				12,6
	2002 90 91				
	2002 90 99				
09.5177	2002 90 30		H	5 000	7,2
09.6143	2002 90 31		RO	610	12,6
	2002 90 39				12,6
	2002 90 91				
	2002 90 99				
09.5179	2002 90 91		H	1 400	7,2
	2002 90 99				
09.5181	2005 30 00		H	2 550	8
09.5183	2005 40 00		PL	340	9,6
09.6145	2005 40 00		RO	140	9,6
09.5185	2005 59 00		PL	1 418	9,6
09.5187	2005 90 90*19 *70	Mixtures Pimentos	H	1 500	8,8
09.5189	2007 99 31*10 2007 99 33 2007 99 35	Sour cherry jam (Prunus cerasus)	H	2 550	12
			PL	1 400	12
					12
09.6285	2007 99 33		BU	99	12

(1)	(2)	(3)	(4)	(5)	(6)
09.6287	2008 50 71 2008 50 79 2008 50 91		BU	310	9,6 9,6 6,8
09.6289	2008 60 69		BU	78	9,6
09.6291	2008 70 79		BU	470	8,8
09.5191	2008 80 50		PL	360	8
09.6293	2008 80 70		BU	450	9,6
09.5193	2008 80 70		PL	3 400	9,6
09.5195	2008 80 99		PL	190	9,2
09.5197	2008 99 45*10	Plum halves in syrup, tinned	H	1 800	9,2
09.6295	2008 99 55		BU	150	9,6
09.6147	2009 70 19		RO	1 230	16,8
09.6297	2009 70 19		BU	3 350	16,8
09.5199	2008 99 48*21 *91	Gooseberries Apples	H	1 250	8
09.5201	2008 99 99*21 *81	Gooseberries Gooseberries	H	4 900	9,2
09.5203	2009 70 19		H PL	5 600 7 600	16,8 16,8
09.5205	2009 80 11 2009 80 19 2009 80 32 2009 80 34 2009 80 39 2009 80 50 2009 80 61 2009 80 63 2009 80 69 2009 80 80 2009 80 83 2009 80 85 2009 80 93 2009 80 95 2009 80 99		H	1 300	16,8 16,8 8,4 16,8 16,8 9,6 9,6 9,6 10 8,4 8,4 8,4 8,4 8,8 8,8
09.5207	2401 10 10 2401 10 20 2401 10 30 2401 10 41 2401 10 49 2401 10 50 2401 10 60 2401 10 70 2401 10 80 2401 10 90 2401 20 10 2401 20 20 2401 20 30 2401 20 41 2401 20 49 2401 20 50 2401 20 60 2401 20 70 2401 20 80 2401 20 90		H	3 000	9 9 9 9 9 5,5 5,5 5,5 5,5 5,5 9 9 9 9 9 5,5 5,5 5,5 5,5 5,5 5,5
09.6149	2401 10 60 2401 10 70 2401 20 60 2401 20 70		RO	3 000	5,5 5,5 5,5 5,5
09.6299	2401 10 60 2401 10 70 2401 20 60 2401 20 70		BU	6 000	5,5 5,5 5,5 5,5

ANNEX II

List of agricultural products subject to tariff quotas at a reduced rate of duty (1 July 1995 to 30 June 1996)

Order No	CN code	Description (extracts of CN codes) (a)	Origin (b)	Quota volume (tonnes)	Duty to be applied (%)
(1)	(2)	(3)	(4)	(5)	(6)
09.6221	0603 10 13 0603 10 51 0603 10 53 0603 10 55		BU	160	8 6,8 6,8 6,8
09.5101	0701 10 00		PL	400	2,8
09.6223	0701 90 51 0701 90 59 0701 90 90		BU	2 280	6 8,4 7,2
09.5103	0701 90 90		PL	4 000	7,2
09.6101	0702 00 10 0702 00 90		RO	3 890	7,7 12,6
09.6225	0702 00 10 0702 00 90		BU	710	7,7 12,6
09.5105	0703 10		H	58 300	4,8
09.5107	0703 10 11		PL	290	4,8
09.5109	0703 10 19		PL	145 500	4,8
09.6103	0703 10 19		RO	160	4,8
09.6227	0703 10 19		BU	280	4,8
09.5111	0703 10 90		PL	1 500	4,8
09.5113	0703 20 00		PL	610	4,8
09.6229	0703 20 00		BU	640	4,8
09.5115	0703 90 00		PL	190	5,2
09.5117	0704 10 10 0704 10 90 0704 20 00 0704 90 10 0704 90 90		PL	750	6,8 4,8 6 6 6
09.6105	0704 10 10 0704 90 10 0704 90 90		RO	1 950	6,8 6 6
09.5119	0705 11 10 0705 11 90 0705 19 00 0705 21 00		PL	140	5,2 5,2 5,2 5,2
09.5121	0706 10 00*11 *12 *13	Carrots, from 1 January to 31 March Carrots, from 1 April to 15 May Carrots, from 16 May to 31 December	PL	750	6,8
09.5123	0706 90 11 0706 90 19		PL	750	5,2 6,8
09.5125	0706 90 90		PL	250	6,8

(a) The wording for the description of the products covered by this Annex is that of the combined nomenclature (OJ No L 241, 27. 9. 1993). For products having a Taric code the combined nomenclature description is supplemented by the product description appearing in column (3).

(b) H — Hungary,
PL — Poland,
CS — Czech Republic,
SK — Slovakia,
BU — Bulgaria,
RO — Romania.

(1)	(2)	(3)	(4)	(5)	(6)
09.5127	0705 00 11		H	140	6,4
09.5128	0707 00 11		PL	1 500	6,4
09.6107	0707 00 11		RO	1 880	6,8
09.6231	0707 00 11		BU	810	6,4
	0707 00 90				6,4
09.5129	0708 10 10		PL	420	4
	0708 20 10				5,2
	0708 20 90				6,8
	0708 90 00				6,8
09.6109	0708 20 10		RO	160	5,2
	0708 20 90				6,8
09.5131	0708 20 90		PL	480	6,8
09.5133	0709 51 10		H	1 364	6,4
09.5135	0709 51 50		PL	370	2,8
09.5137	0709 52 00		H	136	3,2
09.5139	0709 60 10		H	13 636	3,6
			PL	160	3,6
09.6111	0709 60 10		RO	2 180	3,6
09.6233	0709 60 10		BU	960	3,6
09.5141	0710 21 00		H	12 000	7,2
			PL	2 200	7,2
09.6113	0710 21 00		RO	140	7,2
	0710 22 00				7,2
	0710 29 00				7,2
09.6235	0710 21 00		BU	340	7,2
	0710 22 00				
	0710 29 00				
09.5143	0710 22 00		H	3 000	7,2
			PL	13 000	7,2
09.5145	0710 29 00		H	1 500	7,2
			PL	1 750	7,2
09.5147	0710 30 00		PL	1 750	7,2
09.5149	0710 80 90		H	15 000	7,2
			PL	36 500	7,2
09.6237	0710 80 85		BU	520	7,2
	0710 80 95				
09.5151	0710 90 00		H	2 050	7,2
			PL	1 850	7,2
09.6115	ex 0711 90 40	Mushrooms (*)	RO	370	8,4
	2003 10 20				8,4
	2003 10 30				8,4
09.6239	ex 0711 90 40	Mushrooms (*)	BU	1 300	8,4
	2003 10 20				
	2003 10 30				
09.5153	0712 10 00		PL	180	6,4
09.5155	0712 90 50		PL	1 900	6,4
09.6241	0713 40 90		BU	280	0,8
09.6117	0802 31 00		RO	260	3,2
	0802 32 00				3,2
09.6243	0802 31 00		BU	420	3,2
	0802 32 00				3,2

(*) These CN codes are subject to the import arrangements laid down by Regulation (EEC) No 1796/81 (OJ No L 183, 4. 7. 1981, p. 1), as last amended by Regulation (EEC) No 1122/92 (OJ No L 117, 1. 5. 1992, p. 98).

(1)	(2)	(3)	(4)	(5)	(6)
09.6245	0806 10 19 0806 10 99		BU	380	8,8 8,8
09.5157	0808 10 10		H	22 500	3,6
09.6119	0808 10 31 0808 10 33 0808 10 39 0808 10 51 0808 10 53 0808 10 59		RO	130	5,6 5,6 5,6 3,2 3,2 3,2
09.6247	0808 10 10 0808 10 31 0808 10 33 0808 10 39		BU	810	3,6 5,6 5,6 5,6
09.5159	0808 10 91 0808 10 93 0808 10 99		H PL	4 500 1 500	5,6 3,2 2,4
09.6249	0808 20 10 0808 20 39		BU	2 290	3,6 5,2
09.6251	0808 20 90		BU	190	3,6
09.6121	0809 10 00		RO	1 040	10
09.6253	0809 10 00		BU	140	10
09.5161	0809 10 00		H	1 500	10
09.6255	0809 30		BU	509	8,8
09.6123	0809 40 11 0809 40 19		RO	2 290	6 3,2
09.6257	0809 40 11		BU	5 370	6
09.6259	0809 40 19		BU	1 260	3,2
09.5163	0809 40 11 0809 40 19		H PL	6 000 750	6 3,2
09.6125	0810 10 10		RO	2 190	6,4
09.5165	0811 10 11 0811 10 19		PL	1 150	10,4 10,4
09.6127	0811 10 90		RO	450	4,8
09.6261	0810 10 10 0810 10 90		BU	1 950	6,4 4,8
09.5167	0811 20 59 0811 20 90 0811 90 50 0811 90 70 0811 90 90		PL	14 500	6 7,2 6 1,6 7,2
09.6129	0812 10 00		RO	95	4,4
09.6263	0812 10 00		BU	845	4,4
09.6265	0812 90 10		BU	96	6,4
09.6131	0813 10 00 0813 20 00 0813 30 00 0813 40 80		RO	730	2,8 4,8 3,2 2,4
09.5169	0813 20 00 0813 50 19 0813 50 91 0813 50 99 0813 30 00 0813 40 30 0813 50 11 0813 50 30 0813 10 00 0813 40 10 0813 40 80		H PL	1 500 1 456	4,8 4,8 4 4,8 3,2 3,2 3,2 3,2 2,8 2,8 2,4

(1)	(2)	(3)	(4)	(5)	(6)
09.6267	0813 40 80		BU	570	2,4
09.6133	1209 25 80		RO	390	1,6
	1209 29 80				2
	1209 91 90				2,8
	1209 99 91				2,4
	1209 99 99				2,8
09.5171	1210		CS	5 470	3,6
			SK	680	
09.6135	1212 99 10		RO	430	0,8
09.6269	1210 10 00		BU	280	3,6
	1210 20				
09.6271	1209 21 00		BU	1 020	2
	1209 22 00				1,6
	1209 25 90				1,6
	1209 29 10				1,6
	1209 29 80				2
	1209 91 90				2,8
	1209 99 99				2,8
09.6273	1501 00 11		BU	4 430	1,2
09.5173	1512 11 91		H	1 900	4
09.6137	1512 11 91		RO	3 440	4
	1512 19 91				6
09.6275	1512 11 91		BU	310	4
09.6139	1602 31 11		RO	390	6,8
09.6277	1602 31 11		BU	191	6,8
	1602 39 19				6,8
09.5175	2001 10 00		H	20 200	8,8
			PL	1 900	8,8
09.6141	2001 10 00		RO	130	8,8
	2001 90 90				8
09.6279	2001 10 00		BU	2 230	8,8
09.6281	2002 10 10		BU	7 450	12,6
	2002 10 90				12,6
09.6283	2002 90 10		BU	7 750	12,6
	2002 90 30				12,6
	2002 90 90				12,6
09.5177	2002 90 30		H	5 350	7,2
09.6143	2002 90 31		RO	640	12,6
	2002 90 39				12,6
	2002 90 91				12,6
	2002 90 99				12,6
09.5179	2002 90 90		H	1 500	7,2
09.5181	2005 30 00		H	2 700	8
09.5183	2005 40 00		PL	370	9,6
09.6145	2005 40 00		RO	150	9,6
09.5185	2005 59 00		PL	1 500	9,6
09.5187	2005 90 90*19 *70	Mixtures Pimentos	H	1 600	8,8
09.5189	2007 99 31*10 2007 99 33 2007 99 35	Sour cherry jam (Prunus cerasus)	H PL	2 700 1 500	12 12 12
09.6285	2007 99 33		BU	106	12

(1)	(2)	(3)	(4)	(5)	(6)
09.6287	2008 50 71 2008 50 79 2008 50 91		BU	330	9,6 9,6 6,8
09.6289	2008 60 69		BU	84	9,6
09.6291	2008 70 79		BU	510	8,8
09.5191	2008 80 50		PL	380	8
09.6293	2008 80 70		BU	485	9,6
09.5193	2008 80 70		PL	3 700	9,6
09.5195	2008 80 99		PL	200	9,2
09.5197	2008 99 45*10	Plum halves in syrup, tinned	H	1 900	9,2
09.6295	2008 99 55		BU	160	9,6
09.6147	2009 70 19		RO	1 320	16,8
09.6297	2008 70 19		BU	3 710	16,8
09.5199	2008 99 48*21 *91	Gooseberries Apples	H	1 350	8
09.5201	2008 99 99*21 *81	Gooseberries Gooseberries	H	5 250	9,2
09.5203	2009 70 19		H PL	6 000 8 200	16,8 16,8
09.5205	2009 80 11 2009 80 19 2009 80 32 2009 80 34 2009 80 39 2009 80 50 2009 80 61 2009 80 63 2009 80 69 2009 80 80 2009 80 83 2009 80 85 2009 80 93 2009 80 95 2009 80 99		H	1 350	16,8 16,8 8,4 16,8 16,8 9,6 9,6 9,6 10 8,4 8,4 8,4 8,4 8,8 8,8
09.5207	2401 10 10 2401 10 20 2401 10 30 2401 10 41 2401 10 49 2401 10 50 2401 10 60 2401 10 70 2401 10 80 2401 10 90 2401 20 10 2401 20 20 2401 20 30 2401 20 41 2401 20 49 2401 20 50 2401 20 60 2401 20 70 2401 20 80 2401 20 90		H	3 200	9 9 9 9 9 5,5 5,5 5,5 5,5 5,5 9 9 9 9 9 5,5 5,5 5,5 5,5 5,5 5,5
09.6149	2401 10 60 2401 10 70 2401 20 60 2401 20 70		RO	3 250	5,5 5,5 5,5 5,5
09.6299	2401 10 60 2401 10 70 2401 20 60 2401 20 70		BU	6 000	5,5 5,5 5,5 5,5

ANNEX III

List of agricultural products subject to tariff quotas at a reduced rate of duty (1.7.1996 — 30.6.1997)

Order No	CN code	Description (extracts of CN codes) (a)	Origin (b)	Quota volume (tonnes)	Duty to be applied (%)
(1)	(2)	(3)	(4)	(5)	(6)
09.6221	0603 10 13		BU	170	8
	0603 10 51				6,8
	0603 10 53				6,8
	0603 10 55				6,8
09.6223	0701 90 51				6
	0701 90 59		BU	2 440	8,4
	0701 90 90				7,2
09.6101	0702 00 10		RO	4 050	7,7
	0702 00 90				12,6
09.6225	0702 00 10		BU	740	7,7
	0702 00 90				12,6
09.6103	0703 10 19		RO	170	4,8
09.6227	0703 10 19		BU	300	4,8
09.6229	0703 20 00		BU	680	4,8
09.6105	0704 10 10		RO	2 100	6,8
	0704 90 10				6
	0704 90 90				6
09.6107	0707 00 11		RO	2 020	6,8
09.6231	0707 00 11		BU	870	6,4
	0707 00 90				6,4
09.6109	0708 20 10		RO	170	5,2
	0708 20 90				6,8
09.6111	0709 51 50		RO	2 330	3,6
09.6233	0709 60 10		BU	1 030	3,6
09.6113	0710 21 00		RO	150	7,2
	0710 22 00				7,2
	0710 29 00				7,2
09.6235	0710 21 00		BU	370	7,2
	0710 22 00				7,2
	0710 29 00				7,2
09.6237	0710 80 85		BU	560	7,2
	0710 80 95				7,2
09.6115	ex 0711 90 40	Mushrooms (*)	RO	380	8,4
	2003 10 20				8,4
	2003 10 30				8,4
09.6239	ex 0711 90 40	Mushrooms (*)	BU	1 360	8,4
	2003 10 20				
	2003 10 30				
09.6241	0713 40 90		BU	280	0,8

(a) The wording for the description of the products covered by this Annex is that of the combined nomenclature (OJ No L 241, 27. 9. 1993). For products having a Taric code the combined nomenclature description is supplemented by the product description appearing in column (3).

(b) H — Hungary,
 PL — Poland,
 CS — Czech Republic,
 SK — Slovakia,
 BU — Bulgaria,
 RO — Romania.

(1)	(2)	(3)	(4)	(5)	(6)
09.6117	0802 31 00 0802 32 00		RO	280	3,2 3,2
09.6243	0802 31 00 0802 32 00		BU	450	3,2 3,2
09.6245	0806 10 19 0806 10 99		BU	410	8,8 8,8
09.6119	0808 10 31 0808 10 33 0808 10 39 0808 10 51 0808 10 53 0808 10 59		RO	140	5,6 5,6 5,6 3,2 3,2 3,2
09.6247	0808 10 10 0808 10 31 0808 10 33 0808 10 39		BU	870	3,6 3,6 5,6 5,6
09.6249	0808 20 10 0808 20 39		BU	2 450	3,6 5,2
09.6251	0808 20 90		BU	200	3,6
09.6121	0809 10 00		RO	1 120	10
09.6253	0809 10 00		BU	150	10
09.6255	0809 30		BU	545	8,8
09.6123	0809 40 11 0809 40 19		RO	2 460	6 3,2
09.6257	0809 40 11		BU	5 750	6
09.6259	0809 40 19		BU	1 350	3,2
09.6125	0810 10 10		RO	2 350	6,4
09.6127	0810 10 90		RO	485	4,8
09.6261	0810 10 10 0810 10 90		BU	2 090	6,4 4,8
09.6129	0812 10 00		RO	102	4,4
09.6263	0812 10 00		BU	905	4,4
09.6265	0812 90 10		BU	103	6,4
09.6131	0813 10 00 0813 20 00 0813 30 00 0813 40 80		RO	780	2,8 4,8 3,2 2,4
09.6257	0813 40 80		BU	610	2,4
09.6133	1209 25 80 1209 29 80 1209 91 90 1209 99 91 1209 99 99		RO	420	1,6 2 2,8 2,4 2,8
09.6135	1212 99 10		RO	460	0,8
09.6269	1210 10 00 1210 20		BU	300	3,6

(*) These CN codes are subject to the import arrangements laid down by Regulation (EEC) No 1796/81 (OJ No L 183, 4. 7. 1981, p. 1), as last amended by Regulation (EEC) No 1122/92 (OJ No L 117, 1. 5. 1992, p. 98).

(1)	(2)	(3)	(4)	(5)	(6)
09.6271	1209 21 00		BU	1 090	2
	1209 22 00				1,6
	1209 25 90				1,6
	1209 29 10				1,6
	1209 29 80				2
	1209 91 90				2,8
	1209 99 99				2,8
09.6273	1501 00 11		BU	4 750	1,2
09.6137	1512 11 91		RO	3 680	4
	1512 19 91				6
09.6275	1512 11 91		BU	330	4
09.6139	1602 31 11		RO	420	6,8
09.6277	1602 31 11		BU	205	6,8
	1602 39 19				6,8
09.6141	2001 10 00		RO	140	8,8
	2001 90 90				8
09.6279	2001 10 00		BU	2 390	8,8
09.6281	2002 10 10		BU	7 760	12,6
	2002 10 90				12,6
09.6283	2002 90 10		BU	8 070	12,6
	2002 90 30				12,6
	2002 90 90				12,6
09.6143	2002 90 31		RO	670	12,6
	2002 90 39				12,6
	2002 90 91				12,6
	2002 90 99				12,6
09.6145	2005 40 00		RO	160	9,6
09.6285	2007 99 33		BU	113	12
09.6287	2008 50 71		BU	350	9,6
	2008 50 79				9,6
	2008 50 91				6,8
09.6289	2008 60 69		BU	92	9,6
09.6291	2008 70 79		BU	550	8,8
09.6293	2008 80 70		BU	520	9,6
09.6295	2008 99 55		BU	170	9,6
09.6147	2009 70 19		RO	1 420	16,8
09.6297	2009 70 19		BU	4 070	16,8
09.6149	2401 10 60		RO	3 500	5,5
	2401 10 70				5,5
	2401 20 60				5,5
	2401 20 70				5,5
09.6299	2401 10 60		BU	6 000	5,5
	2401 10 70				5,5
	2401 20 60				5,5
	2401 20 70				5,5

COUNCIL REGULATION (EC) No 1799/94
of 18 July 1994
on special arrangements for imports of maize and sorghum into Spain for the
year 1994

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas, under Council Regulation (EC) No 532/94 of 7 March 1994 extending the measures taken under the Agreement between the European Economic Community and the United States of America for the conclusion of negotiations under GATT Article XXIV.6⁽¹⁾, the Community undertook, in respect of the year 1994, to open a quota for imports into Spain of two million tonnes of maize and 300 000 tonnes of sorghum, minus the quantities of certain grain substitutes imported into that country during the same year; whereas the quantities of maize and sorghum imported must be used or processed in Spain; whereas the Community has sole competence for the said Agreement;

Whereas, to ensure that the Agreement between the European Economic Community and the United States of America is implemented, the extended arrangements provide for direct purchase on the world market or application of an import levy reduction system; whereas, however, imports into Spain effected on preferential terms may create difficulties for the Community market; whereas, to overcome that difficulty, provision should be made for the possibility of applying a countervailing duty to processed products exported either to third countries or to the rest of the Community;

Whereas the combination of the advantages provided for under the arrangements established by Council Regulation (EEC) No 715/90 of 5 March 1990⁽²⁾, applicable to imports into the Community of sorghum and maize originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCT) and under this Regulation is liable to create disturbances on the Spanish market in cereals; whereas that difficulty can be overcome by setting a special reduction of the levy on maize and sorghum imported under this Regulation;

Whereas provisions are required to cover the operations arising from this Regulation according to the mechanisms laid down by Council Regulation (EEC) No 729/70 of 21 April 1970 on the financing of the common agricul-

tural policy⁽³⁾, and by Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section⁽⁴⁾,

HAS ADOPTED THIS REGULATION:

Article 1

For 1994 imports from third countries, for free circulation in Spain, of a maximum quantity of two million tonnes of maize and 300 000 tonnes of sorghum shall be effected as provided in the following Articles.

Article 2

1. The quantities referred to in Article 1 shall be reduced in proportion to any quantities of maize gluten, brewers' grains and citrus pulp imported into Spain from third countries during the year 1994. Where it is ascertained that the quantities for such products imported into Spain under the cover of documents establishing their Community status develop abnormally, the necessary action shall be taken in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92⁽⁵⁾.

2. The quantities of maize and sorghum referred to in Article 1 shall be allocated to processing or use in Spain.

Article 3

1. Without prejudice to Article 4, for imports of maize and sorghum into Spain, within the quantitative limits set in Article 2, a reduction shall be applied to the levy fixed in accordance with Article 10 of Regulation (EEC) No 1766/92.

⁽³⁾ OJ No L 94, 28. 4. 1970, p. 3. Regulation as last amended by Regulation (EEC) No 2048/88 (OJ No L 185, 15. 7. 1988, p. 1).

⁽⁴⁾ OJ No L 216, 5. 8. 1978, p. 1. Regulation as last amended by Regulation (EEC) No 1571/93 (OJ No L 154, 25. 6. 1993, p. 46).

⁽⁵⁾ Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals (OJ No L 181, 1. 7. 1992, p. 21). Regulation as last amended by Commission Regulation (EEC) No 2825/93 (OJ No L 258, 16. 10. 1993, p. 6).

⁽¹⁾ OJ No L 68, 11. 3. 1994, p. 1.

⁽²⁾ OJ No L 84, 30. 3. 1990, p. 85. Regulation as last amended by Regulation (EC) No 235/94 (OJ No L 30, 3. 2. 1994, p. 12).

2. The amount of the reduction shall be fixed, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, at a level enabling disturbance of the Spanish market to be avoided. The reduction may also be fixed by a tendering procedure.

The reduction may be differentiated for imports of maize and sorghum into Spain under Regulation (EEC) No 715/90.

3. The reduction shall be applied to imports of maize and sorghum into Spain effected on the basis of a licence valid only in that Member State.

Article 4

1. With a view to effecting the imports referred to in Article 1, it may be decided, under the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, that the Spanish intervention agency shall purchase directly on the world market quantities of maize and sorghum to be determined, and shall place them under customs warehousing procedure as provided for in Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽¹⁾ and Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Regulation (EEC) No 2913/92⁽²⁾.

2. Quantities purchased pursuant to paragraph 1 shall be put up for sale on the Spanish domestic market, in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92, on terms enabling market disturbance to be avoided.

3. When the goods are placed in free circulation, an agricultural levy shall be charged, equal to the average of the levies applicable in Spain and fixed for the cereals concerned during the first 25 days of the month preceding the date of acceptance of the declaration of entry into free circulation, minus the difference between the threshold price and the intervention price for the same month.

Entry into free circulation shall be effected by the Spanish intervention agency.

When the purchasers of the goods make payment to the intervention agency, the selling price, minus the levy, shall correspond to revenue from sales within the meaning of the Annex to Regulation (EEC) No 3492/90⁽³⁾.

4. The purchasing operation provided for in paragraph 1 shall rank as intervention for the purpose of stabilizing the agricultural markets within the meaning of Article 1 (2) (b) of Regulation (EEC) No 729/70.

5. Payments by the intervention agency for buying as provided for in paragraph 1 shall be borne by the

Community as they arise and shall be treated in the same way as the expenditure referred to in Article 2 of Regulation (EEC) No 1883/78. The Spanish intervention agency shall record the value of the merchandise purchased at a price of 'zero' in the account referred to in Article 4 of Regulation (EEC) No 1883/78.

Article 5

At a frequency to be determined, the Commission shall record in accounts:

- the quantities of maize and sorghum imported into Spain from third countries,
- the quantities of maize gluten, brewers' grains and citrus pulp imported into Spain.

For this purpose, the Spanish authorities shall supply the Commission regularly with all necessary information.

Article 6

The imports referred to in Article 2 shall be effected not later than the end of February of the following year. In the event of technical difficulties duly noted by the Commission a period of importation exceeding that time limit may be laid down in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92.

Article 7

Where the markets for products derived from maize or sorghum are disturbed, a countervailing duty may be introduced in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92 for exports of the relevant products from Spain or for their consignment to other Member States.

Article 8

The following shall be adopted in accordance with the procedure laid down in Article 23 of Regulation (EEC) No 1766/92:

- any measures needed to ensure that the cereals, the levy for which has been reduced, are actually processed or used in Spain; such measures may in particular provide for the deposit of a security,
- the other detailed rules for the application of this Regulation, and in particular those relating to the issue of import licences; such rules may stipulate that the licences may be issued only in Spain, after Commission endorsement.

Article 9

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

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1992, p. 1. Regulation as last amended by Council Regulation (EC) No 1500/94 (OJ No L 162, 30. 6. 1994, p. 1).

⁽³⁾ OJ No L 337, 4. 12. 1990, p. 3.

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

Done at Brussels, 18 July 1994.

For the Council

The President

J. BORCHERT

COUNCIL REGULATION (EC) No 1800/94

of 18 July 1994

opening and providing for the administration of Community tariff quotas for bulls, cows and heifers, other than those intended for slaughter, of certain Alpine and mountain breeds

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 113 thereof,

Having regard to the proposal from the Commission,

Whereas the European Community has undertaken within the framework of the General Agreement on Tariffs and Trade (GATT), to open an annual Community tariff quota of 5 000 head at a duty of 4 % for bulls, cows and heifers, other than those intended for slaughter of the mottled Simmental breed and the Schwyz and Fribourg breeds, and another annual Community tariff quota of 20 000 head at a duty of 6 % for cows and heifers, other than those intended for slaughter, of the grey, brown, yellow and mottled Simmental breed and mottled Pintzgau breed;

Whereas, in an Exchange of Letters with Austria dated 21 July 1972, the Community undertook unilaterally to increase the size of the tariff quota from 20 000 to 30 000 head and to lower the quota duty from 6 % to 4 %; whereas, subsequently, this quota was increased unilaterally to 38 000 head; whereas according to the Agreement in the form of an Exchange of Letters between the European Economic Community and the Republic of Austria concerning agriculture signed on 14 July 1986, which was approved by Decision 86/555/EEC⁽¹⁾, the volume of this tariff quota was raised to 42 600 head as from 1 July 1986;

Whereas the imported animals should be subject to a control that they are not slaughtered for a certain period; whereas Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾ provides, in Article 82 for customs supervision of goods put into free circulation at a reduced rate of duty on account of their end-use; whereas in view of Community accession by Austria and the new situation which will arise, the tariff quota at order No 09.0001 should be opened in two six-month tranches and the Community

should reserve itself the possibility of making the necessary adaptations arising from the consequences of the enlargement;

Whereas the abovementioned tariff quotas should therefore be opened for the periods and volumes indicated in this Regulation;

Whereas it is, in particular, necessary to ensure equal and continuous access for all Community importers to the quota, and the uninterrupted application of the quota duties, to all imports of the animals in question until the quota is exhausted;

Whereas the decision for the opening, in execution of its international obligations, of tariff quotas should be taken by the Community; whereas, to ensure the efficiency of a common administration of these quotas, there is nothing to prevent entitlement certificates being granted in such a way as to share the quota volumes in accordance with the needs expressed by importers; whereas, however, this method of administration requires close cooperation between the Member States and the Commission and the latter must in particular be able to monitor the rate at which the quotas are used up and inform the Member States accordingly;

Whereas, since the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg are united within and jointly represented by the Benelux Economic Union, any measure concerning the administration of the quantities levied by that economic union may be carried out by any one of its members,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the following periods the duty applicable to the import into the Community of the animals designated hereafter shall be suspended at the level and within the limits of the Community tariff quotas indicated below:

⁽¹⁾ OJ No L 328, 22. 11. 1986, p. 57.

⁽²⁾ OJ No L 302, 19. 10. 1992, p. 1.

Order No	CN code (*)	Designation	Quota volume	Quota duty (%)
09.0001	ex 0102 90 05 ex 0102 90 29 ex 0102 90 49 ex 0102 90 59 ex 0102 90 69	Cows and heifers other than those intended for slaughter, of the following mountain breeds: grey, brown, yellow and mottled Simmental breed and mottled Pintzgau breed (*)	21 300 head from 1. 7. 1994 to 31. 12. 1994	4 %
09.0003	ex 0102 90 05 ex 0102 90 29 ex 0102 90 49 ex 0102 90 59 ex 0102 90 69 ex 0102 90 79	Bulls, cows and heifers other than those intended for slaughter of the following breeds: mottled Simmental breed and the Schwyz and Fribourg breeds (*)	10 000 head from 1. 1. 1995 to 30. 6. 1995 (b) 5 000 head from 1. 7. 1994 to 30. 6. 1995	6 % 4 %

(*) Taric codes in Annex I.

(*) The control of this particular end-use is carried out by application of the relevant Community provisions.

(b) The Community reserves the right to adapt this quantity as a consequence of enlargement.

2. For the purposes of this Regulation, the animals referred to in paragraph 1 shall be considered not intended for slaughter if they are not slaughtered within four months of the date of the acceptance of the entry for release for free circulation.

Derogations may, however, be granted in the event of *force majeure* duly attested by a local authority certificate setting out the reasons for the slaughter.

3. Eligibility for benefit of the tariff quota at order No 09.0003 is subject to the presentation of:

- in the case of bulls: a pedigree certificate,
- in the case of female animals: a pedigree certificate or certificate of registration in the herdbook certifying purity of breed.

Article 2

1. The quota volumes referred to in Article 1 paragraph 1 shall be further divided into two parts of 80 % and 20 % each.

The first part of the volumes of 21 300 head and 10 000 head (order No 09.0001), i.e. 17 040 head for the first six-month period and 8 000 head for the second six-month period and 5 000 head (order No 09.0003), i.e. 4 000 head, shall be reserved for importers who are able to furnish proof of having imported animals under the present quota during the previous three years.

The second part of the volumes of 21 300 head and 10 000 head, that is, 4 260 head for the first six-month period and 2 000 head for the second six-month period and 5 000 head that is 1 000 head reserved to those importers who can prove to have imported, in the course of the previous year, at least 15 living animals of the

bovine race relating to CN code 0102 and which are written in a public register of a Member State.

2. The first part shall be assigned to the various importers pro rata in proportion to the scale of their previous imports over the three years under consideration or to the quantities applied for if they are less than previous imports while the second part shall be assigned to applicants pro rata in proportion to the entitlement applied for by the importers. In the latter case:

- (a) applications for quantities greater than 50 head shall be automatically reduced to that number;
- (b) applications which would give rise to a certificate of participation covering a quantity of less than 15 head shall not be taken into account;
- (c) quantities which have not been assigned, owing to the minimum 15 head limitation shall be assigned by drawing lots (with a figure of 15 head).

3. Any quantities of one of the parts of the tariff quota referred to in paragraph 1 not applied for shall be automatically transferred to the other part.

Article 3

1. Applications to import under each part of the tariff quotas, accompanied, where appropriate, by the document of previous entry for release for free circulation as proof of previous imports which shall be cancelled by the said authorities after being submitted as proof shall be made to the competent authorities in the Member States, in accordance with the procedures laid down and the deadline set by those authorities.

A single request can be deposited by an interested party, this must only be one or other of the parts of a single tariff quota.

These authorities shall transmit to the Commission, not later than 7 August 1994 or 31 January 1995 the data thus collected and in particular:

- the number of applicants and the number of head applied for by each category of importer;
- the average of previous imports furnished by each applicant in respect of the quantities reserved for established importers.

2. The Commission shall notify the Member States by 14 August 1994 or by 6 February 1995 of the quantities to be assigned to each applicant, in the form, where necessary, of a percentage of the amount originally applied for, or of that applicant's previous imports.

3. On the basis of the data referred to in paragraph 2, Member States shall issue applicants with certificates specifying the number of head to which they are entitled. The period of validity of the certificates may not go beyond 31 December 1994 or 30 June 1995 depending on the case.

The entitlement certificates, a model of which is in Annex II, shall be issued upon provision of a security of ECU 20 per head, which shall be released once the certificates have been returned, complete with the customs stamps acknowledging the import of the animals, to the issuing authority.

An entitlement certificate shall not be transferable and shall entitle the bearer to benefit from the tariff quota only when made out in the same name as the entry for release for free circulation which accompanies it.

The rules laid down in Commission Regulation (EEC) No 3719/88 of 16 November 1988 laying down common detailed rules for the application of the system of import and export licences and advance fixing certificates for agricultural products⁽¹⁾ for the release of the security for the import certificates or its conversion into revenue shall apply to the security referred to in the second subparagraph.

4. Quantities which have not been the subject of the issue of entitlement certificates by 31 October 1994 or by 31 March 1995 shall be finally reassigned under the

procedure described in the foregoing paragraphs to importers who have applied for certificates in respect of their whole entitlements.

To this end, Member States shall notify the Commission by 10 November 1994 or by 10 April 1995 of the quantities which have not been the subject of the issue of entitlement certificates by 31 March 1995 and furnish the data specified in the third subparagraph of paragraph 1.

The Commission shall set the new percentages for entitlements in each category and shall transmit them by not later than 15 November 1994 or by 15 April 1995 to the Member States, which shall then issue the entitlement certificates to the applicants under the conditions set out in paragraph 3, with a period of validity not extending beyond 31 December 1994 or 30 June 1995 depending on the case.

Article 4

1. Member States shall take all measures necessary to ensure that access to the tariff quota in question is restricted to cattle as specified in Article 1 (1).
2. They shall ensure importers equal and continuous access to the tariff quota in question.
3. Depletion of the said quota shall be measured on the basis of imports submitted for customs clearance under cover of entries for release for free circulation.

Article 5

Member States and the Commission shall cooperate closely to ensure that the provisions of this Regulation are observed.

Article 6

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 July 1994.

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

Done at Brussels, 18 July 1994.

For the Council
The President
J. BORCHERT

⁽¹⁾ OJ No L 331, 2. 12. 1988, p. 1. Regulation as last amended by Regulation (EC) No 3519/93 (OJ No L 320, 22. 12. 1992, p. 16).

ANNEX I

Taric codes

Order No	CN code	Taric code	
09.0001	ex 0102 90 05	0102 90 05*20 *40	
	ex 0102 90 29	0102 90 29*20 *40	
	ex 0102 90 49	0102 90 49*20 *40	
	ex 0102 90 59	0102 90 59*11 *19 *31 *39	
	ex 0102 90 69	0102 90 69*10 *30	
	09.0003	ex 0102 90 05	0102 90 05*30 *40 *50
		ex 0102 90 29	0102 90 29*30 *40 *50
		ex 0102 90 49	0102 90 49*30 *40 *50
		ex 0102 90 59	0102 90 59*21 *29 *31 *39
		ex 0102 90 69	0102 90 69*20 *30
ex 0102 90 79		0102 90 79*21 *29	

ANNEX II

EUROPEAN COMMUNITY

ENTITLEMENT CERTIFICATE No COMMUNITY TARIFF QUOTAS FOR — Cows and heifers other than those intended for slaughter of certain mountain breeds — Bulls, cows and heifers other than those intended for slaughter of certain Alpine breeds				
1. Holder (Name, complete address and Member State)	2. Issuing authority			
NOTES A. This certificate is valid in all Member States of the Community. B. This certificate must be attached to the entry for release for free circulation, and the entry must itself be drawn up in the name of the holder of this certificate. C. The customs office concerned should write off the quantities released for free circulation and return this certificate to the holder or the holder's representative. D. The holder must return this certificate to the issuing authority to obtain release of the guarantee.	3. This certificate is valid until and including <table border="1" style="display: inline-table; margin-left: 10px; border-collapse: collapse;"> <tr> <td style="width: 30px; text-align: center;">day</td> <td style="width: 30px; text-align: center;">month</td> <td style="width: 30px; text-align: center;">year</td> </tr> </table> Place and date of issue Signature and stamp of issuing authority	day	month	year
day	month	year		
4. Description of animals	5. CN code			
	6. Number of head in figures			
7. Number of head in words				

8. WRITING OFF BY CUSTOMS OFFICES (in column 9, indicate in part 1 the quantity available, and in part 2 the quantity written off)			
9. Number of head in figures	10. Number of head in words for the quantity written off	11. Number and date of acceptance of the entry for release for free circulation	12. Name, Member State, signature and stamp of the customs office
1.			
2.			
1.			
2.			
1.			
2.			

COMMISSION REGULATION (EC) No 1801/94

of 22 July 1994

extending for the last time Regulations (EEC) No 1652/92, (EEC) No 3779/91 and (EEC) No 3685/92 as regards export refunds for baled tobacco from the 1990, 1991 and 1992 harvests

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 727/70 of 21 April 1970 on the common organization of the market in raw tobacco ⁽¹⁾, as last amended by Regulation (EEC) No 860/92 ⁽²⁾, and in particular the first sentence of the third subparagraph of Article 9 (2) thereof,

Whereas export refunds were fixed in respect of certain varieties of tobacco from the 1988, 1989 and 1990 harvests by Commission Regulation (EEC) No 1652/92 ⁽³⁾, as last amended by Regulation (EC) No 124/94 ⁽⁴⁾;

Whereas export refunds were also fixed in respect of certain varieties of tobacco from the 1991 harvest by Commission Regulation (EEC) No 3779/91 ⁽⁵⁾, as last amended by Regulation (EC) No 124/94;

Whereas, finally, export refunds were fixed in respect of certain varieties of tobacco from the 1992 harvest by Commission Regulation (EEC) No 3685/92 ⁽⁶⁾, as amended by Regulation (EC) No 124/94;

Whereas Regulation (EC) No 124/94 sets the final date for granting all those refunds at 30 June 1994; whereas export opportunities after that date have materialized for certain varieties of tobacco; whereas it is accordingly appropriate to grant refunds in respect of the varieties in question in order to enable those exports to be carried out;

Whereas the exports refunds are to apply to exports carried out from 1 July 1994;

Whereas Council Regulation (EEC) No 2075/92 of 30 June 1992 on the common organization of the market in raw tobacco ⁽⁷⁾, applicable from the 1993 harvest, makes no provision for export refunds; whereas, in order to prevent distortions of competition, there should be no further extensions of export refunds for harvests preceding the 1993 harvest;

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

HAS ADOPTED THIS REGULATION:

Article 1

The period of validity of Regulations (EEC) No 1652/92, (EEC) No 3779/91 and 3685/92 is hereby extended until 31 December 1994 in respect of the 1990, 1991 and 1992 harvests.

Article 2

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

It shall apply to exports carried out from 1 July 1994.

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

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 94, 28. 4. 1970, p. 1.

⁽²⁾ OJ No L 91, 7. 4. 1992, p. 1.

⁽³⁾ OJ No L 172, 27. 6. 1992, p. 42.

⁽⁴⁾ OJ No L 21, 26. 1. 1994, p. 11.

⁽⁵⁾ OJ No L 356, 24. 12. 1991, p. 54.

⁽⁶⁾ OJ No L 374, 22. 12. 1992, p. 6.

⁽⁷⁾ OJ No L 215, 30. 7. 1992, p. 70.

COMMISSION REGULATION (EC) No 1802/94

of 22 July 1994

introducing a definitive quantitative limit on imports into the Community of certain textile products (category 28) originating in the Islamic Republic of Pakistan

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3030/93 of 12 October 1993 on common rules for imports of certain textile products from third countries⁽¹⁾, as last amended by Commission Regulation (EC) No 195/94⁽²⁾, and in particular Article 10 thereof,

Whereas Article 10 of Regulation (EEC) No 3030/93 lays down the conditions under which quantitative limits may be established;

Whereas imports into the Community of certain textile products of category 28 specified in the Annex hereto and originating in the Islamic Republic of Pakistan (hereinafter referred to 'Pakistan') have exceeded the level referred to in Article 10 (1) in conjunction with Annex IX of Regulation (EEC) No 3030/93;

Whereas, in accordance with Article 10 (3) of Regulation (EEC) No 3030/93, Pakistan was notified on 25 March 1994 of a request for consultations concerning imports into the Community of textile products of category 28;

Whereas, pending a mutually satisfactory solution, imports into the Community of products falling within category 28 were submitted to a provisional quantitative limit for the period 25 March to 24 June 1994 by Commission Regulation (EC) No 1134/94⁽³⁾;

Whereas the Community and Pakistan were unable during the consultations held to reach a satisfactory solution within the time limits foreseen in the Agreement on trade in textile products between the Community and Pakistan and the provisional quantitative limit established by Regulation (EC) No 1134/94 expires on 24 June 1994;

Whereas it is appropriate pending the outcome of further consultations to introduce at this stage and for 1994 a definitive quantitative limit for imports into the Community of products falling within category 28 originating in Pakistan so as to ensure the continuation of the application of the quantitative limit introduced provisionally;

Whereas the provisions of the Agreement on trade in textile products between the Community and Pakistan,

which concern exports of products subject to the quantitative limits established in Annex II to the Agreement and in particular those relating to the double checking system are applicable to products for which quantitative limits are introduced in accordance with the conditions of the Agreement;

Whereas it is therefore appropriate to confirm that imports into the Community of products for which definitive quantitative limits are introduced shall be and remain subject as of 25 March 1994 to the provisions of Regulation (EEC) No 3030/93 which are applicable to imports of products subject to the quantitative limits set out in Annex V to the said Regulation and in particular to those relating to the double-checking system described in Annex III thereto referred to in Article 10 (4) of Regulation (EEC) No 3030/93;

Whereas the products falling within category 28 exported from Pakistan on or after 25 March 1994 must be set off against the quantitative limit fixed for the period 25 March to 31 December 1994;

Whereas the quantitative limit for imports of products falling within category 28 should not prevent the importation of products covered by it shipped from Pakistan before the entry into force of Regulation (EC) No 1134/94 or between 25 June 1994 and the date of entry into force of the present Regulation;

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

HAS ADOPTED THIS REGULATION:

Article 1

Without prejudice to the provisions of Article 2, imports into the Community of the category of products originating in Pakistan and specified in the Annex hereto shall be subject to the quantitative limit set out in that Annex for the period 25 March to 31 December 1994.

Article 2

Imports of the products referred to in Article 1 and shipped from Pakistan on or after 25 March 1994 are subject to the provisions of Regulation (EEC) No 3030/93

⁽¹⁾ OJ No L 275, 8. 11. 1993, p. 1.

⁽²⁾ OJ No L 29, 2. 2. 1994, p. 1.

⁽³⁾ OJ No L 127, 19. 5. 1994, p. 8.

which apply to imports into the Community of products subject to the quantitative limits set out in Annex V to the said Regulation and in particular to the double-checking system described in Annex III to the said Regulation.

All quantities of products falling within category 28 shipped to the Community from Pakistan on or after 25 March 1994 and released for free circulation shall be deducted from the quantitative limit laid down in the Annex hereto.

The limit laid down in the Annex shall not prevent the importation of products falling within category 28 but shipped from Pakistan before the date of entry into force of Regulation (EC) No 1134/94 or between 25 June 1994 and the date of entry into force of the present Regulation.

Article 3

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

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

Done at Brussels, 22 July 1994.

For the Commission

Leon BRITTAN

Member of the Commission

ANNEX

Category	CN code	Description	Third country	Unit	Quantitative limit from 25 March to 31 December 1994
28	6103 41 10 6103 41 90 6103 42 10 6103 42 90 6103 43 10 6103 43 90 6103 49 10 6103 49 91 6104 61 10 6104 61 90 6104 62 10 6104 62 90 6104 63 10 6104 63 90 6104 69 10 6104 69 91	Trousers, bib and brace overalls, breeches and shorts (other than swimwear), knitted or crocheted, of wool, of cotton or of man-made fibres	Pakistan	1 000 pieces	30 034

COMMISSION REGULATION (EC) No 1803/94

of 22 July 1994

fixing for the 1994/95 marketing year the minimum price to be paid to producers for unprocessed dried figs and the amount of production aid for dried figs

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Committee for Products Processed from Fruit and Vegetables,

Having regard to the Treaty establishing the European Community,

HAS ADOPTED THIS REGULATION:

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 549/94⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Article 1

For 1994/95 the marketing year:

Whereas Council Regulation (EEC) No 1206/90⁽³⁾, as amended by Regulation (EEC) No 2202/90⁽⁴⁾ lays down general rules for the system of production aid for processed fruit and vegetables;

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for unprocessed dried figs of category C;
- and
- (b) the production aid referred to in Article 5 of the same Regulation for dried figs of category C;

shall be as set out in the Annex.

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of, firstly, the minimum price applying during the previous marketing year, secondly, the movement of basic prices in the fruit and vegetable sector, and thirdly, the need to ensure the normal marketing of fresh products for the various uses, including supply of the processing industry;

Article 2

The amount by which the minimum price for unprocessed dried figs is to be increased on the first of each month from September until June is hereby fixed at ECU 0,8 per 100 kilograms net of category C.

Whereas Article 4 (2) of Regulation (EEC) No 426/86 provides that the minimum price to be paid to producers for unprocessed dried figs shall be increased each month during a certain period of the marketing year by an amount corresponding to storage costs; whereas, in fixing this amount, the technical storage costs and interest cost should be taken into consideration;

For other categories the amount shall be multiplied by the coefficient applicable to the minimum price listed in Annex I to Commission Regulation (EEC) No 1709/84⁽⁵⁾, as last amended by Regulation (EEC) No 2322/89⁽⁶⁾.

Article 3

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers and the difference between the cost of the raw material in the Community and in the major competing third countries;

Where processing takes place outside the Member State in which the produce was grown, such Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 4

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

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

It shall apply with effect from 1 July 1994.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 69, 12. 3. 1994, p. 5.

⁽³⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁴⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽⁵⁾ OJ No L 162, 20. 6. 1984, p. 8.

⁽⁶⁾ OJ No L 220, 29. 7. 1989, p. 58.

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

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX

Minimum price to be paid to producers

Product	ECU/100 kg net, ex producer
Unprocessed dried figs of category C	66,663

Production aid

Product	ECU/100 kg net
Dried figs of category C	27,566

COMMISSION REGULATION (EC) No 1804/94

of 22 July 1994

fixing for the 1994/95 marketing year the minimum price to be paid to producers for tomatoes and the amount of production aid for processed tomato products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 426/86 of 24 February 1986 on the common organization of the market in products processed from fruit and vegetables⁽¹⁾, as last amended by Commission Regulation (EC) No 549/94⁽²⁾, and in particular Articles 4 (4) and 5 (5) thereof,

Whereas Council Regulation (EEC) No 668/93 of 17 March 1993 on the introduction of a limit to the granting of production aid for processed tomato products⁽³⁾ has fixed the quantities to which aid can be granted from the 1993/94 marketing year;

Whereas Council Regulation (EEC) No 1206/90⁽⁴⁾, as amended by Regulation (EC) No 2202/90⁽⁵⁾, lays down general rules for the system of production aid for processed fruit and vegetables;

Whereas, pursuant to Article 4 (1) of Regulation (EEC) No 426/86, the minimum price to be paid to producers is to be determined on the basis of the minimum price applying during the previous marketing year, the movement of basic prices in the fruit and vegetable sector and the need to ensure the normal marketing of fresh products for the various users, including supply of the processing industry; whereas, pursuant to the final subparagraph of Article 4 (1) of the above Regulation, from the 1992/93 marketing year, the minimum price to be paid to the producer is to be adjusted according to the soluble dry weight content of the raw material used in the production of tomato concentrate, juice and flakes;

Whereas Commission Regulation (EEC) No 2022/92⁽⁶⁾ lays down the detailed rules of application for the payment of the minimum price to the producer for certain tomatoes on the basis of the soluble dry weight content;

Whereas, in the absence of a Council decision fixing the basic prices for fruit and vegetables up to the end of the 1994/95 marketing year, the Commission, in fixing the

minimum price, has taken account in particular of its proposals to the Council and the prices adopted by the Council for the first three months of the marketing year;

Whereas Article 5 of Regulation (EEC) No 426/86 lays down the criteria for fixing the amount of production aid; whereas account must, in particular, be taken of the aid fixed for the previous marketing year adjusted to take account of changes in the minimum price to be paid to producers and the difference between the cost of the raw material in the Community and in the major competing third countries; whereas, in respect of tomato concentrates, preserved whole peeled and unpeeled tomatoes and tomato juices, trends in the volume and prices of imports must be taken into consideration;

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

HAS ADOPTED THIS REGULATION:

Article 1

For the 1994/95 marketing year:

- (a) the minimum price referred to in Article 4 of Regulation (EEC) No 426/86 to be paid to producers for the products listed in Annex I; and
- (b) the level of production aid referred to in Article 5 of the same Regulation for the products listed in Annex II;

shall be as set out in the said Annexes.

Article 2

Where processing takes place outside the Member State in which the produce was grown, that Member State shall furnish proof to the Member State paying the production aid that the minimum price payable to the producer has been paid.

Article 3

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

It shall apply with effect from 1 July 1994.

⁽¹⁾ OJ No L 49, 27. 2. 1986, p. 1.

⁽²⁾ OJ No L 69, 12. 3. 1994, p. 5.

⁽³⁾ OJ No L 72, 25. 3. 1993, p. 1.

⁽⁴⁾ OJ No L 119, 11. 5. 1990, p. 74.

⁽⁵⁾ OJ No L 201, 31. 7. 1990, p. 4.

⁽⁶⁾ OJ No L 207, 23. 7. 1992, p. 9.

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

Done at Brussels, 22 July 1994.

For the Commission
René STEICHEN
Member of the Commission

ANNEX I

Minimum price to be paid to producers

Product	ECU/100 kg net, ex producer
Tomatoes intended for the manufacture of:	
(a) tomato concentrate and juice with a soluble dry weight content of between 4,8 and 5,4 %	8,028 ⁽¹⁾
(b) preserved whole peeled and unpeeled tomatoes or frozen whole peeled tomatoes:	
— the San Marzano variety	13,290
— the Roma and similar varieties	10,224
(c) preserved non-whole peeled and unpeeled tomatoes and non-whole frozen peeled tomatoes	8,028
(d) tomato flakes with a soluble dry weight content of between 4,8 and 5,4 %	10,224 ⁽¹⁾

⁽¹⁾ These prices are rectified by:

- - 5 % if the soluble dry weight content is less than 4,8 % but is 4 % or more,
- + 5 % if the soluble dry weight content is more than 5,4 %.

ANNEX II

Production aid

Product	ECU per 100 kg net
1. Tomato concentrates with a dry weight content of 28 % or more but less than 30 %	25,879
2. Preserved whole peeled tomatoes in tomato juice :	
(a) of the San Marzano variety	9,305
(b) of the Roma and similar varieties	6,562
3. Preserved whole peeled tomatoes of the Roma and similar varieties in water	5,578
4. Preserved whole unpeeled tomatoes of the Roma and similar varieties	4,594
5. Frozen whole peeled tomatoes :	
(a) of the San Marzano varieties	9,305
(b) of the Roma and similar varieties	6,562
6. Preserved peeled tomatoes, non-whole or in pieces	} 4,594
7. Preserved unpeeled tomatoes, non-whole or in pieces	
8. Non-whole frozen peeled tomatoes	
9. Tomato flakes	86,115
10. Tomato juice with a dry weight content of 7 % or more but less than 12 % :	
(a) with a dry weight content of 7 % or more but less than 8 %	6,693
(b) with a dry weight content of 8 % or more but less than 10 %	8,031
(c) with a dry weight content of 10 % or more	9,816
11. Tomato juice with a dry weight content of less than 7 %	
(a) with a dry weight content of 5 % or more	5,354
(b) with a dry weight content of 4,5 % or more but less than 5 %	4,239

COMMISSION REGULATION (EC) No 1805/94
of 22 July 1994
on the supply of milk products as food aid

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

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management ⁽¹⁾, as last amended by Regulation (EEC) No 1930/90 ⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86 on food-aid policy and food-aid management ⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 4 275 tonnes of milk powder;

Whereas it is necessary to provide for the carrying-out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid ⁽⁴⁾, as amended by Regulation (EEC) No

790/91 ⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs,

HAS ADOPTED THIS REGULATION:

Article 1

Milk products shall be mobilized in the Community, as Community food aid, for supply to the recipients listed in the Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

This Regulation shall enter into force on the 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, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

ANNEX I

LOTS A, B, C and D

1. **Operation Nos⁽¹⁾**: see Annex II
2. **Programme**: 1993 and 1994
3. **Recipient⁽²⁾**: Euronaid, PO Box 12, NL-2501 CA Den Haag, Nederland (tel. (31-70) 33 05 757; fax 36 41 701; telex 30960 euron nl)
4. **Representative of the recipient⁽³⁾**: see OJ No C 103, 16. 4. 1987
5. **Place or countries of destination**: see Annex II
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods⁽⁴⁾⁽⁵⁾**:
see OJ No C 114, 29. 4. 1991, p. 1 (under I.B (1))
8. **Total quantity**: 1 575 tonnes
9. **Number of lots**: four (see Annex II)
10. **Packaging and marking⁽⁷⁾⁽⁸⁾**: 25 kg
see OJ No C 114, 29. 4. 1991, p. 1 (under I.B.(2), I.A.(2)(3) and I.B.(3))
markings in English (lots A and C 2), Spanish (D 2 — D 4), French (lots B and C 1 and C3) and Portuguese (lot D 1)
11. **Method of mobilization**: the Community market
manufacture of skimmed-milk powder, and the incorporation of vitamins, must be carried out after the award of the tender
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 5 — 25. 9. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 8. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 22. 8. 1994
 - (b) period for making the goods available at the port of shipment: 19. 9 — 9. 10. 1994
 - (c) deadline for the supply: —
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities⁽¹⁾**:
Bureau de l'aide alimentaire,
à l'attention de Monsieur T. Vestergaard,
Bâtiment Loi 120, bureau 7/46,
200 rue de la Loi,
B-1049 Bruxelles,
telex 22037 / 25670 AGREC B; telefax (32-2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04
25. **Refund payable on application by the successful tenderer⁽⁹⁾**: refund applicable on 8. 7. 1994, fixed by Commission Regulation (EC) No 1597/94 (OJ No L 167, 1. 7. 1994, p. 37)

LOT E

1. **Operation No** (1): 1029/93
2. **Programme**: 1993
3. **Recipient** (2): UNRWA, Supply Division, Vienna International Centre, PO Box 700, A-1400 Vienna, Austria (telex 135310 UNRWA A; fax (1) 230 75 29)
4. **Representative of the recipient**: UNRWA Field Supply and Transport Officer, PO Box 484, Amman, Jordan, (tel. 962 (6) 74 19 14, 77 22 26; telex 23402 UNRWA JFO JO; fax 962 (6) 68 54 76)
5. **Place or country of destination** (3):
6. **Product to be mobilized**: whole milk powder
7. **Characteristics and quality of the goods** (3) (4): (see OJ No C 114, 29. 4. 1991, p. 1 (under I.C. (1))
8. **Total quantity**: 175 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (7) (11): 1 kg sachets
see OJ No C 114, 29. 4. 1991, p. 1, (under I.C. (2), I.C. (3) and I.A. (2) (1))
markings in English
supplementary markings: 'UNRWA — Date of expiry ...' (date of manufacture plus nine months)
11. **Method of mobilization**: the Community market
the whole milk powder must be manufactured after the award of the tender
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: UNRWA warehouses, Amman, Jordan
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 29. 8 — 11. 9. 1994
18. **Deadline for the supply**: 9. 10. 1994
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 8. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 22. 8. 1994
 - (b) period for making the goods available at the port of shipment in case of award of tender at port of shipment stage: 12 — 25. 9. 1994
 - (c) deadline for the supply: 23. 10. 1994
22. **Amount of tendering security**: ECU 20 per tonne
23. **Amount of delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, rue de la Loi, 200, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on application by the successful tenderer** (4): refund applicable on 8. 7. 1994, fixed by Commission Regulation (EC) No 1597/94 (OJ No L 167, 1. 7. 1994, p. 37)

LOTS F, G and H

1. **Operation Nos** (1): 1632/93 (lot F); 1633/93 (lot G); 1634/93 (lot H)
2. **Programme** : 1993
3. **Recipient** (2) : Peru
4. **Representative of the recipient** : Programa Nacional de Asistencia Alimentaria (Pronaa), av. Argentina N° 3017, Callao; tel. 29 10 65; fax 33 76 35
5. **Place or country of destination** (3) : Peru
6. **Product to be mobilized** : vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3) (4) :
see OJ No C 114, 29. 4. 1991, p. 1 (under I.B.(1))
8. **Total quantity** : 1 125 tonnes
9. **Number of lots** : three (lot F : 375 tonnes; lot G : 375 tonnes; lot H : 375 tonnes)
10. **Packaging and marking** (7) (11) :
OJ No C 114, 29. 4. 1991, p. 1 (under I.A.(2)(3), I.B.(2) and I.B.(3))
markings in Spanish; supplementary markings: 'Distribución gratuita'
11. **Method of mobilization of product** : the Community market
the manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply** : free at destination
13. **Port of shipment** : —
14. **Port of landing specified by the recipient** : —
15. **Port of landing** : —
16. **Address of the warehouse and, if appropriate, port of landing** : ONAA Depot, Avenida Argentina No 3017, Callao
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage** : 5 — 18. 9. 1994
18. **Deadline for the supply** : 16. 10. 1994
19. **Procedure for determining the costs of supply** : invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** : 12 noon (Brussels time) on 8. 8. 1994
21. **In the case of a second invitation to tender** :
 - (a) deadline for the submission of tenders : 12 noon (Brussels time) on 22. 8. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 19. 9 — 2. 10. 1994
 - (c) deadline for the supply : 30. 10. 1994
22. **Amount of the tendering security** : ECU 20 per tonne
23. **Amount of the delivery security** : 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1) : Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037/25670 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** (4) : refund applicable on 8. 7. 1994, fixed by Commission Regulation (EC) No 1597/94 (OJ No L 167, 1. 7. 1994, p. 37)

LOTS I and K

1. **Operation Nos** ⁽¹⁾: 1638/93 (lot I); 1639/93 (lot K)
2. **Programme**: 1993
3. **Recipient** ⁽²⁾: Nicaragua
4. **Representative of the recipient**: ENIMPORT (Sr Regi Delgadillo), carretera a Masaya, frente a camino de Oriente. (tel. 67 10 32; fax: 784843), Managua
5. **Place or country of destination** ⁽³⁾: Nicaragua
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽⁶⁾:
see OJ No C 114, 29. 4. 1991, p. 1 (under I.B (1))
8. **Total quantity**: 1000 tonnes
9. **Number of lots**: two (lot I: 500 tonnes; lot K: 500 tonnes)
10. **Packaging and marking** ⁽⁷⁾ ⁽¹⁰⁾:
OJ No C 114, 29. 4. 1991, p. 1 (under I.A.(2)(3), I.B.(2) and I.B.(3))
markings in Spanish; supplementary markings: 'Distribución gratuita'
11. **Method of mobilization of product**: the Community market
the manufacture of the skimmed-milk powder and the incorporation of vitamins must be carried out after the award of the tender
12. **Stage of supply**: free at port of landing — landed
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: San Juan del Sur
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 5 — 18. 9. 1994
18. **Deadline for the supply**: 16. 10. 1994
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 8. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 22. 8. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 19. 9 — 2. 10. 1994
 - (c) deadline for the supply: 30. 10. 1994
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** ⁽⁴⁾: refund applicable on 8. 7. 1994, fixed by Commission Regulation (EC) No 1597/94 (OJ No L 167, 1. 7. 1994, p. 37)

LOT L

1. **Operation No** (1): 1690/93
2. **Programme**: 1993
3. **Recipient** (2): Bolivia
4. **Representative of the recipient**: Ofinaal, Calle Carrasco 1323, Esq. Busch (Miraflores), La Paz. Jefe Área Operaciones: Sra Rosario Frías de Tapia (tel. 35 57 51)
5. **Place or country of destination** (3): Bolivia
6. **Product to be mobilized**: vitaminized skimmed-milk powder
7. **Characteristics and quality of the goods** (3): see OJ No C 114, 29. 4. 1991, p. 1 (under I.B(1))
8. **Total quantity**: 400 tonnes
9. **Number of lots**: one in three parts (L1: 150 tonnes; L2: 200 tonnes; L3: 50 tonnes)
10. **Packaging and marking** (7): see OJ No C 114, 29. 4. 1991, p. 1 (under I.B(2), I.A.(2)(3), I.B.(3)) markings in Spanish
11. **Method of mobilization**: the Community market
the skimmed-milk powder must be manufactured and the vitamins incorporated after the award of the tender
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: Arica (13)
Officinas responsables Ofinaal:
— L1: Carretera La Paz-Viacha, km 15, La Paz
— L2: Carretera Salida Oruro/La Paz 455, Zona Norte, Oruro
— L3: Carretera a Tiquipaya, Zona Trojes, Cochamba
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 29. 8 — 11. 9. 1994
18. **Deadline for the supply**: 27. 11. 1994
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 8. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 22. 8. 1994
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 12 — 25. 9. 1994
 - (c) deadline for the supply: 11. 12. 1994
22. **Amount of the tendering security**: ECU 20 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** (4): refund applicable on 8. 7. 1994, fixed by Commission Regulation (EC) No 1597/94 (OJ No L 167, 1. 7. 1994, p. 37)

Notes :

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.

C 2 : Radiation certificate must be issued by official authorities and be legalized for the following country : Sudan.

- (4) Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the said Regulation is that referred to in point 25 of this Annex.

The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as amended by Regulation (EC) No 547/94 (OJ No L 69, 12. 3. 1994, p. 1), shall not apply to this amount.

- (5) Commission delegation to be contacted by the successful tenderer : OJ No C 114, 29. 4. 1991, p. 33 (lots I and K : see Costa Rica ; lots F, G, H and L : av. Paseo de la Republica 3755, 5° piso, San Isodoro, Lima, 27 tel. (51-14) 40 30 97 ; fax 409763).

- (6) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following documents :

- health certificate (D 2 : the document must be legalized by the diplomatic representation in the country of origin of the goods),
- Lots A, B C, D, F, G, H, I and K : veterinary certificate issued by an official entity stating that the product was processed with pasteurized milk, coming from healthy animals, processed under excellent sanitary conditions which are supervised by qualified technical personnel and that the area of production of raw milk had not registered foot-and-mouth disease nor any other notifiable infectious/contagious disease during the 12 months prior to the processing.

- (7) Notwithstanding OJ No C 114, point I. B (3) (c) or I. C (3) (c) is replaced by the following : 'the words "European Community".'

- (8) Shipment to take place in 20-foot containers, condition FCL/FCL each containing 15 tonnes net. The supplier shall be responsible for the cost of making the containers available in the stack position to the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.

The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.

The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.

The successful tenderer has to seal each container with a numbered locktainer (Sysko locktainer 180 seal), number of which to be provided to the beneficiary's forwarder.

- (9) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.

- (10) The bags shall be stacked, maximum 40, on wooden pallets (made of pine, fir or poplar wood) measuring not more than 1 200 × 1 400 mm, and with the following features :

- four-way entry, non reversible, with wings,
- a top deck consisting of a minimum of seven planks (width : 100 mm ; thickness : 22 mm),
- a bottom deck consisting of three planks (width : 100 mm ; thickness : 22 mm)
- three bearers (width : 100 mm ; thickness : 22 mm),
- nine dowels : 100 × 100 × 78 mm minimum.

The palletized bags shall be covered by a shrink film ('shrink wrapping' or 'stretch wrapping') of a thickness of at least 150 microns. The whole of the above must be bound, in each direction, by two nylon straps of a width of not less than 15 mm with plastic buckles.

The bags are further protected by board or wood placed between the bags and straps.

(¹¹) Placed in 20-foot containers. The free holding period for containers must be at least 15 days.

(¹²) The proof of payment of expenses 'planilla de gastos' arising at the port Arica must be submitted with the payment application.

Office for the payment of the 'planilla de gastos':

AADAA (Administración Autónoma de Almacenes Aduaneros), Casilla 5259 (fax (02) 39 20 62; tel. 35 99 21 up to 31), La Paz, Bolivia.

AADAA (Administración Autónoma de Almacenes Aduaneros), Casilla 1437 (telex 22 10 43; tel. 25 27 80 or 25 29 81), Arica, Chile.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	País de destino
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Acção n°	País de destino
A	525	A 1: 15	1694/93	India
		A 2: 75	1695/93	India
		A 3: 15	1696/93	India
		A 4: 195	1697/93	India
		A 5: 135	449/94	India
		A 6: 15	450/94	India
		A 7: 75	451/94	India
B	270	B 1: 60	1698/93	Burkina Faso
		B 2: 15	338/94	Burkina Faso
		B 3: 15	339/94	Niger
		B 4: 15	340/94	Niger
		B 5: 15	341/94	Niger
		B 6: 150	452/94	Benin
C	210	C 1: 150	337/94	Rwanda
		C 2: 15	519/94	Sudan
		C 3: 45	520/94	Madagascar
D	570	D 1: 165	453/94	Brasil
		D 2: 270	342/94	Chile
		D 3: 45	343/94	Perú
		D 4: 90	521/94	Perú

COMMISSION REGULATION (EC) No 1806/94
of 22 July 1994
on the supply of white sugar as food aid

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3972/86 of 22 December 1986 on food-aid policy and food-aid management⁽¹⁾, as last amended by Regulation (EEC) No 1930/90⁽²⁾, and in particular Article 6 (1) (c) thereof,

Whereas Council Regulation (EEC) No 1420/87 of 21 May 1987 laying down implementing rules for Regulation (EEC) No 3972/86⁽³⁾ lays down the list of countries and organizations eligible for food-aid operations and specifies the general criteria on the transport of food aid beyond the fob stage;

Whereas following the taking of a number of decisions on the allocation of food aid the Commission has allocated to certain recipients 1 116 tonnes of sugar;

Whereas it is necessary to provide for the carrying out of this measure in accordance with the rules laid down by Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid⁽⁴⁾, as amended by Regulation (EEC) No 790/91⁽⁵⁾; whereas it is necessary to specify the time limits and conditions of supply and the procedure to be followed to determine the resultant costs;

Whereas, in order to ensure that the supplies are carried out, provision should be made for tenderers to be able to mobilize either A or B quota sugar or C sugar in accordance with the regulations governing the market; whereas

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

Done at Brussels, 22 July 1994.

the contract for the supply of each lot is to be awarded to the tenderer submitting the lowest tender having regard to the conditions applicable to the categories of sugar in question,

HAS ADOPTED THIS REGULATION:

Article 1

White sugar shall be mobilized in the Community, as Community food aid for supply to the recipients listed in the Annexes in accordance with Regulation (EEC) No 2200/87 and under the conditions set out in the Annexes. Supplies shall be awarded by the tendering procedure.

Tenders relating to the lots specified in the Annexes shall cover either sugar produced under the A or B quotas or C sugar within the meaning of points (a), (b) and (c) of the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81⁽⁶⁾. Tenders shall be rejected unless they specify the category of sugar to which they relate.

The successful tenderer is deemed to have noted and accepted all the general and specific conditions applicable. Any other condition or reservation included in his tender is deemed unwritten.

Article 2

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

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 30. 12. 1986, p. 1.

⁽²⁾ OJ No L 174, 7. 7. 1990, p. 6.

⁽³⁾ OJ No L 136, 26. 5. 1987, p. 1.

⁽⁴⁾ OJ No L 204, 25. 7. 1987, p. 1.

⁽⁵⁾ OJ No L 81, 28. 3. 1991, p. 108.

⁽⁶⁾ OJ No L 177, 1. 7. 1981, p. 4.

ANNEX I

LOT A

1. **Operation Nos** ⁽¹⁾: see Annex II
2. **Programme**: 1993 and 1994
3. **Recipient** ⁽²⁾: Euronaid, PO Box 12, NL-2501 CA Den Haag, (tel. (31 70) 33 05 757; fax 36 41 701; telex 30960 NL EURON)
4. **Representative of the recipient** ⁽³⁾: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: see Annex II
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽⁴⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.1)
8. **Total quantity**: 486 tonnes
9. **Number of lots**: 1 (see Annex II)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾ ⁽¹¹⁾: see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.2 and V.A.3).
Markings in French (A 5), Spanish (A 8 + A 9), English (A 1 — A 4) and Portuguese (A 6 + A 7)
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
 - A or B sugar (points (a) and (b)) or
 - C sugar (point (c))
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 5 — 25. 9. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 8. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: at 12 noon (Brussels time) on 22. 8. 1994
 - (b) period for making the goods available at the port of shipment: 19. 9 — 9. 10. 1994
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾: Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200, rue de la Loi, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; fax (32/2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** ^(*): In the case of A and B sugar: periodic refund applicable to white sugar on 14. 7. 1994, fixed by Commission Regulation (EC) No 1700/94 (OJ No L 180, 14. 7. 1994, p. 3).

LOT B

1. **Operation No** ⁽¹⁾: 1655/93
2. **Programme**: 1993
3. **Recipient** ⁽²⁾: World Food Programme, Via Cristoforo Colombo 426, I-00145 Roma; tel. (39 6) 57 971; telex 626675 I WFP
4. **Representative of the recipient**: see OJ No C 103, 16. 4. 1987
5. **Place or country of destination**: Angola
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾: see OJ No C 114, 29. 4. 1991, p. 21 (under V.A.1)
8. **Total quantity**: 448 tonnes
9. **Number of lots**: one
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾: see OJ No C 114, 29. 4. 1991, p. 21 (under V.A.2 and V.A.3)
Markings in English
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 as follows:
 - A or B sugar (points (a) and (b)) or
 - C sugar (point (c))
12. **Stage of supply**: free at port of shipment
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: —
17. **Period for making the goods available at the port of shipment**: 5 — 25. 9. 1994
18. **Deadline for the supply**: —
19. **Procedure for determining the costs of supply**: invitation to tender
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon (Brussels time) on 8. 8. 1994
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon (Brussels time) on 22. 8. 1994
 - (b) period for making the goods available at the port of shipment: 19. 9. — 9. 10. 1994
 - (c) deadline for the supply: —
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾:
Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 / 25670 AGREC B; fax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** ⁽⁴⁾: in the case of A and B sugar: periodic refund applicable to white sugar on 14. 7. 1994, fixed by Commission Regulation (EC) No 1700/94 (OJ No L 180, 14. 7. 1994, p. 3)

LOTS C, D

1. **Operation No** ⁽¹⁾: 394/94 (lot C); 397/94 (lot D)
2. **Programme** : 1994
3. **Recipient** ⁽²⁾ : UNHCR, Attn Mme Seinet, Boîte postale 2500, CH-1211 Genève 2 Dépôt; tel (41-22) 739 81 37; fax 731 07 76; tlx 412404 CH HCR
4. **Representative of the recipient** :
C : Croissant Rouge algérien, 15 bis Bd Mohammed V. Alger. Tel : (213-2) 645727/28, fax : 649787
tlx : 56056 or 66442
D : Delegation of Tanzania, Dar-es-Salaam. Tel : (255-51) 46277, fax : 46276, tlx : 098941406 HCRTAN
TZ
5. **Place or country of destination** ⁽¹⁰⁾ : Algeria (lot C); Tanzania (lot D)
6. **Product to be mobilized** : white sugar
7. **Characteristics and quality of the goods** ⁽³⁾ ⁽⁷⁾ ⁽⁸⁾ : see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.1)
8. **Total quantity** : 153 tonnes
9. **Number of lots** : 2 (lot C : 100 tonnes; lot D : 53 tonnes)
10. **Packaging and marking** ⁽⁶⁾ ⁽⁹⁾ ⁽¹²⁾ : see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.2 and V.A.3)
Markings in English (lot D) and French (lot C)
11. **Method of mobilization** : sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 (OJ No L 177, 1. 7. 1981, p. 4) as follows :
— A or B sugar (points (a) and (b)) or
— C sugar (point (c))
12. **Stage of supply** : free at port of landing — landed
13. **Port of shipment** : —
14. **Port of landing specified by the recipient** : —
15. **Port of landing** : Oran (lot c); Dar-es-Salaam (lot D)
16. **Address of the warehouse and, if appropriate, port of landing** : —
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage** : 29. 8 — 11. 9. 1994
18. **Deadline for the supply** : 2. 10. 1994
19. **Procedure for determining the costs of supply** : invitation to tender
20. **Date of expiry of the period allowed for submission of tenders** : 12 noon on 8. 8. 1994 (Brussels time)
21. **In the case of a second invitation to tender** :
(a) deadline for the submission of tenders : 12 noon on 22. 8. 1994 (Brussels time)
(b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage : 12 — 25. 9. 1994
(c) deadline for the supply : 16. 10. 1994
22. **Amount of the tendering security** : ECU 15 per tonne
23. **Amount of the delivery security** : 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** ⁽¹⁾ :
Bureau de l'aide alimentaire,
à l'attention de Monsieur T. Vestergaard,
Bâtiment Loi 120, bureau 7/46,
200, rue de la Loi,
B-1049 Bruxelles;
(telex 22037/25670 AGREC B; telefax (322) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** ⁽⁴⁾ : in the case of A and B sugar : periodic refund applicable to white sugar on 14. 7. 1994, fixed by Commission Regulation (EC) No 1700/94 (OJ No L 180, 14. 7. 1994, p. 3)

LOT E

1. **Operation No** (1): 396/94
2. **Programme**: 1994
3. **Recipient** (2): UNHCR, Attn Mme Seinet, Boîte postale 2500, CH-1211 Genève 2 Dépôt; tel (41-22) 739 81 37; fax 731 07 76; tlx 412404 CH HCR
4. **Representative of the recipient**: UNHCR Bamako, c/o PNUD, BP 120, Bamako/Mali; tel: (223) 22 03 69, fax: 230369, tlx: 2552-2752 (PNUD)
5. **Place or country of destination** (10): Mali
6. **Product to be mobilized**: white sugar
7. **Characteristics and quality of the goods** (3) (7) (8): see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.1)
8. **Total quantity**: 29 tonnes
9. **Number of lots**: one
10. **Packaging and marking** (6) (9): see OJ No C 114, 29. 4. 1991, p. 1 (under V.A.2 and V.A.3)
Markings in French
11. **Method of mobilization**: sugar produced in the Community in accordance with the sixth subparagraph of Article 24 (1a) of Council Regulation (EEC) No 1785/81 (OJ No L 177, 1. 7. 1981, p. 4) as follows:
 - A or B sugar (points (a) and (b)) or
 - C sugar (point (c))
12. **Stage of supply**: free at destination
13. **Port of shipment**: —
14. **Port of landing specified by the recipient**: —
15. **Port of landing**: —
16. **Address of the warehouse and, if appropriate, port of landing**: see point 4.
17. **Period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage**: 29. 8 — 11. 9. 1994
18. **Deadline for the supply**: 16. 10. 1994
19. **Procedure for determining the costs of supply**: tendering
20. **Date of expiry of the period allowed for submission of tenders**: 12 noon on 8. 8. 1994 (Brussels time)
21. **In the case of a second invitation to tender**:
 - (a) deadline for the submission of tenders: 12 noon on 22. 8. 1994 (Brussels time)
 - (b) period for making the goods available at the port of shipment where the supply is awarded at the port of shipment stage: 12 — 25. 9. 1994
 - (c) deadline for the supply: 30. 10. 1994
22. **Amount of the tendering security**: ECU 15 per tonne
23. **Amount of the delivery security**: 10 % of the amount of the tender in ecus
24. **Address for submission of tenders and tendering securities** (1): Bureau de l'aide alimentaire, à l'attention de Monsieur T. Vestergaard, bâtiment Loi 120, bureau 7/46, 200 rue de la Loi, B-1049 Bruxelles (telex 22037 AGREC B / 25670 AGREC B; telefax (32 2) 296 20 05 / 295 01 32 / 296 10 97 / 295 01 30 / 296 33 04)
25. **Refund payable on request by the successful tenderer** (4): in the case of A and B sugar: periodic refund applicable to white sugar on 14. 7. 1994, fixed by Commission Regulation (EC) No 1700/94 (OJ No L 180, 14. 7. 1994, p. 3)

Notes:

- (1) The operation number should be mentioned in all correspondence.
- (2) The successful tenderer shall contact the recipient as soon as possible to establish which consignment documents are required.
- (3) The successful tenderer shall deliver to the beneficiary a certificate from an official entity certifying that for the product to be delivered the standards applicable, relative to nuclear radiation, in the Member State concerned, have not been exceeded. The radioactivity certificate must indicate the caesium-134 and -137 and iodine-131 levels.
- (4) For A and B sugar :
Commission Regulation (EEC) No 2330/87 (OJ No L 210, 1. 8. 1987, p. 56), as last amended by Regulation (EEC) No 2226/89 (OJ No L 214, 25. 7. 1989, p. 10), is applicable as regards the export refund. The date referred to in Article 2 of the abovementioned Regulation is that referred to in point 25 of this Annex.
The amount of the refund, shall be converted into national currency by applying the agricultural conversion rate applicable on the day of completion of the customs export formalities. The provisions of Articles 13 to 17 of Commission Regulation (EEC) No 1068/93 (OJ No L 108, 1. 5. 1993, p. 106), as amended by Regulation (EC) No 547/94 (OJ No L 69, 12. 3. 1994, p. 1), shall not apply to this amount.
For C sugar :
Commission Regulation (EEC) No 2330/87 is not applicable. The rules given in Commission Regulation (EEC) No 2630/81 (OJ No L 258, 11. 9. 1981, p. 16) apply to exportation of sugar supplied under this Regulation.
- (5) The supplier should send a duplicate of the original invoice to : Willis Corroon Scheuer, PO Box 1315, NL-1000 BH Amsterdam.
- (6) Since the goods may be rebagged, the successful tenderer must provide 2 % of empty bags of the same quality as those containing the goods, with the marking followed by a capital 'R'.
- (7) The rule provided at the second indent of Article 18 (2) (a) of Regulation (EEC) No 2103/77 (OJ No L 246, 27. 9. 1977, p. 12) is binding for determination of the sugar category.
- (8) The successful tenderer shall supply to the beneficiary or its representative, on delivery, the following document :
— phytosanitary certificate.
- (9) Notwithstanding OJ No C 114, point V.A.3.(c) is replaced by the following : 'the words "European Community".'
- (10) Commission delegation to be contacted by the successful tenderer : see OJ No C 114, 29. 4. 1991, p. 33.
- (11) Shipment to take place in 20-foot containers, condition FCL/FCL, each containing 18 tonnes net. The supplier shall be responsible for the cost of making the containers available in the stack position at the container terminal at the port of shipment. The recipient shall be responsible for all subsequent loading costs, including the cost of moving the containers from the container terminal.
The provisions of Article 13 (2), second paragraph, of Regulation (EEC) No 2200/87 shall not apply.
The successful tenderer has to submit to the recipient's agent a complete packing list of each container, specifying number of bags belonging to each shipping number as specified in the invitation to tender.
The successful tenderer has to seal each container with a numbered locktainer (SYSKO locktainer 180 seal), the number of which to be provided to the beneficiary's forwarder.
- (12) Lot C : The bags must be placed in 20-foot containers. The free holding period for containers must be at least 15 days.

ANEXO II — BILAG II — ANHANG II — ΠΑΡΑΡΤΗΜΑ II — ANNEX II — ANNEXE II — ALLEGATO II — BIJLAGE II — ANEXO II

Lote	Cantidad total (en toneladas)	Cantidades parciales (en toneladas)	Acción n°	País de destino
Parti	Totalmængde (i tons)	Delmængde (i tons)	Aktion nr.	Bestemmelsesland
Partie	Gesamtmenge (in Tonnen)	Teilmengen (in Tonnen)	Maßnahme Nr.	Bestimmungsland
Παρτίδα	Συνολική ποσότητα (σε τόνους)	Μερικές ποσότητες (σε τόνους)	Δράση αριθ.	Χώρα προορισμού
Lot	Total quantity (in tonnes)	Partial quantities (in tonnes)	Operation No	Country of destination
Lot	Quantité totale (en tonnes)	Quantités partielles (en tonnes)	Action n°	Pays de destination
Lotto	Quantità totale (in tonnellate)	Quantitativi parziali (in tonnellate)	Azione n.	Paese di destinazione
Partij	Totale hoeveelheid (in ton)	Deelhoeveelheden (in ton)	Maatregel nr.	Land van bestemming
Lote	Quantidade total (em toneladas)	Quantidades parciais (em toneladas)	Ação n°	País de destino
A	486	A 1 : 252	1679/93	India
		A 2 : 36	441/94	India
		A 3 : 18	442/94	India
		A 4 : 18	443/94	India
		A 5 : 54	444/94	Benin
		A 6 : 36	445/94	Brasil
		A 7 : 18	561/94	Moçambique
		A 8 : 18	562/94	Perú
		A 9 : 36	563/94	Perú

COMMISSION REGULATION (EC) No 1807/94
of 22 July 1994

determining the extent to which applications lodged in July 1994 for licences for certain eggs and poultrymeat products under the regime provided for by the Interim Agreements concluded by the Community with Romania and Bulgaria can be accepted

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

Having regard to Commission Regulation (EC) No 1559/94 of 30 June 1994 laying down detailed rules for the application in the eggs and poultrymeat sector of the regime provided for by the Interim Agreements concluded by the Community, of the one part, and Bulgaria and Romania, of the other part⁽¹⁾, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the third quarter of 1994 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution;

Whereas the surplus to be added to the quantity available for the following period should be determined,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 July to 30 September 1994 submitted under Regulation (EC) No 1559/94 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 October to 31 December 1994 applications may be lodged pursuant to Regulation (EC) No 1559/94 for import licences for a total quantity as referred to in Annex II.

Article 2

This Regulation shall enter into force on 23 July 1994.

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

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 1. 7. 1994, p. 62.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1994
37	26,67
38	100,00
39	100,00
40	100,00
43	100,00

ANNEX II

(tonnes)

Group No	Total quantity available for the period 1 October to 31 December 1994
37	32,50
38	217,75
39	675,00
40	125,00
43	268,75

COMMISSION REGULATION (EC) No 1808/94

of 22 July 1994

determining the extent to which applications lodged in July 1994 for import licences for certain pigmeat products can be accepted

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

Having regard to Council Regulation (EEC) No 3834/90 of 20 December 1990 reducing for 1991 the levies on certain agricultural products originating in developing countries⁽¹⁾, as last amended by Regulation (EC) No 3668/93⁽²⁾,

Whereas the fixed amounts are those mentioned in the Annex to Regulation (EEC) No 3834/90; whereas, since on 15 June 1994 the Council did not adopt the new scheme of generalized tariff preferences, the application of Council Regulation (EC) No 3668/93 is automatically extended until 31 December 1994;

Whereas Commission Regulation (EC) No 1592/94⁽³⁾ set the quantities of pigmeat products that can be imported at a reduced levy for the period 1 July to 30 September 1994;

Whereas the applications made for licences for products named against order No 59.0080 in Regulation (EEC) No 3834/90 are for quantities lower than those available; whereas these applications can therefore be met in full;

Whereas for the products named against order Nos 59.0010, 59.0040, 59.0060 and 59.0070 no applications were lodged;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 July to 30 September 1994 submitted pursuant to Regulation (EC) No 1592/94 shall be met in full, for products named against order No 59.0080 in Regulation (EEC) No 3834/90.

2. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 23 July 1994.

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

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 370, 31. 12. 1990, p. 121.

⁽²⁾ OJ No L 338, 31. 12. 1993, p. 22.

⁽³⁾ OJ No L 167, 1. 7. 1994, p. 23.

COMMISSION REGULATION (EC) No 1809/94

of 22 July 1994

determining the extent to which applications lodged in July 1994 for import licences for certain pigmeat products under the regime provided for by the Intermediate Agreements concluded by the Community with Bulgaria and Romania can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1590/94 of 30 June 1994 laying down detailed rules for the application in the pigmeat sector of the arrangements provided for in the Interim Agreement between the Community and Bulgaria and Romania⁽¹⁾, and in particular Article 4 (4) thereof,

Whereas the applications for import licences lodged for the third quarter of 1994 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution ;

Whereas the surplus to be added to the quantity available for the following period should be determined ;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for

products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION :

Article 1

1. Applications for import licences for the period 1 July to 30 September 1994 submitted under Regulation (EC) No 1590/94 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 October to 31 December 1994 applications may be lodged pursuant to Regulation (EC) No 1590/94 for import licences for a total quantity as referred to in Annex II.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 23 July 1994.

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

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 167, 1. 7. 1994, p. 16.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1994
14	100,00
15	100,00
16	100,00
17	100,00

*ANNEX II**(tonnes)*

Group No	Total quantity available for the period 1 October to 31 December 1994
14	90,00
15	355,00
16	590,00
17	5 320,00

COMMISSION REGULATION (EC) No 1810/94

of 22 July 1994

determining the extent to which application lodged in July 1994 for import licences for certain pigmeat products under the regime provided for by the Agreements concluded by the Community with the Republic of Poland, the Republic of Hungary, 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 2698/93 of 30 September 1993, laying down detailed rules for the application in the pigmeat sector of the arrangements provided for by the Interim Agreements between the European Economic Community and the Republic of Poland, the Republic of Hungary and the former Czech and Slovak Federal Republic⁽¹⁾, amended by Regulation (EC) No 3560/93⁽²⁾, and in particular Article 4 (5) thereof,

Whereas the applications for import licences lodged for the third quarter of 1994 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution;

Whereas, in the case of the first-mentioned category of products, the surplus to be added to the quantity available for the following period should be determined;

Whereas, it is appropriate to draw the attention of operators to the fact that licences may only be used for

products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION:

Article 1

1. Applications for import licences for the period 1 July to 30 September 1994 submitted under Regulation (EEC) No 2698/93 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 October to 31 December 1994 applications may be lodged pursuant to Regulation (EEC) No 2698/93 for import licences for a total quantity as referred to in Annex II.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 23 July 1994.

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

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 245, 1. 10. 1993, p. 80.

⁽²⁾ OJ No L 324, 24. 12. 1993, p. 42.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1994
1	100,0
2	100,0
3	100,0
4	100,0
5	100,0
6	100,0
7	100,0
8	100,0
9	100,0
10	100,0
11	100,0
12	100,0
13	100,0

ANNEX II

(tonnes)

Group No	Total quantity available for the period 1 October to 31 December 1994
1	1 600,0
2	127,3
3	670,0
4	10 880,0
5	1 400,0
6	922,5
7	4 090,0
8	650,0
9	4 550,0
10	2 000,0
11	227,5
12	1 000,0
13	97,5

COMMISSION REGULATION (EC) No 1811/94

of 22 July 1994

determining the extent to which applications lodged in July 1994 for import licences for certain pigmeat products under the regime provided for by the Bilateral Agreements on agriculture concluded between the Community, of the one part, and Austria and Finland, of the other part, can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3580/93 of 21 December 1993 laying down detailed rules for the application in the pigmeat sector of the regime provided for by the Bilateral Agreements on agriculture concluded between the Community, of the one part, and Austria and Finland, of the other part⁽¹⁾, and in particular Article 4 (4) thereof,

Article 1

1. Applications for import licences for the period 1 July to 30 September 1994 submitted pursuant to Regulation (EC) No 3580/93 shall be met as referred to in Annex I.

Whereas the applications for import licences lodged for the period 1 July to 30 September 1994 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution ;

2. During the first 10 days of the period 1 October to 31 December 1994 applications may be lodged pursuant to Regulation (EC) No 3580/93 for import licences for a total quantity as referred to in Annex II.

Whereas, in the case of the first-mentioned category of products, the surplus to be added to the quantity available for the following period should be determined,

Article 2

This Regulation shall enter into force on 23 July 1994.

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

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 326, 28. 12. 1993, p. 16.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period from 1 July to 30 September 1994
A1	100,00
A2	100,00
A3	100,00
F1	100,00
F2	100,00
F3	100,00

*ANNEX II**(tonnes)*

Group No	Total quantity available for fourth period
A1	123,00
A2	196,00
A3	123,5
F1	2 000,0
F2	1 000,0
F3	1 000,0

COMMISSION REGULATION (EC) No 1812/94

of 22 July 1994

determining the extent to which applications lodged in July 1994 for import certificates for certain cheeses covered by the arrangements provided for in the Interim Agreements concluded by the Community with Bulgaria and Romania can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS REGULATION :

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1588/94 of 30 June 1994 laying down detailed rules for the application to milk and milk products of the arrangements provided for in the Interim Agreements between the Community on the one part, and Bulgaria and Romania on the other part⁽¹⁾, and in particular Article 4 (4) thereof,

Whereas the applications made for licences for products mentioned in Regulation (EC) No 1588/94 are for quantities lower than those available ; whereas these applications can therefore be met in full,

Article 1

Applications for import licences for the period 1 July to 31 December 1994 submitted pursuant to Regulation (EC) No 1588/94 shall be met in full, for products mentioned in Regulation (EC) No 1588/94.

Article 2

This Regulation shall enter into force on 23 July 1994.

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

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 167, 1. 7. 1994, p. 8.

COMMISSION REGULATION (EC) No 1813/94
of 22 July 1994

determining the extent to which applications lodged in July 1994 for import licences for certain pigmeat sector products under the regime provided for by Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products can be accepted

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1432/94 of 22 June 1994 laying down detailed rules for the application in the pigmeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for pigmeat and certain other agricultural products⁽¹⁾, and in particular Article 4 (4) thereof,

Whereas the applications for import licences lodged for the period from 1 January to 30 September 1994 are, in the case of some products, for quantities less than or equal to the quantities available and can therefore be met in full, but in the case of other products the said applications are for quantities greater than the quantities available and must therefore be reduced by a fixed percentage to ensure a fair distribution ;

Whereas, in the case of the equal or smaller quantities requested the surplus to be added to the quantity available for the following period should be determined ;

Whereas it is appropriate to draw the attention of operators to the fact that licences may only be used for

products which comply with all veterinary rules currently in force in the Community,

HAS ADOPTED THIS REGULATION :

Article 1

1. Applications for import licences for the period 1 July to 30 September 1994 submitted under Regulation (EC) No 1432/94 shall be met as referred to in Annex I.
2. During the first 10 days of the period 1 October to 31 December 1994 applications may be lodged pursuant to Regulation (EC) No 1432/94 for import licences for a total quantity as referred to in Annex II.
3. Licences may only be used for products which comply with all veterinary rules currently in force in the Community.

Article 2

This Regulation shall enter into force on 23 July 1994.

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

Done at Brussels, 22 July 1994.

For the Commission
René STEICHEN
Member of the Commission

⁽¹⁾ OJ No L 156, 23. 6. 1994, p. 14.

ANNEX I

Group No	Percentage of acceptance of import licences submitted for the period 1 July to 30 September 1994
1	100,00

ANNEX II

(tonnes)

Group No	Total quantity available for the period 1 October to 31 December 1994
1	5 925,00

COMMISSION REGULATION (EC) No 1814/94
of 22 July 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 (EC) No 1246/94⁽⁴⁾, as last amended by Regulation (EC) No 1694/94⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EC) No 1246/94 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

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

- ECU 53,249 per 100 kilograms for the 1993/94 marketing year,
- ECU 49,663 per 100 kilograms for the 1994/95 marketing year.

2. However, the amount of the aid for 1994/95 shall be confirmed or replaced with effect from 23 July 1994 to take account of the guide price for cotton for that marketing year and the consequences of the system of maximum guaranteed quantities.

Article 2

This Regulation shall enter into force on 23 July 1994.

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

Done at Brussels, 22 July 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 137, 1. 6. 1994, p. 24.

⁽⁵⁾ OJ No L 179, 13. 7. 1994, p. 13.

COMMISSION REGULATION (EC) No 1815/94**of 22 July 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 Commission Regulation (EEC) No 2193/93⁽²⁾, and in particular Article 10 (5) and Article 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 1561/94⁽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 21 July 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 1561/94 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 23 July 1994.

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

Done at Brussels, 22 July 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 166, 1. 7. 1994, p. 74.

ANNEX

to the Commission Regulation of 22 July 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries (*)
0709 90 60	114,92 (*) ⁽²⁾
0712 90 19	114,92 (*) ⁽²⁾
1001 10 00	49,40 (*) ⁽¹⁾
1001 90 91	76,54
1001 90 99	76,54 (*)
1002 00 00	103,32 (*)
1003 00 10	105,65
1003 00 90	105,65 (*)
1004 00 00	93,93
1005 10 90	114,92 (*) ⁽²⁾
1005 90 00	114,92 (*) ⁽²⁾
1007 00 90	117,12 (*)
1008 10 00	28,57 (*)
1008 20 00	34,22 (*) ⁽²⁾
1008 30 00	0 (*)
1008 90 10	(?)
1008 90 90	0
1101 00 00	146,57 (*)
1102 10 00	181,25
1103 11 10	111,48
1103 11 90	167,86
1107 10 11	147,12
1107 10 19	112,68
1107 10 91	198,94 (*) ⁽¹⁰⁾
1107 10 99	151,39 (*)
1107 20 00	174,64 (*) ⁽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 1816/94**of 22 July 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 Commission 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 (EC) No 1562/94 ⁽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 21 July 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 23 July 1994.

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

Done at Brussels, 22 July 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 166, 1. 7. 1994, p. 77.

ANNEX

to the Commission Regulation of 22 July 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
	7	8	9	10
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	0	0	0
1001 90 99	0	0	0	0
1002 00 00	0	0	0	0
1003 00 10	0	0	0	0
1003 00 90	0	0	0	0
1004 00 00	0	0	0	0
1005 10 90	0	0	0	0
1005 90 00	0	0	0	0
1007 00 90	0	0	0	0
1008 10 00	0	0	0	0
1008 20 00	0	0	0	0
1008 30 00	0	0	0	0
1008 90 90	0	0	0	0
1101 00 00	0	0	0	0
1102 10 00	0	0	0	0
1103 11 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
	7	8	9	10	11
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

COUNCIL DIRECTIVE 94/29/EC

of 23 June 1994

amending the Annexes to Directives 86/362/EEC and 86/363/EEC on the fixing of maximum levels for pesticide residues in and on cereals and foodstuffs of animal origin respectively

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 86/362/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on cereals⁽¹⁾, and in particular Article 11 thereof,

Having regard to Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin⁽²⁾, and in particular Article 11 thereof,

Having regard to the proposal from the Commission,

Whereas the Commission has received a mandate in the framework of Directives 86/362/EEC and 86/363/EEC to prepare the list of pesticide residues and their maximum levels for approval by the Council;

Whereas, in the light of technical and scientific progress and the requirements of public health and agriculture, it is now desirable to amend Annex II to the abovementioned Directives by adding provisions relating to further pesticide residues for cereals and foodstuffs of animal origin, namely, daminozide, lambda-cyhalothrin, ethephon, propiconazole, carbofuran, carbosulfan, benfuracarb,

furathiocarb, cyfluthrin, metalaxyl, benalaxyl and fenarimol;

Whereas, however, available data are insufficient for certain pesticide-cereal/foodstuffs of animal origin combinations as appropriate; whereas a period of time, not exceeding four years, will be necessary to generate such data; whereas, therefore, maximum levels should be established on the basis of such data by 30 June 1999 at the latest; whereas failure to provide satisfactory data should normally result in the establishment of levels at the appropriate limit of determination;

Whereas, in order better to estimate dietary intake of pesticide residues, it is prudent to establish simultaneously, where possible, maximum residue levels for individual pesticides in all major components of the diet; whereas these levels represent the use of minimum quantities of pesticide to achieve adequate control, applied in such a manner that the amount of residue is the smallest practicable and is toxicologically acceptable;

Whereas the maximum residue levels established in the current Directive will have to be reviewed in the framework of the re-evaluations of active substances provided for in the work programme established in Annex 8 (2) of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market⁽³⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following pesticide residues shall be added to Part A of Annex II to Directive 86/362/EEC:

Pesticide residues	Maximum levels in mg/kg (ppm)
42. CYFLUTHRIN, including other mixed isomeric constituents (sum of isomers)	0,05 (*) : maize 0,02 (*) : other cereals
43. METALAXYL	0,05 (*)
44. BENALAXYL	0,05 (*)
45. FENARIMOL	(a) : wheat, barley 0,02 (*) : other cereals
46. PROPICONAZOLE	0,05 (*)

⁽¹⁾ OJ No L 221, 7. 8. 1986, p. 37. Directive as last amended by Directive 93/57/EEC (OJ No L 211, 23. 8. 1993, p. 1).

⁽²⁾ OJ No L 221, 7. 8. 1986, p. 43. Directive amended by Directive 93/57/EEC (OJ No L 211, 23. 8. 1993, p. 1).

⁽³⁾ OJ No L 230, 19. 8. 1991, p. 1. Directive as amended by Commission Directive 93/71/EEC (OJ No L221, 31. 8. 1993, p. 27).

Pesticide residues	Maximum levels in mg/kg (ppm)
47. DAMINOZIDE, (sum of daminozide and 1,1-dimethylhydrazine expressed as daminozide)	0,02 (*)
48. LAMBDA-CYHALOTHRIN	0,05 : barley 0,02 (*) : other cereals
49. ETHEPHON	(b) : maize 0,2 : wheat and triticales 0,5 : barley and rye 0,05 (*) : other cereals
50. CARBOFURAN (sum of carbofuran and 3-hydroxy-carbofuran expressed as carbofuran)	(c) : rice and oats 0,1 (*) : other cereals
51. CARBOSULFAN	0,05 (*)
52. BENFURACARB	(b) : maize 0,05 (*) : other cereals
53. FURATHIOCARB	0,05 (*)

(*) Indicates other limit of analytical determination.
(a) (b) (c) As from 30 June 1999 and save for adoption of other levels, the following maximum limits shall apply as indicated :
(a) : 0,02 (*),
(b) : 0,05 (*),
(c) : 0,1 (*).

Article 2

1. The following pesticide residues shall be added to Part A of Annex II to Directive 86/363/EEC :

Pesticide residues	Maximum levels in mg/kg (ppm)		
	in meat, preparations of meat, offals and animal fats listed in Annex I under heading Nos ex 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00, 1602 (*) (*)	in raw cow's milk and whole cream cow's milk listed in Annex I under heading No 0401 ; for the other foodstuffs in heading Nos 0401, 0402, 0405 00, 0406 in accordance with (*) and (*)	in shelled fresh eggs, in birds' eggs and egg yolks listed in Annex I under heading Nos 0407 00 and 0408 (*) (*)
15. CYFLUTHRIN, including other mixed isomeric constituents (sum of isomers)	0,05	0,02 (*)	0,02 (*)
16. LAMBDA-CYHALOTHRIN, including other mixed isomeric constituents (sum of isomers)	0,5 (except 0207 poultrymeat) 0,02 (*) (0207 poultrymeat)	0,05	0,02 (*)

(*) Indicates limit of analytical determination.

(1) In the case of foodstuffs with a fat content of 10 % or less by weight, the residue is related to the total weight of the boned foodstuff. In such cases, the maximum level is one-tenth of the value related to fat content, but must be no less than 0,01 mg/kg.

(2) In determining the residues in raw cow's milk and whole cream cow's milk, a fat content of 4 % by weight should be taken as a basis. For raw milk and whole cream milk of another animal origin the residues are expressed on the basis of the fat.

For the other foodstuffs listed in Annex I under heading Nos 0401, 0402, 0405 00 and 0406 :

- with a fat content of less than 2 % by weight, the maximum level is taken as half that set for raw milk and whole cream milk,
- with a fat content of 2 % or more by weight, the maximum level is expressed in mg/kg of fat. In such cases, the maximum level is 25 times that set for raw milk and whole cream milk.

(3) For egg products with a fat content higher than 10 % the maximum level is expressed in mg/kg fat. In this case the maximum level is 10 times higher than the maximum level for fresh eggs.

(4) Footnotes (1), (2) and (3) do not apply in cases where the limit of analytical determination is indicated.

2. The following pesticide residues shall be added in Part B of Annex II to Directive 86/363/EEC:

Pesticide residues	Maximum levels in mg/kg (ppm)		
	in meat, preparations of meat, offals and animal fats as listed in Annex I under heading Nos ex 0201, 0202, 0203, 0204, 0205 00 00, 0206, 0207, ex 0208, 0209 00, 0210, 1601 00 and 1602	in milk and milk products listed in Annex I under heading Nos 0401, 0402, 0405 00 and 0406	in shelled fresh eggs, in birds' eggs and egg yolks listed in Annex I under heading Nos 0407 00 and 0408
17. FENARIMOL	Ex 0208 (a) liver + kidney 0,02 (*) other products	0,02 (*)	0,02 (*)
18. METALAXYL	0,5 (*)	0,05 (*)	0,05 (*)
19. BENALAXYL	0,5 (*)	0,05 (*)	0,05 (*)
20. DAMINOZIDE (sum of daminozide and 1,1-dimethylhydrazine expressed as daminozide)	0,05	0,05 (*)	0,05 (*)
21. ETHEPHON	0,05 (*)	0,05 (*)	0,05 (*)
22. PROPICONAZOLE	Ex 0206 0,1 ruminant liver 0,05 (*) other products	0,1 (*)	0,05 (*)
23. CARBOFURAN (sum of carbofuran and 3-hydroxycarbofuran expressed as carbofuran)	0,1 (*)	0,1 (*)	0,1 (*)
24. CARBOSULFAN	0,5 (*)	0,05 (*)	0,05 (*)
25. BENFURACARB	0,5 (*)	0,05 (*)	0,05 (*)
26. FURATHIOCARB	0,5 (*)	0,05 (*)	0,05 (*)

(*) Indicates limit of analytical determination.

(a) As from 30 June 1999 and save for adoption of other levels, the following maximum limit shall apply: 0,02.

Article 3

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than 30 June 1995.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 4

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

Article 5

This Directive is addressed to the Member States.

Done at Luxembourg, 23 June 1994.

For the Council
The President
G. MORAITIS

COUNCIL DIRECTIVE 94/30/EC

of 23 June 1994

amending Annex II to Directive 90/642/EEC relating to the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables and providing for the establishment of a list of maximum levels

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/642/EEC of 27 November 1990 relating to the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables⁽¹⁾, and in particular Article 1 thereof,

Having regard to the proposal from the Commission,

Whereas the Commission has received a mandate in the framework of Directive 90/642/EEC to prepare the list of pesticide residues and their maximum levels for approval by Council;

Whereas pesticide residues may arise in products of plant origin, including fruit and vegetables as a result of agricultural practices; whereas, to establish maximum levels for the former, it is necessary to take into account relevant data for both authorized pesticide uses and supervised trials; whereas, however, available data is frequently insufficient by current standards to establish maximum levels;

Whereas, in order better to estimate dietary intake of pesticide residues, it is prudent to establish simultaneously, where possible, maximum residue levels for individual pesticides in all major components of the diet; whereas these levels represent the use of minimum quantities of pesticide to achieve adequate control, applied in such a manner that the amount of residue is the smallest practicable and is toxicologically acceptable;

Whereas, it is now appropriate that maximum levels be fixed for certain pesticides, namely, daminozide, lambda-cyhalothrin, propiconazole, carbofuran, carbosulfan, benfuracarb, furathiocarb, cyfluthrin, metalaxyl, benalaxyl, fenarimol and ethephon in products of plant origin; whereas, however, it is not possible to establish maximum pesticide residue levels for all pesticide residue product combinations due to insufficient data;

Whereas, in cases of insufficient data availability a period of time should be allowed for the generation of the necessary data; whereas a period not exceeding four years would seem reasonable for this purpose; whereas, therefore, maximum levels should be established on the basis of such data by 30 June 1999 at the latest; whereas failure to provide satisfactory data normally results in the establishment of levels at the appropriate limit of determination;

Whereas the maximum residue levels established in this Directive will have to be reviewed in the framework of the re-evaluation of active substances provided for in the work programme established in Article 8 (2) of Council Directive 91/414/EEC of 15 July 1991 concerning the placing of plant protection products on the market⁽²⁾,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The following pesticide residues shall be added to Annex II to Directive 90/642/EEC:

⁽¹⁾ OJ No L 350, 14. 12. 1990, p. 71. Directive as amended by Directive 93/58/EEC (OJ No L 211, 23. 8. 1993, p. 6).

⁽²⁾ OJ No L 230, 19. 8. 1991, p. 1. Directive as amended by Commission Directive 93/71/EEC (OJ No L 221, 31. 8. 1993, p. 27).

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethylhydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
1. Fruit, fresh, dried or uncooked preserved by freezing not containing added sugar ; nuts			
(i) CITRUS FRUIT	0,02 (*)	(a)	0,05 (*)
grapefruit			
lemons			
limes			
mandarins (including clementines and similar hybrids)			
oranges			
pommelo			
others			
(ii) TREE NUTS (shelled or unshelled)	0,05 (*)	0,05 (*)	0,05 (*)
almonds			
brazil nuts			
cashew nuts			
chestnuts			
coconuts			
hazelnuts			
macadamia			
pecans			
pine nuts			
pistachios			
walnuts			
others			
(iii) POME FRUIT		0,1	0,05 (*)
apples	0,02 (*) (x)		
pears			
quinces			
others	0,02 (*)		
(iv) STONE FRUIT	0,02 (*)		
apricots		0,2	0,2
cherries			(b)
peaches (including nectarines and similar hybrids)		0,2	0,2
plums			(b)
others		0,1	0,05 (*)
(v) BERRIES AND SMALL FRUITS	0,02 (*)		
(a) <i>table and wine grapes</i>		0,2	0,5
table grapes			
wine grapes			
(b) <i>strawberries (other than wild)</i>		(a)	0,05 (*)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethylhydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
(c) <i>cane fruit</i> (other than wild): blackberries dewberries loganberries raspberries others		0,02	0,05 (*)
(d) <i>other small fruit and berries</i> (other than wild) bilberries (fruits of species <i>vaccinium myrtyllus</i>) cranberries currants (red, black and white) gooseberries others		0,1 0,1 0,02 (*)	0,05
(e) <i>wild berries and wild fruit</i>		0,02 (*)	0,05 (*)
(vi) MISCELLANEOUS avocados bananas dates figs kiwi kumquats litchis mangoes olives passion fruit pineapples pomegranate others	0,02 (*)	0,02 (*)	0,05 (*)
2. Vegetables, fresh or uncooked, frozen or dry			
(i) ROOT AND TUBER VEGETABLES Beetroot carrots celeriac horseradish jerusalem artichokes parsnip parsley root radishes salsify sweet potatoes swedes turnips yam others	0,02 (*)	0,02 (*)	0,05 (*)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethylhydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
(ii) BULB VEGETABLES	0,02 (*)		0,05 (*)
garlic			
onions			
shallots			
spring onions		(a)	
others		0,02 (*)	
(iii) FRUITING	0,02 (*)		
(a) <i>Solanacea</i>		(a)	
tomatoes			
peppers			
aubergines			(b)
others			0,05 (*)
(b) <i>cucurbits — edible peel</i>		0,1	(b)
cucumbers			
gherkins			
courgettes			
others			
(c) <i>cucurbits — inedible peel</i>		(a)	(b)
melons			
squashes			
watermelons			
others			
(d) <i>sweet corn</i>		0,02 (*)	0,05 (*)
(iv) BRASSICA VEGETABLES	0,02 (*)		0,05 (*)
(a) <i>flowering brassicas</i>		(a)	
broccoli			
cauliflower			
others			
(b) <i>head brassicas</i>			
brussels sprouts		0,05	
head cabbage		0,2	
others		0,02 (*)	
(c) <i>leafy brassicas</i>		(a)	
chinese cabbage			
kale			
others			
(d) <i>koblrabi</i>		(a)	
(v) LEAF VEGETABLES AND FRESH HERBS	0,02 (*)		0,05 (*)
(a) <i>lettuce and similar</i>		1	
crisp			
lamb's lettuce			
lettuce			
scarole			
others			
(b) <i>spinach and similar</i>		(a)	
beet leaves (chard)			
(c) <i>watercress</i>		0,02 (*)	

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)		
	Daminozide (sum of daminozide and 1,1-dimethylhydrazine, expressed as daminazide)	Lambda-cyhalothrin	Propiconazole
(d) <i>witloof</i>		(a)	
(e) <i>herbs</i>		1	
chervil			
chives			
parsley			
celery leaves			
others			
(vi) LEGUME VEGETABLES (fresh)	0,02 (*)		0,05 (*)
beans (with pods)		0,2	
beans (without pods)			
peas (with pods)		0,2	
peas (without pods)		0,2	
others		0,02 (*)	
(vii) STEM VEGETABLES	0,02 (*)		
asparagus		0,02 (*)	
cardoons			(b)
celery			
fennel			(b)
globe artichokes			
leek			
rhubarb			
others		(a)	0,05 (*)
(viii) FUNGI	0,02 (*)		0,05 (*)
cultivated mushrooms		(a)	
wild mushrooms		0,02 (*)	
3. Pulses	0,02 (*)	0,02 (*)	0,05 (*)
beans			
lentils			
peas			
others			
4. Oil seeds	0,05 (*)	0,02	
linseed			(b)
peanuts			
poppy seed			
sesame seed			
sunflower seed (with shell)			
rape seed			
soya bean			
mustard			
cotton seed			
others			0,05 (*)
5. Potatoes	0,02 (*)	0,02 (*)	0,05 (*)
early and ware			
potatoes			
6. Tea (black tea processed from the leaves of <i>camellia sinensis</i>)	0,1 (*)	1	0,1 (*)
7. Hops (dried), including hop pellets and unconcentrated powder	0,1 (*)	10	0,1 (*)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Carbofuran (sum of carbofuran and 3-hydroxy-carbofuran expressed as carbofuran)	Carbosulfan	Benfurocarb	Furathiocarb
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar ; nuts				
(i) CITRUS FRUIT	(c)	(b)	(b)	0,05 (*)
grapefruit				
lemons				
limes				
mandarins (including clementines and similar hybrids)				
oranges				
pommelo				
others				
(ii) TREE NUTS (shelled or unshelled)		0,05 (*)		0,05 (*)
almonds				
brazil nuts				
cashew nuts				
chestnuts				
coconuts				
hazelnuts	(c)		(b)	
macadamia				
pecans				
pine nuts				
pistachios				
walnuts				
others	0,1 (*)		0,05 (*)	
(iii) POME FRUIT	(c)	(b)	0,05 (*)	0,05 (*)
apples				
pears				
quinces				
others				
(iv) STONE FRUIT	(c)	(b)	0,05 (*)	0,05 (*)
apricots				
cherries				
peaches (including nectarines and similar hybrids)				
plums				
others				
(v) BERRIES AND SMALL FRUIT		0,05 (*)	0,05 (*)	0,05 (*)
(a) <i>Table and wine grapes</i>	0,01 (*)			
table grapes				
wine grapes				
(b) <i>strawberries</i> (other than wild)	(c)			
(c) <i>cane fruit</i> (other than wild)	0,1 (*)			
blackberries				
dewberries				
loganberries				
raspberries				
others				

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Carbofuran (sum of carbofuran and 3-hydroxy-carbofuran expressed as carbofuran)	Carbosulfan	Benfurocarb	Furathiocarb
(d) <i>other small fruit and berries</i> (other than wild) bilberries (fruit of species <i>vaccinium myrtilus</i>) cranberries currants (red, black and white) gooseberries (<i>cynorrhodon</i>) others	0,1 (*)			
(e) <i>wild berries and wild fruit</i>	0,1 (*)			
(vi) MISCELLANEOUS avocados bananas dates figs kiwi kumquats litchis mangoes olives (table consumption) olives (oil extraction) passion fruit pineapples pomegranate others	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
2. Vegetables, fresh or uncooked, frozen or dry				
(i) ROOT AND TUBER VEGETABLES			0,05 (*)	0,05 (*)
beetroot				
carrots	0,3	0,1		
celeriac	(c)			
horseradish				
jerusalem artichokes				
parsnip	0,3	0,1		
parsley root				
radishes	0,5			
salsify				
sweet potatoes				
swedes	(c)	(b)		
turnips	(c)	(b)		
yam				
others	0,1 (*)	0,05 (*)		
(ii) BULB VEGETABLES			0,05 (*)	0,05 (*)
garlic	0,3			
onions	0,3	(b)		
shallots	0,3			
spring onions				
others	0,1 (*)	0,05 (*)		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Carbofuran (sum of carbofuran and 3-hydroxy-carbofuran expressed as carbofuran)	Carbosulfan	Benfurocarb	Furathiocarb
(iii) FRUITING				
(a) <i>Solanacea</i> tomatoes peppers aubergines others	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
(b) <i>cucurbits — edible peel</i> cucumbers gherkins courgettes others	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
(c) <i>cucurbits — inedible peel</i> melons squashes watermelons others	(c) 0,1 (*)	(b)	(b)	0,05 (*)
(d) <i>sweet corn</i>	(c)	0,05 (*)	0,05 (*)	0,05 (*)
(iv) BRASSICA				
(a) <i>flowering brassicas</i> broccoli cauliflower others	0,2	(b)	(b)	0,1
(b) <i>head brassicas</i> brussels sprouts head cabbage others	(c)	(b)	(b)	0,05
(c) <i>leafy brassicas</i> chinese cabbage kale others	(c)	(b)	0,05 (*)	0,05 (*)
(d) <i>koblrabi</i>	0,2	(b)	0,05 (*)	0,05 (*)
(v) LEAF VEGETABLES AND FRESH HERBS				
(a) <i>lettuce and similar</i> cress lamb's lettuce lettuce scarole others	0,1 (*)	0,05 (*)	0,05 (*)	0,05 (*)
(b) <i>spinach and similar</i> beet leaves (chard)				
(c) <i>watercress</i>				
(d) <i>witloof</i>				

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)			
	Carbofuran (sum of carbofuran and 3-hydroxy-carbofuran expressed as carbofuran)	Carbosulfan	Benfurocarb	Furathiocarb
(e) <i>herbs</i> chervil chives parsley celery leaves others				
(vi) LEGUME VEGETABLES (fresh) beans (with pods) beans (without pods) peas (with pods) peas (without pods) others	(c) (c) 0,1 (*)	0,05 (*) 	0,05 (*) 	(b) (b) 0,05 (*)
(vii) STEM VEGETABLES asparagus cardoons celery fennel globe artichokes leek rhubarb others	 (c) (c) 0,1 (*)	 (b) (b) 0,05 (*)	 0,05 (*)	 0,05 (*)
(viii) FUNGI cultivated mushrooms wild mushrooms	0,1 (*) 	0,05 (*) 	0,05 (*) 	0,05 (*)
3. Pulses beans lentils peas others	 (c) 0,1 (*)	0,05 (*) 	0,05 (*) 	 (b) 0,05 (*)
4. Oil seeds linseed peanuts poppy seed sesame seed sunflower seed rape seed soya bean mustard cotton seed others	 (c) (c) (c) (c) (c) (c) (c) (c) (c) 0,1 (*)	0,05 (*) (b) (b) (b) (b) 0,05 (*)	 0,05 (*)	 0,05 (*)
5. Potatoes Early and ware potatoes	(c)	0,05 (*)	0,05 (*)	0,05 (*)
6. Tea (black tea processed from the leaves of <i>camellia sinensis</i>)	0,2 (*)	0,1 (*)	0,1 (*)	0,1 (*)
7. Hops (dried), including hop pellets and unconcentrated powder	10	(b)	5	5

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)				
	Cyfluthrin, including other mixed isomeric constituents (sum of isomers)	Metalaxyl	Benalaxyl	Fenarimol	Ethephon
1. Fruit, fresh, dried or uncooked, preserved by freezing not containing added sugar ; nuts					
(i) CITRUS FRUIT	0,02 (*)	(b)	0,05 (*)	0,02 (*)	(b)
grapefruit					
lemons					
limes					
mandarins (including clementines and similar hybrids)					
oranges					
pommelo					
others					
(ii) TREE NUTS (shelled or unshelled)	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,1 (*)
almonds					
brazil nuts					
cashew nuts					
chestnuts					
coconuts					
hazelnuts					
macadamia					
pecans					
pine nuts					
pistachios					
walnuts					
others					
(iii) POME FRUIT	0,2	1	0,05 (*)	0,3	3
apples					
pears					
quinces					
others					
(iv) STONE FRUIT			0,05 (*)	(a)	
apricots					
cherries	0,2	(b)			3
peaches (including nectarines and similar hybrids)		(b)			
plums	0,2				
others	(a)	0,05 (*)			0,05 (*)
(v) BERRIES AND SMALL FRUIT					
(a) <i>table and wine grapes</i>	0,3		0,2	0,3	(b)
table grapes		2			
wine grapes		1			
(b) <i>strawberries</i> (other than wild)	(a)	0,5	0,05 (*)	0,3	0,05 (*)
(c) <i>cane fruit</i> (other than wild)	0,02 (*)	(b)	0,05 (*)		0,05 (*)
blackberries					
dewberries					
loganberries					
raspberries				(a)	
others				0,02 (*)	

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)				
	Cyfluthrin, including other mixed isomeric constituents (sum of isomers)	Metalaxyl	Benalaxyl	Fenarimol	Ethephon
(d) <i>other small fruit and berries</i> (other than wild)		0,05 (*)	0,05 (*)		
bilberries (fruit of species <i>vaccinium myrtilus</i>)					
cranberries					
currants (red, black and white)	(a)			1	5
gooseberries	(a)			1	
others	0,02 (*)			0,02 (*)	0,05 (*)
(e) <i>wild berries and wild fruit</i>	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,05 (*)
(vi) MISCELLANEOUS	0,02 (*)		0,05 (*)	0,02 (*)	
avocados		(b)			
bananas					
dates					
figs					(b)
kiwi		(b)			
kumquats					
litchis					
mangoes					
olives (table consumption)					(b)
olives (oil extraction)					(b)
passion fruit					
pineapples					(b)
pomegranate					
others		0,05 (*)			0,05 (*)
2. Vegetables, fresh or uncooked, frozen or dry					
(i) ROOT AND TUBER VEGETABLES	0,02 (*)			0,02 (*)	0,05 (*)
beetroot					
carrots		0,1			
celeriac					
horseradish					
jerusalem artichokes					
parsnip		0,1			
parsley root					
radishes					
salsify				(b)	
sweet potatoes					
swedes					
turnips					
yam					
others		0,05 (*)	0,05 (*)		
(ii) BULB VEGETABLES	0,02 (*)	(b)		0,02 (*)	
garlic					
onions			0,2		(b)
shallots					
spring onions					
others			0,05 (*)		0,05 (*)
(iii) FRUITING					
(a) <i>solanacea</i>				(a)	
tomatoes	0,05 (*)	(b)	0,2		3
peppers	(a)	(b)	0,2		3
aubergines					
others	0,02 (*)	0,05 (*)	0,05 (*)		0,05 (*)

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)				
	Cyfluthrin, including other mixed isomeric constituents (sum of isomers)	Metalaxyl	Benalaxyl	Fenarimol	Ethephon
(b) <i>cucurbits — edible peel</i> cucumbers gherkins courgettes others	(a)	(b)	0,05 (*)	(a)	0,05 (*)
(c) <i>cucurbits — inedible peel</i> melons squashes watermelons others	0,02 (*)	(b)	(b)	(a)	0,05 (*)
(d) <i>sweet corn</i>	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	(b)
(iv) BRASSICA VEGETABLES			0,05 (*)	0,02 (*)	0,05 (*)
(a) <i>flowering brassicas</i> broccoli cauliflower others	(a) 0,05 0,02 (*)	(b)			
(b) <i>head brassicas</i> brussels sprouts head cabbage others	0,2	1 0,05 (*)			
(c) <i>leafy brassicas</i> chinese cabbage kale others	(a)	(b) (b) 0,05 (*)			
(d) <i>kohlrabi</i>	0,02 (*)	0,05 (*)			
(v) LEAF VEGETABLES AND FRESH HERBS			0,02 (*)	0,05 (*)	
(a) <i>lettuce and similar</i> cress lamb's lettuce lettuce scarole others	0,5	(b)		(b)	
(b) <i>spinach and similar</i> beet leaves (chard)	0,02 (*)	(b)	0,05 (*)		
(c) <i>watercress</i>	0,02 (*)	(b)	0,05 (*)		
(d) <i>witloof</i>	0,02 (*)	(b)	0,05 (*)		
(e) <i>herbs</i> chervil chives parsley celery leaves others	0,02 (*)	(b)	0,05 (*)		

Groups and examples of individual products to which the MRLs apply	Pesticide residues and maximum residue levels (mg/kg)				
	Cyfluthrin, including other mixed isomeric constituents (sum of isomers)	Metalaxyl	Benalaxyl	Fenarimol	Ethephon
(vi) LEGUME VEGETABLES (fresh)	0,05	0,05 (*)	0,05 (*)		0,05 (*)
beans (with pods)					
beans (without pods)					
peas (with pods)				(a)	
peas (without pods)				(a)	
others				0,02 (*)	
(vii) STEM VEGETABLES			0,05 (*)		0,05 (*)
Asparagus					
cardoons					
celery					
fennel					
globe artichokes		(b)		(a)	
leek	(a)	(b)			
rhubarb					
others	0,02 (*)	0,05 (*)		0,02 (*)	
(viii) FUNGI	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,05 (*)
cultivated mushrooms					
wild mushrooms					
3. Pulses	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,05 (*)
beans					
lentils					
peas					
others					
4. Oil seeds				0,02 (*)	0,05 (*)
linseed		(b)			
peanuts					
poppy seed					
sesame seed					
sunflower seed					
rape seed	0,05		(b)		
soya bean			(b)		
mustard					
cotton seed					
others	0,02 (*)	0,05 (*)	0,05 (*)		
5. Potatoes	0,02 (*)	0,05 (*)	0,05 (*)	0,02 (*)	0,05 (*)
early and ware potatoes					
6. Tea (black tea processed from the leaves of <i>camellia sinensis</i>)	(c)	0,1 (*)	0,1 (*)	0,05 (*)	0,1 (*)
7. Hops (dried), including hop pellets and unconcentrated powder	20	10	0,1 (*)	5	0,1 (*)

(x) As from 1 January 1996.

(*) Indicates limit of analytical determination.

(a) (b) (c) As from 30 June 1999, and save for adoption of other levels, the following maximum limits shall apply:

(a) 0,02 (*)

(b) 0,05 (*)

(c) 0,1 (*)

Article 2

Member States shall bring into force the laws, regulations or administrative provisions necessary to comply with this Directive not later than 30 June 1995.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

Article 3

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

Article 4

This Directive is addressed to the Member States.

Done at Luxembourg, 23 June 1994.

For the Council

The President

G. MORAITIS

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 29 June 1994

on the administrative management of cooperation in the scientific examination of questions relating to food

(94/458/EC)

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

Having regard to Council Directive 93/5/EEC of 25 February 1993 on assistance to the Commission and cooperation by the Member States in the scientific examination of questions relating to food⁽¹⁾, and in particular Article 3 thereof,

Whereas the first indent of Article 3 (2) of Directive 93/5/EEC provides for the establishment of rules for the administrative management of cooperation;

Whereas those rules are designed to serve a variety of purposes;

Whereas more detailed rules must be laid down governing the procedures for the various stages of cooperation;

Whereas the detailed arrangements for cooperation between the bodies and authorities designated by the Member States must also be laid down;

Whereas it is necessary to ensure greater transparency in the recommendations made by the Scientific Committee for Food;

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

HAS ADOPTED THIS DECISION:

Article 1

This Decision lays down rules for the administrative management of cooperation between Member States and

the Commission in the scientific examination of questions relating to food in accordance with Directive 93/5/EEC.

Article 2

1. In cooperation with the authorities or bodies designated by Member States in accordance with the first paragraph of Article 2 of Directive 93/5/EEC, the Commission shall prepare at least every six months the draft decision to establish and update the inventory of tasks and their associated priorities within the meaning of the second indent of Article 3 (2) of Directive 93/5/EEC.

2. The draft shall distinguish between matters falling within the scope of Article 1 (2) (a) of Directive 93/5/EEC and matters falling within the scope of Article 1 (2) (b).

Article 3

1. When designating the authority or body under Article 2 of Directive 93/5/EEC, each Member State shall provide the name of a single authority or body, together with the name and address of a contact point for the Commission and the other Member States.

2. The Member State shall notify the Commission forthwith of any change in the information referred to paragraph 1.

Article 4

When a designated national authority or body proposes to participate in the conduct of a specific task, it shall provide the list of institutes which may participate in the cooperation, together with:

⁽¹⁾ OJ No L 52, 4. 3. 1993, p. 18.

- their names and addresses as well as the name of person responsible for carrying out the task,
- information on their resources and expertise in the respective field.

Article 5

1. The Commission shall ensure that the opinions of the Scientific Committee for Food, together with a summary of the reasons for those opinions, are made available as soon as possible to all interested parties, including the designated authorities and bodies.

2. Where a natural or legal person, a participating institute, a designated authority or body or the Commission indicates that information or documents to be exchanged within the framework of scientific cooperation are confidential, the Commission shall ensure that the information or documents concerned are clearly marked.

The confidentiality of such information or documents shall be respected by those receiving it.

At the request of a designated authority or body, the Commission shall review the confidential status of information or documents, in consultation with the parties which established them.

Article 6

The decision on the inventory of tasks and their associated priorities under the second indent of Article 3 (2) of Directive 93/5/EEC shall include precise details concerning the following aspects in particular:

- the subject of the work to be carried out,
- the nature and extent of work,
- the time limit for completion of the work.

Article 7

1. In cooperation with the authorities or bodies designated by Member States in accordance with the first paragraph of Article 2 of Directive 93/5/EEC, the Commission shall prepare at least every six months the draft decision for the distribution of tasks between the designated authorities and bodies.

Following the adoption of the decision, each designated authority or body shall inform the Commission of the name of the institute or institutes which will carry out the

specific tasks. It shall forthwith inform the Commission of any changes.

2. Appropriate arrangements may be established to permit direct contacts between the Commission and the institutes on technical matters, subject to any conditions laid down by the designated authorities or bodies.

3. Where a single task is distributed to the designated authorities or bodies of two or more Member States, appropriate arrangements may be established to permit direct contacts on technical matters between the institutes which have been requested to carry out such tasks, subject to any conditions laid down by the designated authorities or bodies.

Article 8

1. At least every six months, each designated authority or body shall forward to the Commission a report on progress on the accomplishment of the tasks assigned to it. The Commission shall circulate the report to the other designated authorities or bodies.

2. The tasks shall be periodically reviewed by the Commission, in consultation with the designated authorities or body.

Article 9

1. The Commission shall work in close collaboration with the designated authorities or bodies on all aspects of the implementation of Directive 93/5/EEC.

2. The Commission shall facilitate communication and the exchange of information between the Scientific Committee for Food and the designated authorities or bodies on matters falling within the scope of Directive 93/5/EEC.

3. The Commission may also carry out whatever other additional consultations it considers necessary and shall inform the designated authorities or bodies accordingly.

Article 10

This Decision is addressed to the Member States.

Done at Brussels, 29 June 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION DECISION

of 6 July 1994

amending Decision 89/471/EEC authorizing methods for grading pig carcasses in Germany

(Only the German text is authentic)

(94/459/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3220/84 of 13 November 1984 determining the Community scale for grading pig carcasses⁽¹⁾, as last amended by Regulation (EC) No 3513/93⁽²⁾, and in particular Article 5 (2) thereof,Whereas the Commission, by Decision 89/471/EEC⁽³⁾, as last amended by Decision 91/88/EEC⁽⁴⁾, has authorized methods for grading pig carcasses in Germany;

Whereas the Government of Germany has requested the Commission to authorize the application of a new formula for the calculation of the lean meat content of carcasses in the framework of the grading methods provided for in Decision 89/471/EEC; whereas it is appropriate to apply the new formula from 1 July 1994, date of entering into force of the amendments introduced to Regulation (EEC) No 3220/84;

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

HAS ADOPTED THIS DECISION:

Article 1

Decision 89/471/EEC is hereby amended as follows:

Point 2 of Part 1 of the Annex is replaced by the following:

'2. The lean meat content of the carcass is calculated on the basis of the following formula:

$$\hat{y} = 54,139 - 0,71062 x_1 + 0,21842 x_2$$

where

 \hat{y} = the estimated percentage of lean meat in the carcass; x_1 = the thickness of backfat (including rind) in millimetres, measured at 7 cm off the midline of the split carcass, between the second and third last ribs; x_2 = the thickness of the muscle in millimetres, measured at the same time and in the same place as x_1 .

The formula shall be valid for carcasses weighing between 50 and 120 kilograms.'

Article 2

This Decision is addressed to the Federal Republic of Germany.

It shall apply from 1 July 1994

Done at Brussels, 6 July 1994.

For the Commission

René STEICHEN

Member of the Commission⁽¹⁾ OJ No L 301, 20. 11. 1984, p. 1.⁽²⁾ OJ No L 320, 22. 12. 1993, p. 5.⁽³⁾ OJ No L 233, 10. 8. 1989, p. 30.⁽⁴⁾ OJ No L 49, 22. 2. 1991, p. 30.

COMMISSION DECISION

of 7 July 1994

asking the Hellenic Republic to postpone the adoption of its draft regulation on the labelling of foodstuffs containing sweeteners

(Only the Greek text is authentic)

(94/460/EC)

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

Having regard to Council Directive 79/112/EEC of 18 December 1978 on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer⁽¹⁾, as last amended by Commission Directive 93/102/EEC⁽²⁾, and in particular Articles 16 and 17 thereof,

Whereas, in accordance with the procedure laid down in Article 16 of Directive 79/112/EEC, the Greek authorities notified the Commission of their intention to adopt a draft technical regulation relating to the labelling of foodstuffs containing sweeteners;

Whereas the draft regulation introduces compulsory indications on the labelling of foodstuffs containing sweeteners, informing the consumer of the presence of these substances in the foodstuff and warning of possible laxative effects of certain sweeteners;

Whereas the value of such information must be recognized, though a unilateral measure applied by Greece would inevitably hamper intra-Community trade;

Whereas this fact has led the Commission to deliver a negative opinion in accordance with the second subparagraph of Article 16 (2) of Directive 79/112/EEC;

Whereas the most satisfactory solution to the problem raised by the draft Greek regulation would be to adopt a Community provision on labelling;

Whereas, moreover, the Council's common position on the proposal for a Directive on sweeteners gives the Commission a mandate to adopt such measures;

Whereas any national initiative in this area should therefore be postponed for an appropriate period;

Whereas the measures laid down in this Decision are in accordance with the opinion of the Standing Committee on Foodstuffs,

HAS ADOPTED THIS DECISION:

Article 1

The Hellenic Republic is required to postpone for 12 months following the notification of this Decision the adoption of its draft regulation on labelling rules for foodstuffs containing sweeteners.

Article 2

This Decision is addressed to the Hellenic Republic.

Done at Brussels, 7 July 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

⁽¹⁾ OJ No L 33, 8. 2. 1979, p. 1.

⁽²⁾ OJ No L 291, 25. 11. 1993, p. 14.

COMMISSION DECISION

of 11 July 1994

amending Decisions 94/143/EC, 94/187/EC, 94/309/EC, 94/344/EC, 94/446/EEC and 94/435/EC laying down the animal health requirements and certification for the import of certain products covered by Council Directive 92/118/EEC

(Text with EEA relevance)

(94/461/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 92/118/EEC laying down animal health and public health requirements governing trade in and imports into the Community of products not subject to the said requirements laid down in specific Community rules referred to in Annex A Chapter 1 to Directive 89/662/EEC and as regards pathogens, to Directive 90/425/EEC (1) and in particular Article 10 (2) (c) thereof,

Whereas Decisions 94/143/EC (2), 94/187/EC (3), 94/309/EC (4), 94/344/EC (5), 94/446/EC (6) and 94/435/EC (7) respectively lay down the animal health conditions and the veterinary certification for import of serum from equidae, animal casings, certain petfoods and certain untanned edible products for pets containing low risk material, processed animal protein including products containing this protein intended for animal consumption, bones and bone products, horns and horn products, excluding meals thereof, for further processing, not intended for human or animal consumption, and pig bristles from third countries;

Whereas the date of entry into application of the above-mentioned Decisions is 1 July 1994; whereas it appears that third countries will not be able to fulfil the new import conditions by that date; whereas in order to avoid disruptions in trade, it is necessary to postpone the entry into application of these Decisions to 1 December 1994;

Whereas Decisions 94/143/EC, 94/187/EC, 94/309/EC, 94/344/EC, 94/446/EC and 94/435/EC must be amended accordingly;

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

Article 1

In Article 2 of Decision 94/143/EC, the date of '1 July 1994' is replaced by that of '1 December 1994'.

Article 2

In Article 2 of Decision 94/187/EC, the date of '1 July 1994' is replaced by that of '1 December 1994'.

Article 3

In Article 2 of Decision 94/309/EC, the date of '1 July 1994' is replaced by that of '1 December 1994'.

Article 4

In Article 2 of Decision 94/344/EC, the date of '1 July 1994' is replaced by that of '1 December 1994'.

Article 5

In Article 4 of Decision 94/446/EC, the date of '1 July 1994' is replaced by that of '1 December 1994'.

Article 6

In Article 5 of Decision 94/435/EC, the date of '1 July 1994' is replaced by that of '1 December 1994'.

Article 7

This Decision is addressed to Member States.

Done at Brussels, 11 July 1994.

For the Commission

René STEICHEN

Member of the Commission

(1) OJ No L 62, 15. 3. 1993, p. 49.

(2) OJ No L 62, 5. 3. 1994, p. 41.

(3) OJ No L 89, 6. 4. 1994, p. 18.

(4) OJ No L 137, 1. 6. 1994, p. 62.

(5) OJ No L 154, 21. 6. 1994, p. 45.

(6) OJ No L 183, 19. 7. 1994, p. 46.

(7) OJ No L 180, 14. 7. 1994, p. 40.

COMMISSION DECISION

of 22 July 1994

concerning certain protection measures relating to classical swine fever in Germany and repealing Decision 94/178/EC

(94/462/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

HAS ADOPTED THIS DECISION:

Having regard to the Treaty establishing the European Community,

Article 1

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, as last amended by Council Directive 92/118/EEC ⁽²⁾ and, in particular, Article 10 (4) thereof,

Whereas as a result of outbreaks of classical swine fever in different parts of Germany, the Commission adopted Decision 94/178/EC of 23 March 1994 concerning certain protection measures relating to classical swine fever in Germany and repealing Decisions 94/27/EC and 94/28/EC ⁽³⁾, as last amended by Decision 94/365/EC ⁽⁴⁾;

Whereas a number of outbreaks of classical swine fever have occurred in Germany; whereas some of the outbreaks have occurred in parts with a high density of pigs and some in areas where the disease is present in the wild boar population;

Whereas in view of the trade in live pigs, fresh pigmeat and certain meat-based products, these outbreaks are liable to endanger the herds of other Member States;

Whereas Germany has taken measures in accordance with Council Directive 80/217/EEC of 22 January 1980, introducing Community measures for the control of classical swine fever ⁽⁵⁾ and, furthermore, has introduced further measures;

Whereas the protection measures introduced by Decision 94/178/EC, in the interest of clarity, must be repealed;

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

1. Germany shall not send to other Member States:

(a) breeding pigs and production pigs unless the pigs:

— come from a holding where no live pigs have been introduced during the 30-day period immediately prior to the dispatch of the pigs in question,

— have been subject to a test for antibodies to classical swine fever (HC virus) and found negative; this test shall be carried out in accordance with the provisions of Annex IV, point 1 of Council Directive 80/217/EEC within 4 days of certification,

— have undergone the clinical examination required in Council Directive 64/432/EEC ⁽⁶⁾ on the farm of origin. The examination shall comprise all pigs and related facilities on the holding of origin. The animals shall be identified by ear tags at the holding of origin and at any assembly centre so that these can be ascertained and traced back. The means of transport shall carry an official seal;

(b) pigs for slaughter unless the pigs come from an epidemiological unit where no live pigs have been introduced during the 30-day period immediately prior to the dispatch of the pigs in question.

2. Intra-Community movements of the animals referred to in paragraph 1 (a) shall only be allowed following 3 days advance notification to the central veterinary authority in the Member State of destination and dispatched by the local competent veterinary authority.

Article 2

The health certificate provided for in Council Directive 64/432/EEC accompanying pigs sent from Germany must be completed by the following:

'Animals in accordance with Commission Decision 94/462/EC of 22 July 1994 concerning certain protection measures relating to classical swine fever in Germany.'

⁽¹⁾ OJ No L 224, 18. 8. 1990, p. 29.

⁽²⁾ OJ No L 62, 15. 3. 1993, p. 49.

⁽³⁾ OJ No L 83, 26. 3. 1994, p. 54.

⁽⁴⁾ OJ No L 162, 30. 6. 1994, p. 70.

⁽⁵⁾ OJ No L 47, 21. 2. 1980, p. 11.

⁽⁶⁾ OJ No 121, 29. 7. 1964, p. 1977/64.

Article 3

Germany shall carry out serological screening of pigs for antibodies to classical swine fever virus (HC virus) in accordance with the requirements of the Annex.

The results obtained from the screening programme, accompanied by an epidemiological analysis, shall be submitted monthly to the Commission.

Article 4

Germany shall ensure that vehicles which have been used for the transport of pigs are cleaned and disinfected after each operation, and shall furnish proof of such disinfection.

Article 5

Germany will take all appropriate measures to sanction any infringement of the present Decision, in particular when it is ascertained that the required documents cannot be presented.

In particular, whenever the transporter does not present the proof that the means of transport has been disinfected or the owner of the animals does not present the proof of the negative result of the tests and/or clinical examination, the following measures shall apply:

- (a) The means of transport and the pigs will be provisionally retained by the competent authority.
- (b) If, after a request by the competent authority, the situation cannot be regularized within a maximum delay of 24 hours:

- the means of transport will be retained by the competent authority,
- the pigs will be destroyed.

The means of transport will not be released, and the compensation for the destruction of the pigs will not be granted until after the adoption of a court or administrative decision.

Article 6

The Member States shall amend the measures which they apply to trade so as to bring them into compliance with this Decision. They shall immediately inform the Commission thereof.

Article 7

The present Decision shall repeal Decision 94/178/EC.

Article 8

This Decision shall be reviewed before 20 September 1994 taking into consideration the evolution of the animal disease situation in Germany.

Article 9

This Decision is addressed to the Member States.

Done at Brussels, 22 July 1994.

For the Commission

René STEICHEN

Member of the Commission

*ANNEX***SEROLOGICAL SCREENING FOR ANTIBODIES TO CLASSICAL SWINE FEVER (HC VIRUS)**

The German authorities shall carry out a serological screening programme which samples the equivalent of 5 % of the national sow and boar populations each year (100 000 samples p. a.).

The screening programme shall, where possible, make use of serum samples collected during the national programme for the eradication of Aujeszky's disease. It will also concentrate on the herds or animals most likely to be at risk from classical swine fever:

- small breeding herds near towns or on farms where sows are fattened for slaughter and may have been fed with swill,
 - boars used for natural service particularly boars used on several farms,
 - herds in areas containing wild boar,
 - herds in Regierungsbezirke that have recorded classical swine fever outbreaks since 1 May 1994.
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CORRIGENDA

Corrigendum to Commission Regulation (EC) No 1431/94 of 22 June 1994 laying down detailed rules for the application in the poultrymeat sector of the import arrangements provided for in Council Regulation (EC) No 774/94 opening and providing for the administration of certain Community tariff quotas for poultrymeat and certain other agricultural products

(Official Journal of the European Communities No L 156 of 23 June 1994)

Page 10, Article 3 (a):

for: '... in 1992 and 1993 ...',

read: '... in 1992 as well as in 1993 ...'.
