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Legislation

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I

(Acts whose publication is obligatory)

**COMMISSION REGULATION (EC) No 2292/94
of 23 September 1994
fixing the import levies on rice and broken rice**

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

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice ⁽¹⁾, as last amended by Regulation (EC) No 1869/94 ⁽²⁾, and in particular Article 11 (2) thereof,

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

Whereas the import levies on rice and broken rice were fixed by Commission Regulation (EC) No 2147/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2240/94 ⁽⁶⁾,

HAS ADOPTED THIS REGULATION:

Article 1

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

Article 2

This Regulation shall enter into force on 24 September 1994.

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

Done at Brussels, 23 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 166, 25. 6. 1976, p. 1.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽³⁾ OJ No L 80, 24. 3. 1987, p. 20.

⁽⁴⁾ OJ No L 75, 21. 3. 1991, p. 29.

⁽⁵⁾ OJ No L 228, 1. 9. 1994, p. 23.

⁽⁶⁾ OJ No L 241, 16. 9. 1994, p. 4.

ANNEX

to the Commission Regulation of 23 September 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (⁽¹⁾) (⁽²⁾) (⁽⁴⁾)	Third countries (except ACP) (⁽³⁾)
1006 10 21	—	144,19	295,59
1006 10 23	—	144,39	295,98
1006 10 25	—	144,39	295,98
1006 10 27	221,99	144,39	295,98
1006 10 92	—	144,19	295,59
1006 10 94	—	144,39	295,98
1006 10 96	—	144,39	295,98
1006 10 98	221,99	144,39	295,98
1006 20 11	—	181,14	369,49
1006 20 13	—	181,39	369,98
1006 20 15	—	181,39	369,98
1006 20 17	277,49	181,39	369,98
1006 20 92	—	181,14	369,49
1006 20 94	—	181,39	369,98
1006 20 96	—	181,39	369,98
1006 20 98	277,49	181,39	369,98
1006 30 21	—	224,89	473,63
1006 30 23	—	270,03	563,83
1006 30 25	—	270,03	563,83
1006 30 27	422,87	270,03	563,83
1006 30 42	—	224,89	473,63
1006 30 44	—	270,03	563,83
1006 30 46	—	270,03	563,83
1006 30 48	422,87	270,03	563,83
1006 30 61	—	239,86	504,42
1006 30 63	—	289,86	604,43
1006 30 65	—	289,86	604,43
1006 30 67	453,32	289,86	604,43
1006 30 92	—	239,86	504,42
1006 30 94	—	289,86	604,43
1006 30 96	—	289,86	604,43
1006 30 98	453,32	289,86	604,43
1006 40 00	—	56,57	119,14

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

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

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

(⁽⁴⁾) The levy on imports of rice, not including broken rice (CN code 1006 40 00), originating in Bangladesh is applicable under the arrangements laid down in Regulations (EEC) No 3491/90 and (EEC) No 862/91.

(⁽⁵⁾) The levy on imports of rice of the long-grain aromatic Basmati variety is applicable under the arrangements laid down in amended Regulation (EEC) No 3877/86.

(⁽⁶⁾) No import levy applies to products originating in the OCT pursuant to Article 101 (1) of Decision 91/482/EEC, subject to the provisions of Decision 93/127/EEC.

COMMISSION REGULATION (EC) No 2293/94**of 23 September 1994****fixing the import levies on live cattle and on beef and veal other than frozen**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1884/94 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on live cattle and on beef and veal other than frozen were fixed by Commission Regulation (EC) No 1951/94 ⁽³⁾, as amended by Regulation (EC) No 2094/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1951/94 to the quota-

tions and other information 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 on live cattle and on beef and veal other than frozen shall be as specified in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 October 1994.

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

Done at Brussels, 23 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 27.

⁽³⁾ OJ No L 198, 30. 7. 1994, p. 69.

⁽⁴⁾ OJ No L 221, 26. 8. 1994, p. 5.

ANNEX

to the Commission Regulation of 23 September 1994 fixing the import levies on live cattle
and on beef and veal other than frozen

(ECU/100 kg)

CN code	Croatia / Slovenia / Bosnia-Herzegovina / Former Yugoslav Republic of Macedonia ⁽¹⁾	Austria ⁽²⁾	Sweden/Switzerland	Other third countries ⁽³⁾
— Live weight —				
0102 90 05	—	17,086	4,144	131,433 ⁽⁴⁾
0102 90 21	—	17,086	4,144	131,433 ⁽⁴⁾
0102 90 29	—	17,086	4,144	131,433 ⁽⁴⁾
0102 90 41	—	17,086	4,144	131,433 ⁽⁴⁾ ⁽⁵⁾
0102 90 49	—	17,086	4,144	131,433 ⁽⁴⁾ ⁽⁵⁾
0102 90 51	23,058	17,086	4,144	131,433 ⁽⁴⁾
0102 90 59	23,058	17,086	4,144	131,433 ⁽⁴⁾
0102 90 61	—	17,086	4,144	131,433 ⁽⁴⁾
0102 90 69	—	17,086	4,144	131,433 ⁽⁴⁾
0102 90 71	23,058	17,086	4,144	131,433 ⁽⁴⁾
0102 90 79	23,058	17,086	4,144	131,433 ⁽⁴⁾
— Net weight —				
0201 10 00	43,811	32,464	7,874 ⁽⁷⁾	249,723 ⁽⁴⁾ ⁽⁶⁾
0201 20 20	43,811	32,464	7,874 ⁽⁷⁾	249,723 ⁽⁴⁾ ⁽⁶⁾
0201 20 30	35,049	25,971	6,299 ⁽⁷⁾	199,778 ⁽⁴⁾ ⁽⁶⁾
0201 20 50	52,573	38,957	9,448 ⁽⁷⁾	299,667 ⁽⁴⁾ ⁽⁶⁾
0201 20 90	—	48,696	11,810 ⁽⁷⁾	374,583 ⁽⁴⁾ ⁽⁶⁾
0201 30 00	—	55,701	13,509 ⁽⁷⁾	428,471 ⁽⁴⁾ ⁽⁶⁾ ⁽⁸⁾
0206 10 95	—	55,701	13,509	428,471 ⁽⁴⁾ ⁽⁶⁾
0210 20 10	—	48,696	11,810	374,583
0210 20 90	—	55,701	13,509	428,471
0210 90 41	—	55,701	13,509	428,471
0210 90 90	—	55,701	13,509	428,471
1602 50 10	—	55,701	13,509	428,471
1602 90 61	—	55,701	13,509	428,471

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽³⁾ This levy is applicable only to products complying with the provisions of Commission Regulation (EC) No 250/94.

⁽⁴⁾ This levy is applicable only to products complying with the provisions of the Agreement between the EEC and Austria (OJ No L 111, 29. 4. 1992, p. 21).

⁽⁵⁾ Products falling within this code, imported from Poland and Hungary under the Agreements concluded between those countries and the Community and the Interim Agreements between the Czech Republic, the Slovak Republic, Bulgaria and Romania and the Community and the Interim Agreements 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 Commission Regulation (EC) No 1390/94 or Regulation (EC) No 1389/94 have been presented, are subject to the levies foreseen in those Regulations.

⁽⁶⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and the Interim Agreements between the Czech Republic, the Slovak Republic and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EC) No 358/94 (OJ No L 46, 18. 2. 1994, p. 34) have been presented, are subject to the levies foreseen in that Regulation.

⁽⁷⁾ The levy may be reduced in accordance with the Agreement between the Community and Sweden (OJ No L 346, 31. 12. 1993, p. 36) and Regulation (EC) No 266/94.

⁽⁸⁾ For imported products falling within these codes, the levy applicable is restricted within the conditions provided for in Council Regulations (EC) No 129/94, (EC) No 774/94, (EC) No 775/94 and Commission Regulations (EC) No 212/94, (EC) No 957/94 and (EC) No 1001/94.

COMMISSION REGULATION (EC) No 2294/94**of 23 September 1994****fixing the import levies on frozen beef and veal**

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

Having regard to Council Regulation (EEC) No 805/68 of 27 June 1968 on the common organization of the market in beef and veal ⁽¹⁾, as last amended by Regulation (EC) No 1884/94 ⁽²⁾, and in particular Article 12 (8) thereof,

Whereas the import levies on frozen beef and veal were fixed by Commission Regulation (EC) No 1952/94 ⁽³⁾, as amended by Regulation (EC) No 2095/94 ⁽⁴⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 1952/94 to the quotations and other information known to the Commission

that the levies should be altered to the amounts set out in the Annex hereto,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on frozen beef and veal shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 3 October 1994.

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

Done at Brussels, 23 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 24.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 27.

⁽³⁾ OJ No L 198, 30. 7. 1994, p. 74.

⁽⁴⁾ OJ No L 221, 26. 8. 1994, p. 7.

ANNEX

to the Commission Regulation of 23 September 1994 fixing the import levies on frozen beef and veal ⁽¹⁾ ⁽²⁾

(ECU/100 kg)

CN code	Levy
	— Net weight —
0202 10 00	162,097 ⁽³⁾
0202 20 10	162,097 ⁽³⁾
0202 20 30	129,677 ⁽³⁾
0202 20 50	202,621 ⁽³⁾
0202 20 90	243,145 ⁽³⁾
0202 30 10	202,621 ⁽³⁾
0202 30 50	202,621 ⁽³⁾
0202 30 90	278,806 ⁽³⁾ ⁽⁴⁾
0206 29 91	278,806 ⁽⁴⁾

⁽¹⁾ In accordance with amended Regulation (EEC) No 715/90, levies are not applied to products imported directly into the French overseas departments, originating in the African, Caribbean and Pacific States.

⁽²⁾ No import levy applies to OCT originating products according to Article 101 (1) of Decision 91/482/EEC.

⁽³⁾ Products falling within this code, imported from Poland or Hungary under the Agreements concluded between those countries and the Community and the Interim Agreements between the Czech Republic, the Slovak Republic, Bulgaria, Romania and the Community, and in respect of which EUR.1 certificates issued in accordance with Commission Regulation (EC) No 1390/94, amended, or Regulation (EC) No 1389/94 have been presented, are subject to the levies foreseen in those Regulations.

⁽⁴⁾ The levy on the products falling within these codes, imported pursuant to Council Regulations (EC) No 129/94, (EC) No 774/94 and (EC) No 775/94 and Commission Regulations (EC) No 212/94, (EC) No 957/94 and (EC) No 1001/94, is restricted pursuant to the conditions laid down in those Regulations.

COMMISSION REGULATION (EC) No 2295/94

of 23 September 1994

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

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

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1866/94 ⁽²⁾, and in particular the fourth subparagraph of Article 13 (2) thereof,

Whereas the export refunds on cereals and on wheat or rye flour, groats and meal were fixed by Commission Regulation (EC) No 2291/94 ⁽³⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2291/94 to the information known to the Commission that the export refunds at present in force should be altered to the amounts set out in the Annex hereto;

Whereas export possibilities exist for a quantity of 119 000 tonnes of hard wheat meal to certain destinations; whereas the procedure laid down in Article 9 (4) of Commission Regulation (EEC) No 891/89 ⁽⁴⁾, as last amended by Regulation (EC) No 1755/94 ⁽⁵⁾, should be used; whereas account should be taken of this when the refunds are fixed;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽⁶⁾, as

amended by Regulation (EC) No 3528/93 ⁽⁷⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93 ⁽⁸⁾, as amended by Regulation (EC) No 547/94 ⁽⁹⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (a), (b) and (c) of Regulation (EEC) No 1766/92, exported in the natural state, as fixed in the Annex to Regulation (EC) No 2291/94 are hereby altered as shown in the Annex to this Regulation in respect of the products set out therein.

Article 2

This Regulation shall enter into force on 24 September 1994.

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

Done at Brussels, 23 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 248, 23. 9. 1994, p. 19.

⁽⁴⁾ OJ No L 94, 7. 4. 1989, p. 13.

⁽⁵⁾ OJ No L 183, 19. 7. 1994, p. 7.

⁽⁶⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁷⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁸⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁹⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 23 September 1994 altering the export refunds on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)			(ECU/tonne)		
Product code	Destination (1)	Amount of refund (2)	Product code	Destination (1)	Amount of refund (2)
0709 90 60 000	—	—	1007 00 90 000	—	—
0712 90 19 000	—	—	1008 20 00 000	—	—
1001 10 00 200	—	—	1101 00 00 100	01	30,00
1001 10 00 400	04	10,00	1101 00 00 130	01	29,00
	02	5,00	1101 00 00 150	01	26,00
1001 90 91 000	—	—	1101 00 00 170	01	24,00
1001 90 99 000	03	17,00	1101 00 00 180	01	23,00
	02	10,00	1101 00 00 190	—	—
1002 00 00 000	03	17,00	1101 00 00 900	—	—
	02	10,00	1102 10 00 500	01	50,00
1003 00 10 000	—	—	1102 10 00 700	—	—
1003 00 90 000	03	37,00	1102 10 00 900	—	—
	02	10,00	1103 11 10 200	04	27,00 (3) (4)
1004 00 00 200	—	—		02	17,00 (3) (4)
1004 00 00 400	—	—	1103 11 10 400	01	0 (3)
1005 10 90 000	—	—	1103 11 10 900	—	—
1005 90 00 000	03	40,00	1103 11 90 200	01	12,00 (3)
	02	0	1103 11 90 800	—	—

(1) The destinations are identified as follows:

- 01 All third countries,
- 02 Other third countries,
- 03 Switzerland, Austria, Liechtenstein, Ceuta and Melilla,
- 04 Algeria.

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

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

(4) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 85 000 tonnes of hard wheat meal destined for Algeria.

(5) Refund fixed under the procedure laid down in Article 9 (4) of amended Regulation (EEC) No 891/89, in respect of a quantity of 34 000 tonnes of hard wheat meal destined for other third countries.

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

COMMISSION REGULATION (EC) No 2296/94

of 23 September 1994

amending Regulation (EC) No 1222/94 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds, and derogating from Regulation (EC) No 1651/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Committee on horizontal questions concerning trade in processed agricultural products not listed in Annex II,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 3448/93 of 6 December 1993 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products⁽¹⁾, and in particular Article 8 (3) thereof,

HAS ADOPTED THIS REGULATION:

Article 1

Whereas it is necessary to clarify the provisions of Article 3 of Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common detailed rules for the application of the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds⁽²⁾, amended by Regulation (EC) No 1651/94⁽³⁾;

Article 3 (1) (a) of Regulation (EC) No 1222/94 is replaced by the following:

(a) in the case of use, unprocessed, of a basic product or of an assimilated product, the quantity shall be that which is actually used in the manufacture of the exported goods, account being taken of the following conversion rates:

Whereas Regulation (EC) No 1651/94 removed all possibility of taking the fat content of liquid milk as the direct basis of calculating the refund for the milk product assimilated to the pilot-product Group 3; whereas it is appropriate to maintain in favour of those operators using liquid milk the possibility of requesting a refund calculated on the basis of the fat content of the liquid milk without a declaration of the dry matter content of this milk;

— 6,06 kg of the pilot product of Group 1 shall correspond to 100 kg of whey assimilated to that pilot product in accordance with Article 1 (2) (b),

— 9,1 kg of the pilot product of Group 2 shall correspond to 100 kg of milk products assimilated to that pilot product in accordance with Article 1 (2) (c), first indent,

— 1,01 kg of the pilot product of Group 2 shall correspond to the non-fat part of 100 kg of milk products assimilated to that pilot product in accordance with Article 1 (2) (f), first indent or paragraph 3 (i) per 1 % by weight of non-fat dry matter contained in the milk product in question,

— 0,8 kg of the pilot product of Group 2 per 1 % by weight of non-fat dry matter contained in cheese assimilated to that pilot product in accordance with Article 1 (2) (f), second indent, shall correspond to the non-fat part of 100 kg of the cheese,

— 3,85 kg of the pilot product of Group 3 per 1 % by weight of milkfat contained in one of the milk products assimilated to that pilot product in accordance with Article 1 (2) (d) with a milkfat content in the dry matter by weight of not more than 26 % shall correspond to 100 kg of the milk product in question.

Whereas Regulation (EC) No 1651/94 altered the method of calculating the refund for milk products assimilated to the pilot-product Group 3; whereas in consequence the legitimate expectations of exporters who have fixed the export refund in advance for milk and milk products before the entry into force of Regulation (EC) No 1651/94 must be safeguarded;

Whereas it is necessary that the measures in this Regulation enter into force on the date of application of the relevant provisions of Regulation (EC) No 1651/94;

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

⁽¹⁾ OJ No L 318, 20. 12. 1993, p. 18.

⁽²⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽³⁾ OJ No L 174, 8. 7. 1994, p. 14.

However, at the request of the interested party 3,85 kg of the pilot product of Group 3 per 1 % by weight of milkfat contained in one of the milk products assimilated to that pilot product in accordance with Article 1 (2) (d), first indent, with a milkfat content in the liquid milk by weight less than or equal to 3,2 % shall correspond to 100 kg of the milk product in question,

- 100 kg of the pilot product of Group 3 shall correspond to 100 kg of dry matter contained in the milk product assimilated to that pilot product in accordance with Article 1 (2) (d) with a milkfat content in the dry matter by weight of more than 26 %.

However, at the request of the interested party 100 kg of liquid milk assimilated to the pilot product of Group 3 in accordance with Article 1 (2) (d), first indent, with a milkfat content in the liquid milk or more than 3,2 % by weight shall correspond to 12,32 kg of that pilot product,

- 1,22 kg of the pilot product of Group 6 per 1 % weight of milkfat contained in one of the milk products assimilated to that pilot product in accordance with Article 1 (2) (e) shall correspond to 100 kg of the milk product in question,
- 1,22 kg of the pilot product of Group 6 per 1 % by weight of milkfat contained in one of the milk products assimilated to that pilot product in accordance with Article 1 (2) (f), first indent or paragraph 3 (ii) shall correspond to the fat part of 100 kg of the milk product in question,

- 0,80 kg of the pilot product of Group 6 per 1 % by weight of milkfat contained in cheese assimilated to that pilot product in accordance with Article 1 (2) (f), second indent, shall correspond to the fat part of 100 kg of the cheese;.

Article 2

Article 2 of Regulation (EC) No 1651/94 is replaced by the following:

Article 2

Article 1 (2) does not apply to exports for which a certificate of advance fixing of the rate of the refund has been delivered before the entry into force of the present Regulation for milk powder, meeting the description of the pilot product for Group 3 (PG 3) shown in Annex I to Council Regulation (EEC) No 2915/79 of 18 December 1979, determining the groups of products and the special provisions for calculating levies on milk and milk products (*), as last amended by Regulation (EC) No 3423/93 (**).

(*) OJ No L 329, 24. 12. 1979, p. 1.

(**) OJ No L 312, 15. 12. 1993, p. 8.

Article 3

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

It is applicable from 1 September 1994.

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

Done at Brussels, 23 September 1994.

For the Commission

Martin BANGEMANN

Member of the Commission

COMMISSION REGULATION (EC) No 2297/94

of 23 September 1994

fixing depreciation percentages to be applied when agricultural products are bought in, for the 1995 financial year

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1883/78 of 2 August 1978 laying down the general rules for the financing of interventions by the European Agricultural Guidance and Guarantee Fund, Guarantee Section ⁽¹⁾, as last amended by Regulation (EEC) No 1571/93 ⁽²⁾, and in particular Article 8 thereof,

Whereas, pursuant to Article 8 of Regulation (EEC) No 1883/78, systematic depreciation of public intervention agricultural products must take place when they are bought in; whereas accordingly the Commission determines the depreciation percentage for each product concerned before the beginning of each year and whereas such percentage shall not exceed the difference between the buying-in price and the foreseeable disposal price for each of these products;

Whereas, pursuant to Article 8 (3) of Regulation (EEC) No 1883/78, the Commission may, at its discretion, restrict depreciation at the time of buying in to a proportion of this depreciation percentage, but such proportion may not be less than 70 %; whereas, coefficients to be applied also for the 1995 financial year by the intervention agencies to the monthly buying-in values of products should be fixed, to enable the agencies to establish the depreciation amounts;

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

Done at Brussels, 23 September 1994.

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

HAS ADOPTED THIS REGULATION:

Article 1

In respect of the products listed in the Annex, which, having been bought in by public intervention have entered store or been taken over by the intervention agencies between 1 October 1994 and 30 September 1995, the authorities shall depreciate their value to account for the difference between the buying-in prices and the foreseeable selling prices of the relevant products.

Article 2

To establish the amount of the depreciation, the intervention agencies shall apply to the values of the products bought every month in the coefficients set out in the Annex.

The expenditure amounts determined in this way shall be notified to the Commission under the declarations established pursuant to Commission Regulation (EEC) No 2776/88 ⁽³⁾.

Article 3

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

It shall apply from 1 October 1994 onwards.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 216, 5. 8. 1978, p. 1.
⁽²⁾ OJ No L 154, 25. 6. 1993, p. 46.

⁽³⁾ OJ No L 249, 8. 9. 1988, p. 9.

ANNEX

Article 8 (3) of Regulation (EEC) No 1883/78 : 'k' depreciation coefficients to be applied to the monthly buying-in values

Products	'k'
Breadmaking common wheat	0,10
Non-breadmaking common wheat	0,20
Durum wheat	0,10
Barley	0,20
Rye	0,20
Maize	0,20
Sorghum	0,20
Tritical	0,20
Paddy rice	0,50
Olive oil	0,25
Sugar	0,50
Butter	0,55
Skimmed-milk powder	0,50
Beef	0,60
Alcohol as referred to in Article 40 (1) of Council Regulation (EEC) No 822/87 (*)	0,75
Tobacco	0,65
Cheese : Parmigiano Reggiano	0
Grana Padano < 60 days	0
Grana Padano > 6 months	0

(*) OJ No L 84, 27. 3. 1987, p. 1.

COMMISSION REGULATION (EC) No 2298/94
of 23 September 1994
fixing the import levies on white sugar and raw sugar

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾, and in particular Article 5 thereof,

Whereas the import levies on white sugar and raw sugar were fixed by Commission Regulation (EC) No 1957/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2289/94 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Commission Regulation (EC) No 1957/94 to the information known to the Commission that the levies

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

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 22 September 1994, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies referred to in Article 16 (1) of Regulation (EEC) No 1785/81 shall be, in respect of white sugar and standard quality raw sugar, as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 September 1994.

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

Done at Brussels, 23 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 198, 30. 7. 1994, p. 88.

⁽⁶⁾ OJ No L 248, 23. 9. 1994, p. 15.

ANNEX

to the Commission Regulation of 23 September 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)	
CN code	Levy ⁽¹⁾
1701 11 10	33,01 ⁽¹⁾
1701 11 90	33,01 ⁽¹⁾
1701 12 10	33,01 ⁽¹⁾
1701 12 90	33,01 ⁽¹⁾
1701 91 00	40,61
1701 99 10	40,61
1701 99 90	40,61 ⁽²⁾

⁽¹⁾ The levy applicable is calculated in accordance with the provisions of Article 2 or 3 of Commission Regulation (EEC) No 837/68 (OJ No L 151, 30. 6. 1968, p. 42), as last amended by Regulation (EEC) No 1428/78 (OJ No L 171, 28. 6. 1978, p. 34).

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

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

COMMISSION REGULATION (EC) No 2299/94**of 23 September 1994****altering the basic amount of the import levies on syrups and certain other products in the sugar sector**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1785/81 of 30 June 1981 on the common organization of the markets in the sugar sector ⁽¹⁾, as last amended by Regulation (EC) No 133/94 ⁽²⁾, and in particular Article 16 (8) thereof,

Having regard to Council Regulation (EEC) No 3813/92 of 28 December 1992 on the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy ⁽³⁾, as amended by Regulation (EC) No 3528/93 ⁽⁴⁾, and in particular Article 5 thereof,

Whereas the import levies on syrups and certain other sugar products were fixed by Commission Regulation (EC) No 2138/94 ⁽⁵⁾, as last amended by Regulation (EC) No 2290/94 ⁽⁶⁾;

Whereas it follows from applying the detailed rules contained in Regulation (EC) No 2138/94 to the informa-

tion known to the Commission that the basic amount of the levy on syrups and certain other sugar products at present in force should be altered;

Whereas, in order to make it possible for the levy arrangements to function normally, the representative market rate established during the reference period from 22 September 1994, as regards floating currencies, should be used to calculate the levies,

HAS ADOPTED THIS REGULATION:

Article 1

The basic amounts of the import levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81, as fixed in the Annex to amended Regulation (EC) No 2138/94 are hereby altered to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 September 1994.

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

Done at Brussels, 23 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽⁴⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁵⁾ OJ No L 228, 1. 9. 1994, p. 4.

⁽⁶⁾ OJ No L 248, 23. 9. 1994, p. 17.

ANNEX

to the Commission Regulation of 23 September 1994 altering the basic amount of the import levy on syrups and certain other products in the sugar sector

(ECU)

CN code	Basic amount per percentage point of sucrose content and per 100 kg net of the product in question ⁽¹⁾	Amount of levy per 100 kg of dry matter ⁽¹⁾
1702 20 10	0,4061	—
1702 20 90	0,4061	—
1702 30 10	—	49,52
1702 40 10	—	49,52
1702 60 10	—	49,52
1702 60 90 10 ⁽²⁾	—	94,09
1702 60 90 90 ⁽³⁾	0,4061	—
1702 90 30	—	49,52
1702 90 60	0,4061	—
1702 90 71	0,4061	—
1702 90 90 10 ⁽⁴⁾	—	94,09
1702 90 90 90 ⁽⁵⁾	0,4061	—
2106 90 30	—	49,52
2106 90 59	0,4061	—

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

⁽²⁾ Taric code : Inulin syrup. For the purposes of classification under this subheading, 'Inulin syrup' means the immediate product obtained by hydrolysis of inulin or oligofructoses.

⁽³⁾ Taric code : CN code 1702 60 90, other than inulin syrup.

⁽⁴⁾ Taric code : Inulin syrup. For the purposes of classification under this subheading, 'Inulin syrup' means the immediate product, other than that falling within subheading 1702 60 90, obtained by hydrolysis of inulin or oligofructoses, containing by weight in the dry state at least 10 % fructose in free form or as sucrose.

⁽⁵⁾ Taric code : CN code 1702 90 90, other than inulin syrup.

AMENDMENTS TO THE RULES OF PROCEDURE OF THE COURT OF FIRST INSTANCE OF THE EUROPEAN COMMUNITIES

consequent upon the extension of its jurisdiction

THE COURT OF FIRST INSTANCE OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty on European Union signed at Maastricht on 7 February 1992,

Having regard to Article 32d of the Treaty establishing the European Coal and Steel Community,

Having regard to Article 168a of the Treaty establishing the European Community,

Having regard to Article 140a of the Treaty establishing the European Atomic Energy Community,

Having regard to the Protocol on the Statute of the Court of Justice of the European Coal and Steel Community, signed in Paris on 18 April 1951,

Having regard to the Protocol on the Statute of the Court of Justice of the European Community, signed in Brussels on 17 April 1957,

Having regard to the Protocol on the Statute of the Court of Justice of the European Atomic Energy Community, signed at Brussels on 17 April 1957,

Having regard to Council Decision 88/591/ECSC, EEC, Euratom of 24 October 1988 establishing a Court of First Instance of the European Communities (OJ No L 319, 25. 11. 1988, p. 1 with corrigendum in OJ No L 241, 17. 8. 1989, p. 4), as amended by Decisions 93/350/Euratom, ECSC, EEC, (OJ No L 144, 16. 6. 1993, p. 21) and 94/149/ECSC, EC (OJ No L 66, 10. 3. 1994, p. 29),

Having regard to the agreement of the Court of Justice,

Having regard to the unanimous approval of the Council, given on 27 July 1994,

Whereas, as a result of the extension of the jurisdiction of the Court of First Instance by Decisions 93/350/Euratom, ECSC, EEC and 94/149/ECSC, EC, it is necessary to adapt certain provisions of the Rules of Procedure of the Court of First Instance,

ADOPTS THE FOLLOWING AMENDMENTS TO ITS RULES OF PROCEDURE:

Article 1

The Rules of Procedure of the Court of First Instance of the European Communities adopted on 2 May 1991 (OJ No L 136, 30. 5. 1991, p. 1 with corrigendum in OJ No L 317, 19. 11. 1991, p. 34) shall be amended as follows:

1. Article 12 shall be replaced by the following:

'Article 12

The Court of First Instance shall lay down criteria by which cases are to be allocated among the Chambers.

The decision shall be published in the *Official Journal of the European Communities*.'

2. In Article 44 the following paragraph shall be inserted:

'5a. An application submitted under Article 181 of the EC Treaty, Article 42 of the ECSC Treaty or Article 153 of the Euratom Treaty pursuant to an arbitration clause contained in a contract governed by public or private law, entered into by the Community or on its behalf, shall be accompanied by a copy of the contract which contains that clause.'

3. In Article 51 the sole paragraph shall become paragraph 1 and the following paragraph shall be added:

'2. The case shall be maintained before or referred to a Chamber composed of five Judges where a Member State or an institution of the European Communities which is a party to the proceedings so requests.'

Article 2

The amendments, which are authentic in the languages mentioned in Article 35 (1), shall be published in the *Official Journal of the European Communities*. They shall enter into force on the first day of the second month from the date of their publication.

Done at Luxembourg, 15 September 1994.

Registrar

H. JUNG

President

J. L. DA CRUZ VILAÇA

II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 12 September 1994

concerning the withdrawal of authorizations for plant protection products containing cyhalothrin as active substance

(94/643/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EEC) No 3600/92 of 11 December 1992, laying down the detailed rules for the implementation of the first stage of the programme of work referred to in Article 8 (2) of Directive 91/414/EEC⁽¹⁾ concerning the placing on the market of plant protection products, and in particular Article 4 (5) thereof,

Whereas cyhalothrin was one of the 90 active substances covered by the first stage of the work programme provided for in Article 8 (2) of Directive 91/414/EEC⁽²⁾;

Whereas for this substance no producer or Member State has notified an interest in obtaining the inclusion of this substance in Annex I to Directive 91/414/EEC;

Whereas it has to be considered that the data required for re-evaluation of this substance will not be submitted in the framework of the work programme and that therefore a decision should be taken with the effect that current authorizations for plant protection products containing this active substance are withdrawn;

Whereas this Decision does not exclude that in future cyhalothrin is evaluated in the framework of the proceedings provided for in Article 6 of Directive 91/414/EEC;

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

HAS ADOPTED THIS DECISION:

Article 1

The Member States shall ensure:

1. that authorizations for plant protection products containing cyhalothrin are withdrawn within a period of six months from the date of the present Decision;
2. that from the date of the present Decision no authorizations for plant protection products containing cyhalothrin will be granted or renewed under the derogation provided for in Article 8 (2) of Directive 91/414/EEC.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 12 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 366, 15. 12. 1992, p. 10.

⁽²⁾ OJ No L 230, 19. 8. 1991, p. 1.

COMMISSION DECISION

of 14 September 1994

on applications for import licences for Basmati rice submitted during the first five working days of the month of September 1994 under the arrangements provided for in Council Regulation (EEC) No 3877/86

(94/644/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 3877/86 of 16 December 1986 on imports of rice of the long-grain aromatic Basmati variety⁽¹⁾, as amended by Regulation (EEC) No 3130/91⁽²⁾,

Having regard to Commission Regulation (EEC) No 81/92 of 15 January 1992 laying down detailed rules for the application of Council Regulation (EEC) No 3877/86 on imports of rice of the long-grain aromatic Basmati variety⁽³⁾, and in particular Article 5 (1) thereof,

Whereas pursuant to Article 5 (1) of Regulation (EEC) No 81/92 the Commission must, not later than the 13th day after the expiry of the time limit for submitting applications for licences, notify the Member States:

- that licences may be issued in respect of all the quantities applied for, or
- that a standard percentage reduction should be applied to those quantities, or
- that the conditions for applying the reduced levy have not been met;

Whereas, in the light of the quantities for which applications have been submitted, the quantities available and the Basmati rice price during the first five working days of the month of September 1994, licences may be issued

subject to the application of a standard percentage reduction,

HAS ADOPTED THIS DECISION:

Article 1

Import licences for Basmati rice falling within CN code 1006 may be issued, subject to the application, to the quantities applied for, of a standard reduction of 95,874 % in cases where the applications for import licences were submitted, under the arrangements provided for in Regulation (EEC) No 3877/86, during the first five working days of the month of September 1994 and were the subject of the communication to the Commission provided for in Article 7 of Regulation (EEC) No 81/92.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 14 September 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 361, 20. 12. 1986, p. 1.

⁽²⁾ OJ No L 297, 29. 10. 1991, p. 1.

⁽³⁾ OJ No L 10, 16. 1. 1992, p. 9.

COMMISSION DECISION**of 19 September 1994****on the eligibility of expenditure to be incurred by Italy on the implementation of pilot projects involving the use of continuous position monitoring systems for fishing vessels****(Only the Italian text is authentic)****(94/645/EC)****THE COMMISSION OF THE EUROPEAN COMMUNITIES,****Having regard to the Treaty establishing the European Community,****Having regard to Council Decision 89/631/EEC of 27 November 1989 on a Community financial contribution towards expenditure incurred by Member States for the purpose of ensuring compliance with the Community system for the conservation and management of fishery resources ⁽¹⁾, as last amended by Decision 94/207/EC ⁽²⁾, and in particular Article 2b thereof,****Whereas, in accordance with Decision 89/631/EEC, the Commission has received applications for Community financial contributions from Italy towards expenditure to be incurred during 1994 and 1995;****Whereas the applications refer to expenditure on the implementation of pilot projects involving the use of continuous position monitoring systems for fishing vessels;****Whereas the measures provided for in this Decision are in accordance with the opinion of the Management Committee for Fisheries and Aquaculture,****HAS ADOPTED THIS DECISION:***Article 1*

The expenditure for 1994 and 1995 shown in the Annex, corresponding to an amount of ECU 461 129 and ECU 461 129 respectively, is eligible for a Community financial contribution of 100 %.

Article 2

Any payment made by the Community shall be conditional on the Commission receiving all the information referred to in point 2 of Annex A to Decision 89/631/EEC.

Article 3

This Decision is addressed to the Republic of Italy.

Done at Brussels, 19 September 1994.

For the Commission

Yannis PALEOKRASSAS

Member of the Commission

⁽¹⁾ OJ No L 364, 14. 12. 1989, p. 64.

⁽²⁾ OJ No L 101, 20. 4. 1994, p. 9.

ANEXO / BILAG / ANHANG / ΠΑΡΑΡΤΗΜΑ / ANNEX / ANNEXE / ALLEGATO / BIJLAGE / ANEXO

Estado miembro Medlemsstat Mitgliedstaat Κράτος μέλος Member State État membre Stato membro Lid-Staat Estado-membro	Gastos en moneda nacional Udgifter i national valuta Ausgaben in nationaler Währung Σύνολο σε εθνικό νόμισμα Expenditure national currency Dépenses monnaie nationale Spese moneta nazionale Uitgaven nationale valuta Despesas em moeda nacional	Gastos Udgifter Ausgaben Δαπάνη Expenditure Dépenses Spese Uitgaven Despesas (ECU)	Contribución de la Comunidad Fællesskabets finansielle bidrag Gemeinschaftsbeitrag Κοινοτική συμμετοχή Community contribution Contribution communautaire Contributo della Comunità Bijdrage van de Gemeenschap Contribuição da Comunidade (100 % — ECU)
1994			
Italia	860 000 000 Lit	461 129	461 129
Total / I alt / Σύνολο / Totale / Totaal		461 129	461 129
1995			
Italia	860 000 000 Lit	461 129	461 129
Total / I alt / Σύνολο / Totale / Totaal		461 129	461 129