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I

(Acts whose publication is obligatory)

COUNCIL REGULATION (EC) No 2905/94

of 23 November 1994

establishing detailed rules for the application of the trade monitoring system for certain fishery products coming from Norway

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Austria, Finland, Norway and Sweden, and in particular Article 53 (3) thereof,

Having regard to the proposal from the Commission,

Whereas, in order to apply the trade monitoring system provided for by the Act of Accession for consignments from Norway to the Community of certain products covered by Council Regulation (EEC) No 3759/92 of 17 December 1992 on the common organization of the market in fishery and aquaculture products⁽¹⁾, reference quantities must be defined for the purpose of calculating indicative ceilings; whereas the annual indicative ceilings must be adjusted at a rate of increase reflecting the growth of the trade concerned; whereas it is appropriate, given the seasonal fluctuations in quantity of the consignments in question, to provide for quarterly indicative ceilings;

Whereas, for the monitoring system to be implemented, the Norwegian authorities will have to adopt provisions for, in particular, statistical monitoring of the consignments concerned; whereas these provisions should be notified to the Commission;

Whereas the quantities sent to the other Member States from Norway must be communicated to the Commission weekly so that appropriate measures may be taken without delay in cases where the circumstances justify such measures;

Whereas it is the responsibility of the Member States to carry out the appropriate inspections in order to verify

that the products concerned have been sent in accordance with the provisions of this Regulation;

Whereas procedures should be established for taking the measures provided for in Article 53 (2) of the Act of Accession and arrangements should be made for the application of this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

This Regulation establishes detailed rules for applying the trade monitoring system applicable from 1 January 1995 to 31 December 1998 in respect of consignments from Norway to the other Member States of certain fishery products listed in the Annex to this Regulation and covered by Regulation (EEC) No 3759/92, as provided for in Article 53 of the Act of Accession of Austria, Finland, Norway and Sweden, hereinafter referred to as the Act of Accession.

Article 2

1. For each of the fishery products subject to the monitoring system, an indicative ceiling shall be set by product or group of products covered by the CN codes listed in Article 1 of Regulation (EEC) No 3759/92. It shall be set for each year of application of the mechanism on the basis of the total volume of imports of the said products from Norway recorded during 1994, hereinafter referred to as 'the reference year', adjusted by an annual rate of increase.

For 1995, the import volume during the reference year shall be calculated on the basis of an estimate and adjusted as necessary when the actual import volume is confirmed.

2. The annual rate of increase referred to in paragraph 1 shall be obtained by taking the arithmetical average of the rate of growth of imports of the products concerned from Norway during the reference year and the two years preceding it, but shall not be lower than 6 %.

⁽¹⁾ OJ No L 388, 31. 12. 1992, p. 1. Regulation as last amended by Regulation (EEC) No 1891/93 (OJ No L 172, 15. 7. 1993, p. 1).

3. The indicative annual ceiling determined pursuant to paragraphs 1 and 2 shall be broken down into quarterly indicative ceilings on the basis of the average quarterly fluctuations in import volume noted for the products concerned during the reference year and the two years preceding it.

4. The indicative ceilings established pursuant to this Article are indicated in the Annex to this Regulation for each year of application of the mechanism.

Article 3

1. Consignments to other Member States of products subject to the monitoring system shall be the subject of statistical monitoring organized by the Norwegian authorities which shall, in particular, make it compulsory for operators to declare their consignments of the products concerned, and require that an identification stamp certifying the registration of the consignment for statistical monitoring purposes be attached to bills of sale and other commercial documents accompanying the consignment.

2. Before the date of application of this Regulation, the Norwegian authorities shall submit for Commission approval the provisions they have adopted for the statistical monitoring referred to in paragraph 1, and a specimen of the identification stamp. The Commission shall publish this specimen in the C series of the *Official Journal of the European Communities*.

Article 4

1. The Norwegian authorities shall communicate to the Commission the quantities consigned for each product concerned. The quantities for each week shall be commu-

nicated not later than the last working day of the following week.

2. Where Article 53 (2) of the Act of Accession applies, the appropriate measures shall be adopted in accordance with the procedure provided for in Article 22 (6) of Regulation (EEC) No 3759/92.

Article 5

The authorities of the Member States other than Norway shall carry out, in particular in marketing centres, on-the-spot checks to verify that the commercial documents accompanying the products subject to the trade monitoring system are endorsed as laid down in Article 3 (1).

Article 6

The Norwegian authorities shall adopt the measures necessary to ensure compliance with this Regulation.

Article 7

Without prejudice to the procedure provided for in Article 4 (2), the provisions necessary for the application of this Regulation shall be adopted according to the procedure provided for in Article 32 of Regulation (EEC) No 3759/92, including any adjustments to be made to the indicative ceilings provided for in Article 2.

Article 8

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

It shall apply from 1 January 1995 to 31 December 1998.

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

Done at Brussels, 23 November 1994.

For the Council

The President

J. BORCHERT

ANNEX

INDICATIVE CEILINGS

1. Year 1995

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(a) Salmon : Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)					
0301 99 11	Live	10	10	10	10
0302 12 00	Fresh	27 531	33 327	31 878	52 163
0303 10 00	Frozen Pacific	10	10	10	10
0303 22 00	Frozen Atlantic	1 307	1 720	1 995	1 858
0304 10 13	Fresh fillets	1 166	1 360	1 295	2 655
0304 20 13	Frozen fillets	1 645	2 165	1 818	3 031
ex 0304 90 97	Other	10	10	10	10
0305 30 30	Fillets, salted or in brine, not smoked	10	10	10	10
0305 41 00	Smoked	167	187	177	452
0305 69 50	Salted or in brine, but not dried or smoked	10	10	10	10
1604 11 00	Prepared/canned	699	762	794	953
1604 20 10	Other prepared or preserved	10	10	10	10
(b) Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>)					
0301 91 00	Live	10	10	10	10
0302 11 00	Fresh	213	554	767	596
0303 21 00	Frozen	123	266	307	338
0304 10 11	Fresh fillets	10	10	10	10
0304 20 11	Frozen fillets	10	10	10	10
0305 49 40	Smoked, also fillets	10	10	10	10
(c) Herring (<i>Clupea harengus</i> , <i>Clupea pallasii</i>)					
0302 40	Fresh	14 105	8 166	25 983	25 983
ex 0302 70 00	Livers and roes, fresh or chilled	10	10	10	10
0303 50	Frozen	6 212	6 777	10 730	4 800
ex 0303 80 00	Livers and roes, frozen	10	10	10	10
0304 10 92	Fresh flaps, from 15. 2 to 15. 6	996	2 865	1 121	1 308
0304 10 93	Fresh flaps, from 16. 6 to 14. 2				
ex 0304 10 98	Other fresh meat of herring	10	10	10	10
0304 20 75	Frozen fillets	3 434	5 455	9 495	1 818
0304 90 21	Other frozen meat of herring, from 15. 2 to 15. 6	10	10	10	10
0304 90 25	Other frozen meat of herring, from 16. 6 to 14. 2				
ex 0305 20 00	Livers and roes of herring, dried, smoked, salted or in brine	10	10	10	10
0305 30 90	Salted fillets	718	958	1 317	998
0305 42 00	Smoked	64	46	138	211
0305 59 30	Dried, whether or not salted, but not smoked	10	10	10	10
0305 61 00	Salted	998	561	249	1 310
1604 12	Prepared/canned	3 482	1 959	2 285	3 156
1604 20 90	Other prepared or preserved herring	10	10	10	10

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(d) Mackerel (<i>Scomber scombrus</i> , <i>Scomber australasicus</i> , <i>Scomber japonicus</i>)					
0302 64	Fresh or chilled	103	129	248	377
0303 74	Frozen	5 364	3 129	3 129	10 727
ex 0304 10 39	Fresh fillets of mackerel	10	10	10	10
0304 20 51	Frozen fillets (<i>Scomber australasicus</i>)	10	10	10	10
ex 0304 20 53	Frozen fillets (<i>Scomber scombrus</i> , <i>Scomber japonicus</i>)	10	10	10	10
ex 0304 90 97	Other frozen meat of mackerel	10	10	10	10
0305 49 30	Smoked including fillets	10	10	10	10
1604 15	Prepared/canned	853	521	1 516	1 895
ex 1604 20 90	Other prepared or preserved mackerel	10	10	10	10

(e) Redfish (*Sebastes* spp.)

0302 69 31/33	Fresh or chilled	1 249	3 436	2 811	2 915
0303 79 35/37	Frozen	825	920	793	634
0304 10 35	Fresh fillets	10	10	10	10
0304 20 35/37	Frozen fillets	623	693	1 558	623
0304 90 31	Other frozen meat of redfish	10	10	10	10

(f) Shrimps and prawns

0306 13 10	Of the family <i>Pandalidae</i> , frozen	1 100	970	1 617	2 782
0306 13 30	Of the genus <i>Crangon</i> , frozen	10	10	10	10
0306 13 90	Other shrimps and prawns, frozen	10	10	10	10
0306 23 10	Of the family <i>Pandalidae</i> , not frozen	343	233	288	244
0306 23 31	Of the genus <i>Crangon</i> , fresh, chilled or cooked by steaming or by boiling in water	10	10	10	10
0306 23 39	Other shrimps of the genus <i>Crangon</i>	10	10	10	10
0306 23 90	Other shrimps and prawns, frozen	10	10	10	10
1605 20 00	Prepared or preserved	3 343	3 799	4 558	3 647

(g) Coquilles St Jacques (*Pecten maximus*)

0307 21 00	Live, fresh or chilled	10	10	10	10
0307 29 10	Frozen	56	68	135	120
ex 1605 90 10	Prepared or preserved	10	10	10	10

(h) Norway lobsters (*Nephrops norvegicus*)

0306 19 30	Frozen	90	78	161	67
0306 29 30	Not frozen	1 781	1 619	1 862	2 833

2. Year 1996

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(a) Salmon: Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho bucho</i>)					
0301 99 11	Live	11	11	11	11
0302 12 00	Fresh	31 660	38 326	36 659	59 988
0303 10 00	Frozen Pacific	11	11	11	11
0303 22 00	Frozen Atlantic	1 386	1 823	2 115	1 969

(in tonnes)					
CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
0304 10 13	Fresh fillets	1 586	1 850	1 762	3 611
0304 20 13	Frozen fillets	2 122	2 793	2 346	3 910
ex 0304 90 97	Other	11	11	11	11
0305 30 30	Fillets, salted or in brine, not smoked	11	11	11	11
0305 41 00	Smoked	177	198	187	479
0305 69 50	Salted or in brine, but not dried or smoked	11	11	11	11
1604 11 00	Prepared/canned	1 419	1 548	1 612	1 935
1604 20 10	Other prepared or preserved	11	11	11	11

(b) Trout (*Salmo trutta*, *Salmo gairdneri*, *Salmo clarki*, *Salmo aguabonita*, *Salmo gilae*)

0301 91 00	Live	11	11	11	11
0302 11 00	Fresh	486	1 262	1 748	1 359
0303 21 00	Frozen	195	423	488	537
0304 10 11	Fresh fillets	11	11	11	11
0304 20 11	Frozen fillets	11	11	11	11
0305 49 40	Smoked, also fillets	11	11	11	11

(c) Herring (*Clupea harengus*, *Clupea pallasii*)

0302 40	Fresh	14 951	8 656	27 542	27 542
ex 0302 70 00	Livers and roes, fresh or chilled	11	11	11	11
0303 50	Frozen	7 765	8 471	13 413	6 001
ex 0303 80 00	Livers and roes, frozen	11	11	11	11
0304 10 92	Fresh flaps, from 15. 2 to 15. 6	1 096	3 151	1 233	1 438
0304 10 93	Fresh flaps, from 16. 6 to 14. 2				
ex 0304 10 98	Other fresh meat of herring	11	11	11	11
0304 20 75	Frozen fillets	4 190	6 655	11 584	2 218
0304 90 21	Other frozen meat of herring, from 15. 2 to 15. 6	11	11	11	11
0304 90 25	Other frozen meat of herring, from 16. 6 to 14. 2				
ex 0305 20 00	Livers and roes of herring, dried, smoked, salted or in brine	11	11	11	11
0305 30 90	Salted fillets	1 157	1 542	2 120	1 606
0305 42 00	Smoked	68	49	146	224
0305 59 30	Dried, whether or not salted, but not smoked	11	11	11	11
0305 61 00	Salted	1 058	595	264	1 388
1604 12	Prepared/canned	5 850	3 291	3 839	5 302
1604 20 90	Other prepared or preserved herring	11	11	11	11

(d) Mackerel (*Scomber scombrus*, *Scomber australasicus*, *Scomber japonicus*)

0302 64	Fresh or chilled	109	136	263	400
0303 74	Frozen	5 685	3 316	3 316	11 371
ex 0304 10 39	Fresh fillets of mackerel	11	11	11	11
0304 20 51	Frozen fillets (<i>Scomber australasicus</i>)	11	11	11	11
ex 0304 20 53	Frozen fillets (<i>Scomber scombrus</i> , <i>Scomber japonicus</i>)	11	11	11	11
ex 0304 90 97	Other frozen meat of mackerel	11	11	11	11
0305 49 30	Smoked including fillets	11	11	11	11
1604 15	Prepared/canned	2 704	1 652	4 807	6 008
ex 1604 20 90	Other prepared or preserved mackerel	11	11	11	11

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(e) Redfish (<i>Sebastes</i> spp.)					
0302 69 31/33	Fresh or chilled	1 324	3 642	2 980	3 090
0303 79 35/37	Frozen	874	975	840	672
0304 10 35	Fresh fillets	11	11	11	11
0304 20 35/37	Frozen fillets	866	963	2 166	866
0304 90 31	Other frozen meat of redfish	11	11	11	11
(f) Shrimps and prawns					
0306 13 10	Of the family <i>Pandalidae</i> , frozen	1 760	1 553	2 588	4 451
0306 13 30	Of the genus <i>Crangon</i> , frozen	11	11	11	11
0306 13 90	Other shrimps and prawns, frozen	11	11	11	11
0306 23 10	Of the family <i>Pandalidae</i> , not frozen	378	256	317	268
0306 23 31	Of the genus <i>Crangon</i> , fresh, chilled or cooked by steaming or by boiling in water	11	11	11	11
0306 23 39	Other shrimps of the genus <i>Crangon</i>	11	11	11	11
0306 23 90	Other shrimps and prawns, frozen	11	11	11	11
1605 20 00	Prepared or preserved	3 543	4 027	4 832	3 866
(g) Coquilles St Jacques (<i>Pecten maximus</i>)					
0307 21 00	Live, fresh or chilled	11	11	11	11
0307 29 10	Frozen	60	72	20	128
ex 1605 90 10	Prepared or preserved	11	11	11	11
(h) Norway lobsters (<i>Nephrops norvegicus</i>)					
0306 19 30	Frozen	393	341	700	290
0306 29 30	Not frozen	5 076	4 614	5 307	8 075

3. Year 1997

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(a) Salmon : Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)					
0301 99 11	Live	12	12	12	12
0302 12 00	Fresh	36 409	44 074	42 158	68 986
0303 10 00	Frozen Pacific	12	12	12	12
0303 22 00	Frozen Atlantic	1 469	1 933	2 242	2 087
0304 10 13	Fresh fillets	2 156	2 516	2 396	4 912
0304 20 13	Frozen fillets	2 738	3 602	3 026	5 043
ex 0304 90 97	Other	12	12	12	12
0305 30 30	Fillets, salted or in brine, not smoked	12	12	12	12
0305 41 00	Smoked	188	210	199	507
0305 69 50	Salted or in brine, but not dried or smoked	12	12	12	12
1604 11 00	Prepared/canned	2 880	3 142	3 273	3 928
1604 20 10	Other prepared or preserved	12	12	12	12

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(b) Trout (<i>Salmo trutta</i> , <i>Salmo gairdneri</i> , <i>Salmo clarki</i> , <i>Salmo aguabonita</i> , <i>Salmo gilae</i>)					
0301 91 00	Live	12	12	12	12
0302 11 00	Fresh	1 107	2 878	3 985	3 100
0303 21 00	Frozen	311	673	777	854
0304 10 11	Fresh fillets	12	12	12	12
0304 20 11	Frozen fillets	12	12	12	12
0305 49 40	Smoked, also fillets	12	12	12	12

(c) Herring (*Clupea harengus*, *Clupea pallasii*)

0302 40	Fresh	15 848	9 175	29 194	29 194
ex 0302 70 00	Livers and roes, fresh or chilled	12	12	12	12
0303 50	Frozen	9 707	10 589	16 766	7 501
ex 0303 80 00	Livers and roes, frozen	12	12	12	12
0304 10 92	Fresh flaps, from 15. 2 to 15. 6	1 206	3 466	1 356	1 582
0304 10 93	Fresh flaps, from 16. 6 to 14. 2				
ex 0304 10 98	Other fresh meat of herring	12	12	12	12
0304 20 75	Frozen fillets	5 112	8 119	14 133	2 706
0304 90 21	Other frozen meat of herring, from 15. 2 to 15. 6	12	12	12	12
0304 90 25	Other frozen meat of herring, from 16. 6 to 14. 2				
ex 0305 20 00	Livers and roes of herring, dried, smoked, salted or in brine	12	12	12	12
0305 30 90	Salted fillets	1 862	2 483	3 414	2 586
0305 42 00	Smoked	72	52	155	237
0305 59 30	Dried, whether or not salted, but not smoked	12	12	12	12
0305 61 00	Salted	1 121	631	280	1 472
1604 12	Prepared/canned	9 828	5 529	6 450	8 907
1604 20 90	Other prepared or preserved herring	12	12	12	12

(d) Mackerel (*Scomber scombrus*, *Scomber australasicus*, *Scomber japonicus*)

0302 64	Fresh or chilled	116	144	279	424
0303 74	Frozen	6 027	3 515	3 515	12 053
ex 0304 10 39	Fresh fillets of mackerel	12	12	12	12
0304 20 51	Frozen fillets (<i>Scomber australasicus</i>)	12	12	12	12
ex 0304 20 53	Frozen fillets (<i>Scomber scombrus</i> , <i>Scomber japonicus</i>)	12	12	12	12
ex 0304 90 97	Other frozen meat of mackerel	12	12	12	12
0305 49 30	Smoked including fillets	12	12	12	12
1604 15	Prepared/canned	8 571	5 238	15 237	19 047
ex 1604 20 90	Other prepared or preserved mackerel	12	12	12	12

(e) Redfish (*Sebastes* spp.)

0302 69 31/33	Fresh or chilled	1 404	3 861	3 159	3 276
0303 79 35/37	Frozen	926	1 033	891	713
0304 10 35	Fresh fillets	12	12	12	12
0304 20 35/37	Frozen fillets	1 204	1 338	3 011	1 204
0304 90 31	Other frozen meat of redfish	12	12	12	12

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(f) Shrimps and prawns					
0306 13 10	Of the family <i>Pandalidae</i> , frozen	2 815	2 484	4 140	7 121
0306 13 30	Of the genus <i>Crangon</i> , frozen	12	12	12	12
0306 13 90	Other shrimps and prawns, frozen	12	12	12	12
0306 23 10	Of the family <i>Pandalidae</i> , not frozen	415	281	348	295
0306 23 31	Of the genus <i>Crangon</i> , fresh, chilled or cooked by steaming or by boiling in water	12	12	12	12
0306 23 39	Other shrimps of the genus <i>Crangon</i>	12	12	12	12
0306 23 90	Other shrimps and prawns, frozen	12	12	12	12
1605 20 00	Prepared or preserved	3 756	4 268	5 122	4 097

(g) Coquilles St Jacques (*Pecten maximus*)

0307 21 00	Live, fresh or chilled	12	12	12	12
0307 29 10	Frozen	63	76	152	135
ex 1605 90 10	Prepared or preserved	12	12	12	12

(h) Norway lobsters (*Nephrops norvegicus*)

0306 19 30	Frozen	1 712	1 489	3 052	1 266
0306 29 30	Not frozen	14 466	13 151	15 124	23 014

4. Year 1998

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(a) Salmon : Pacific salmon (<i>Oncorhynchus</i> spp.), Atlantic salmon (<i>Salmo salar</i>) and Danube salmon (<i>Hucho hucho</i>)					
0301 99 11	Live	13	13	13	13
0302 12 00	Fresh	41 871	50 686	48 482	79 334
0303 10 00	Frozen Pacific	13	13	13	13
0303 22 00	Frozen Atlantic	1 557	2 049	2 377	2 213
0304 10 13	Fresh fillets	2 933	3 421	3 258	6 680
0304 20 13	Frozen fillets	3 532	4 647	3 904	6 506
ex 0304 90 97	Other	13	13	13	13
0305 30 30	Fillets, salted or in brine, not smoked	13	13	13	13
0305 41 00	Smoked	199	222	210	538
0305 69 50	Salted or in brine, but not dried or smoked	13	13	13	13
1604 11 00	Prepared/canned	5 847	6 379	6 644	7 973
1604 20 10	Other prepared or preserved	13	13	13	13

(b) Trout (*Salmo trutta*, *Salmo gairdneri*, *Salmo clarki*, *Salmo aguabonita*, *Salmo gilae*)

0301 91 00	Live	13	13	13	13
0302 11 00	Fresh	2 524	6 562	9 086	7 067
0303 21 00	Frozen	494	1 070	1 235	1 358
0304 10 11	Fresh fillets	13	13	13	13
0304 20 11	Frozen fillets	13	13	13	13
0305 49 40	Smoked, also fillets	13	13	13	13

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(c) Herring (<i>Clupea harengus</i>, <i>Clupea pallasii</i>)					
0302 40	Fresh	16 799	9 726	30 946	30 946
ex 0302 70 00	Livers and roes, fresh or chilled	13	13	13	13
0303 50	Frozen	12 134	13 237	20 958	9 376
ex 0303 80 00	Livers and roes, frozen	13	13	13	13
0304 10 92	Fresh flaps, from 15. 2 to 15. 6	1 326	3 813	1 492	1 741
0304 10 93	Fresh flaps, from 16. 6 to 14. 2				
ex 0304 10 98	Other fresh meat of herring	13	13	13	13
0304 20 75	Frozen fillets	6 237	9 905	17 242	3 302
0304 90 21	Other frozen meat of herring, from 15. 2 to 15. 6	13	13	13	13
0304 90 25	Other frozen meat of herring, from 16. 6 to 14. 2				
ex 0305 20 00	Livers and roes of herring, dried, smoked, salted or in brine	13	13	13	13
0305 30 90	Salted fillets	2 998	3 997	5 496	4 164
0305 42 00	Smoked	76	55	164	251
0305 59 30	Dried, whether or not salted, but not smoked	13	13	13	13
0305 61 00	Salted	1 189	669	297	1 560
1604 12	Prepared/canned	16 512	9 288	10 836	14 964
1604 20 90	Other prepared or preserved herring	13	13	13	13
(d) Mackerel (<i>Scomber scombrus</i>, <i>Scomber australasicus</i>, <i>Scomber japonicus</i>)					
0302 64	Fresh or chilled	122	153	296	449
0303 74	Frozen	6 388	3 726	3 726	12 776
ex 0304 10 39	Fresh fillets of mackerel	13	13	13	13
0304 20 51	Frozen fillets (<i>Scomber australasicus</i>)	13	13	13	13
ex 0304 20 53	Frozen fillets (<i>Scomber scombrus</i> , <i>Scomber japonicus</i>)	13	13	13	13
ex 0304 90 97	Other frozen meat of mackerel	13	13	13	13
0305 49 30	Smoked including fillets	13	13	13	13
1604 15	Prepared/canned	27 170	16 604	48 302	60 378
ex 1604 20 90	Other prepared or preserved mackerel	13	13	13	13
(e) Redfish (<i>Sebastes</i> spp.)					
0302 69 31/33	Fresh or chilled	1 488	4 092	3 348	3 472
0303 79 35/37	Frozen	982	1 095	944	755
0304 10 35	Fresh fillets	13	13	13	13
0304 20 35/37	Frozen fillets	1 674	1 860	4 185	1 674
0304 90 31	Other frozen meat of redfish	13	13	13	13
(f) Shrimps and prawns					
0306 13 10	Of the family <i>Pandalidae</i> , frozen	4 505	3 975	6 624	11 394
0306 13 30	Of the genus <i>Crangon</i> , frozen	13	13	13	13
0306 13 90	Other shrimps and prawns, frozen	13	13	13	13
0306 23 10	Of the family <i>Pandalidae</i> , not frozen	457	310	383	324
0306 23 31	Of the genus <i>Crangon</i> , fresh, chilled or cooked by steaming or by boiling in water	13	13	13	13
0306 23 39	Other shrimps of the genus <i>Crangon</i>	13	13	13	13
0306 23 90	Other shrimps and prawns, frozen	13	13	13	13
1605 20 00	Prepared or preserved	3 981	4 524	5 429	4 343

(in tonnes)

CN heading No	Description of goods	First quarter	Second quarter	Third quarter	Fourth quarter
(g) Coquilles St Jacques (<i>Pecten maximus</i>)					
0307 21 00	Live, fresh or chilled	13	13	13	13
0307 29 10	Frozen	67	81	161	143
ex 1605 90 10	Prepared or preserved	13	13	13	13
(h) Norway lobsters (<i>Nepherops norvegicus</i>)					
0306 19 30	Frozen	7 465	6 491	13 307	5 518
0306 29 30	Not frozen	41 228	37 480	43 102	65 590

COMMISSION REGULATION (EC) No 2906/94
of 29 November 1994
establishing unit values for the determination of the customs value of certain
perishable goods

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code ⁽¹⁾,

Having regard to Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code ⁽²⁾, as last amended by Regulation (EC) No 2193/94 ⁽³⁾, and in particular Article 173 (1) thereof,

Whereas Articles 173 to 177 of Regulation (EEC) No 2454/93 provide that the Commission shall periodically establish unit values for the products referred to in the classification in Annex 26 to that Regulation ;

Whereas the result of applying the rules and criteria laid down in the abovementioned Articles to the elements

communicated to the Commission in accordance with Article 173 (2) of Regulation (EEC) No 2454/93 is that unit values set out in the Annex to this Regulation should be established in regard to the products in question,

HAS ADOPTED THIS REGULATION :

Article 1

The unit values provided for in Article 173 (1) of Regulation (EEC) No 2454/93 are hereby established as set out in the table in the Annex hereto.

Article 2

This Regulation shall enter into force on 2 December 1994.

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

Done at Brussels, 29 November 1994.

For the Commission

Christiane SCRIVENER

Member of the Commission

⁽¹⁾ OJ No L 302, 19. 10. 1992, p. 1.

⁽²⁾ OJ No L 253, 11. 10. 1993, p. 1.

⁽³⁾ OJ No L 235, 9. 9. 1994, p. 6.

ANNEX

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
1.10	0701 90 51 0701 90 59	New potatoes	31,55	1 247	238,43	60,58	207,43	9 150	25,01	60 478	68,06	24,80
1.20	0702 00 10 0702 00 90	Tomatoes	105,73	4 159	791,77	202,11	694,48	31 161	84,17	209 627	226,46	82,95
1.30	0703 10 19	Onions (other than seed)	18,48	727	138,44	35,34	121,43	5 448	14,71	36 654	39,59	14,50
1.40	0703 20 00	Garlic	70,99	2 793	531,64	135,71	466,31	20 923	56,51	140 756	152,05	55,70
1.50	ex 0703 90 00	Leeks	34,60	1 361	259,14	66,15	227,30	10 198	27,54	68 609	74,11	27,15
1.60	ex 0704 10 10 ex 0704 10 90	Cauliflowers	57,81	2 331	438,81	113,34	385,48	15 133	43,14	104 614	127,38	45,06
1.70	0704 20 00	Brussels sprouts	53,71	2 172	405,33	104,22	354,64	14 950	41,74	101 870	116,85	40,02
1.80	0704 90 10	White cabbages and red cabbages	17,14	681	129,98	33,09	113,00	4 877	13,79	31 888	37,18	13,32
1.90	ex 0704 90 90	Sprouting broccoli or calabrese (<i>Brassica oleracea</i> var. <i>italica</i>)	79,26	3 206	598,09	153,78	523,30	22 060	61,59	150 316	172,41	59,05
1.100	ex 0704 90 90	Chinese cabbage	36,78	1 463	279,14	71,12	243,78	10 454	29,10	68 223	79,83	28,31
1.110	0705 11 10 0705 11 90	Cabbage lettuce (head lettuce)	156,73	6 190	1 180,85	301,00	1 027,29	45 896	124,48	302 761	337,16	123,10
1.120	ex 0705 29 00	Endives	21,82	877	162,70	42,58	143,89	5 690	17,51	39 262	47,92	17,72
1.130	ex 0706 10 00	Carrots	16,90	673	128,33	32,72	111,98	4 793	13,36	31 281	36,73	12,98
1.140	ex 0706 90 90	Radishes	49,23	1 936	368,66	94,10	323,36	14 509	39,19	97 606	105,44	38,62
1.150	0707 00 11 0707 00 19	Cucumbers	147,61	5 807	1 105,40	282,16	969,56	43 504	117,51	292 661	316,16	115,81
1.160	0708 10 10 0708 10 90	Peas (<i>Pisum sativum</i>)	289,36	11 383	2 166,88	553,12	1 900,61	85 280	230,35	573 695	619,76	227,02
1.170		Beans :										
1.170.1	0708 20 10 0708 20 90	Beans (<i>Vigna</i> spp., <i>Phaseolus</i> spp.)	103,00	4 052	771,31	196,88	676,53	30 355	81,99	204 209	220,60	80,81
1.170.2	0708 20 10 0708 20 90	Beans (<i>Phaseolus</i> spp., <i>vulgaris</i> var. <i>Compressus Savi</i>)	139,50	5 488	1 044,69	266,67	916,32	41 115	111,05	276 588	298,80	109,45
1.180	ex 0708 90 00	Broad beans	92,83	3 894	734,40	189,09	645,42	21 793	71,04	142 837	212,96	66,61
1.190	0709 10 00	Globe artichokes	61,64	2 453	467,78	119,18	408,52	17 518	48,77	114 325	133,77	47,45
1.200		Asparagus :										
1.200.1	ex 0709 20 00	— green	373,11	14 678	2 794,00	713,20	2 450,67	109 961	297,02	739 729	799,13	292,72
1.200.2	ex 0709 20 00	— other	245,77	9 668	1 840,45	469,80	1 614,29	72 433	195,65	487 270	526,39	192,82
1.210	0709 30 00	Aubergines (egg-plants)	181,46	7 138	1 358,87	346,87	1 191,89	53 480	144,45	359 770	388,66	142,37
1.220	ex 0709 40 00	Ribbed celery (<i>Apium graveolens</i> var. <i>dulce</i>)	80,83	3 211	610,71	156,02	533,05	23 248	63,94	150 841	174,96	62,75
1.230	0709 51 30	Chantarelles	963,14	37 968	7 218,96	1 845,49	6 319,37	284 424	763,48	1 888 301	2 068,75	754,38
1.240	0709 60 10	Sweet peppers	73,92	2 908	553,55	141,30	485,53	21 785	58,84	146 557	158,32	57,99
1.250	0709 90 50	Fennel	73,55	2 966	558,22	144,18	490,38	19 251	54,88	133 083	162,05	57,33
1.260	0709 90 70	Courgettes	43,16	1 698	323,24	82,51	283,52	12 721	34,36	85 579	92,45	33,86
1.270	ex 0714 20 10	Sweet potatoes, whole, fresh (intended for human consumption)	72,01	2 833	539,28	137,66	473,02	21 224	57,33	142 779	154,24	56,50
2.10	ex 0802 40 00	Chestnuts (<i>Castanea</i> spp.), fresh	83,78	3 378	639,04	164,08	560,82	21 691	62,54	145 547	184,60	66,87
2.20												
2.30	ex 0804 30 00	Pineapples, fresh	47,46	1 867	355,43	90,72	311,75	13 988	37,78	94 103	101,66	37,23
2.40	ex 0804 40 10 ex 0804 40 90	Avocados, fresh	96,69	3 803	724,06	184,82	635,09	28 496	76,97	191 700	207,09	75,86

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.50	ex 0804 50 00	Guavas and mangoes, fresh	157,90	6211	1 182,42	301,83	1 037,12	46 535	125,70	313 054	338,19	123,88
2.60		Sweet oranges, fresh :										
2.60.1	0805 10 11 0805 10 21 0805 10 31 0805 10 41	— Sanguines and semi-sanguines	25,96	1 024	196,32	49,77	170,18	7 580	20,80	50 244	55,80	20,52
2.60.2	0805 10 15 0805 10 25 0805 10 35 0805 10 45	— Navels, Navelines, Navelates, Salustianas, Vernas, Valencia lates, Maltese, Shamoutis, Ovalis, Trovita and Hamlins	17,74	698	132,87	33,91	116,54	5 229	14,12	35 178	38,00	13,92
2.60.3	0805 10 19 0805 10 29 0805 10 39 0805 10 49	— Others	26,53	1 044	198,72	50,72	174,30	7 821	21,12	52 614	56,83	20,82
2.70		Mandarins (including tangerines and satsumas), fresh ; clementines, wilkings and similar citrus hybrids, fresh :										
2.70.1	ex 0805 20 10	— Clementines	53,47	2 103	400,43	102,21	351,22	15 759	42,56	106 017	114,53	41,95
2.70.2	ex 0805 20 30	— Monreales and Satsumas	37,95	1 497	286,92	72,74	248,72	11 078	30,40	73 432	81,55	29,98
2.70.3	ex 0805 20 50	— Mandarins and wilkings	50,74	2 005	383,46	97,43	333,59	14 715	40,22	97 263	109,46	39,89
2.70.4	ex 0805 20 70 ex 0805 20 90	— Tangerines and others	72,02	2 833	539,38	137,68	473,10	21 228	57,34	142 805	154,27	56,51
2.80	ex 0805 30 10	Lemons (<i>Citrus limon</i> , <i>Citrus limonum</i>), fresh	26,70	1 050	199,98	51,04	175,41	7 870	21,26	52 947	57,19	20,95
2.85	ex 0805 30 90	Limes (<i>Citrus aurantifolia</i>), fresh	139,93	5 505	1 047,91	267,49	919,14	41 241	111,40	277 440	299,71	109,79
2.90		Grapefruit, fresh :										
2.90.1	ex 0805 40 00	— white	30,25	1 190	226,58	57,83	198,74	8 917	24,08	59 989	64,80	23,73
2.90.2	ex 0805 40 00	— pink	43,19	1 699	323,43	82,56	283,69	12 729	34,38	85 632	92,50	33,88
2.100	0806 10 11 0806 10 15 0806 10 19	Table grapes	225,89	8 886	1 691,60	431,80	1 483,73	66 574	179,82	447 861	483,82	177,23
2.110	0807 10 10	Water-melons	58,96	2 319	441,58	112,72	387,32	17 378	46,94	116 911	126,29	46,26
2.120		Melons (other than water-melons) :										
2.120.1	ex 0807 10 90	— Amarillo, Cuper, Honey dew (including Cantalene), Onteniente, Piel de Sapo (including Verde Liso), Rochet, Tendral, Futuro	40,65	1 599	304,45	77,71	267,04	11 982	32,36	80 606	87,07	31,89
2.120.2	ex 0807 10 90	— other	100,31	3 946	751,19	191,75	658,88	29 564	79,85	198 882	214,85	78,70
2.130	0808 10 31 0808 10 33 0808 10 39 0808 10 51 0808 10 53 0808 10 59 0808 10 81 0808 10 83 0808 10 89	Apples	54,97	2 162	411,66	105,08	361,07	16 201	43,76	108 990	117,74	43,13
2.140		Pears										
2.140.1	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Pears — Nashi (<i>Pyrus pyrifolia</i>)	258,55	10 171	1 936,15	494,23	1 698,23	76 199	205,82	512 608	553,77	202,85
2.140.2	0808 20 31 0808 20 33 0808 20 35 0808 20 39	Other	90,18	3 547	675,31	172,38	592,33	26 577	71,79	178 793	193,15	70,75

Code	CN code	Description	Amount of unit values per 100 kg net									
			ECU	Bfrs/Lfrs	Dkr	DM	FF	Dr	£ Irl	Lit	Fl	£
2.150	0809 10 00	Apricots	85,68	3 388	645,25	164,61	562,73	24 882	68,38	163 247	184,64	67,57
2.160	0809 20 20 0809 20 40 0809 20 60 0809 20 80	Cherries	155,38	6 144	1 170,13	298,51	1 020,50	45 123	124,00	296 043	334,84	122,54
2.170	ex 0809 30 90	Peaches	234,28	9 216	1 754,42	447,84	1 538,83	69 047	186,50	464 493	501,79	183,81
2.180	ex 0809 30 10	Nectarines	257,87	10 144	1 931,06	492,93	1 693,77	75 999	205,28	511 260	552,31	202,31
2.190	0809 40 11 0809 40 19	Plums	140,08	5 511	1 049,01	267,77	920,10	41 285	111,51	277 732	300,03	109,90
2.200	0810 10 10 0810 10 90	Strawberries	441,20	17 357	3 303,89	843,36	2 897,91	130 028	351,22	874 726	944,96	346,15
2.205	0810 20 10	Raspberries	1 232,1	49 408	9 305,36	2 396,74	8 133,50	344 866	961,01	2 323 153	2 685,64	922,33
2.210	0810 40 30	Fruit of the species <i>Vaccinium myrtillus</i>	194,02	7 673	1 461,18	372,77	1 274,33	56 347	154,85	369 677	418,12	153,02
2.220	0810 90 10	Kiwi fruit (<i>Actinidia chinensis</i> Planch.)	91,37	3 594	684,28	174,67	600,20	26 930	72,74	181 169	195,71	71,69
2.230	ex 0810 90 80	Pomegranates	45,80	1 802	343,01	87,56	300,86	13 499	36,46	90 815	98,10	35,93
2.240	ex 0810 90 80	Khakis (including Sharon fruit)	110,72	4 355	829,14	211,65	727,26	32 632	88,14	219 521	237,14	86,87
2.250	ex 0810 90 30	Lychees	509,03	20 106	3 835,16	977,58	3 336,42	149 060	404,29	983 301	1 095,02	399,82

COMMISSION REGULATION (EC) No 2907/94

of 30 November 1994

fixing the import levies on compound feedingstuffs

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 Article 11 (3) thereof,

Whereas the rules to be applied in calculating the variable component of the import levy on compound feedingstuffs are laid down in Article 11 (1) (A) of Regulation (EEC) No 1766/92; whereas Article 4 of Commission Regulation (EEC) No 1619/93 of 25 June 1993 on the arrangements applicable to cereal-based compound feedingstuffs⁽³⁾ provides that the incidence on the prime costs of those feedingstuffs of the levies applicable to their basic products should be calculated on the basis of the sum of the amounts equal to the average levies applicable during the first 25 days of the month preceding the month of importation to the quantities of basic products, maize and milk powder, considered to have been used in the manufacture of such compound feedingstuffs, the averages being adjusted on the basis of the threshold price for the basic products in question applicable during the month of importation;

Whereas the fixed component is laid down in Article 6 of Regulation (EEC) No 1619/93;

Whereas, in order that account may be taken of the interests of the African, Caribbean and Pacific States, the levy relating to them in respect of certain products processed from cereals must be reduced by the amount of the fixed component and, in respect of some of these products, by part of the variable component; whereas this reduction must be made in accordance with Article 14 of Council Regulation (EEC) No 715/90 of 5 March 1990 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories⁽⁴⁾, as last amended by Regulation (EC) No 2484/94⁽⁵⁾;

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽⁶⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas, in addition, account must be taken of Council Decision 93/239/EEC of 15 March 1993 concerning the

conclusion of the Agreements in the form of exchanges of letters between the European Economic Community, of the one part, and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway and the Kingdom of Sweden, of the other part, on the provisional application of the Agreements on certain arrangements in the field of agriculture, signed by the said parties in Oporto on 2 May 1992⁽⁷⁾; whereas Commission Regulation (EEC) No 1267/93⁽⁸⁾, lays down detailed rules for the application of the import arrangements for these products originating in Sweden;

Whereas equally account must be taken of Council Regulation (EC) No 3641/93 of 20 December 1993, on certain rules for applying the Interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Bulgaria, of the other part⁽⁹⁾; whereas Commission Regulation (EC) No 1550/94⁽¹⁰⁾, as amended by Regulation (EC) No 2221/94⁽¹¹⁾, for the importation of products falling within CN codes 2309 90 31 and 2309 90 41 originating in Bulgaria;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹²⁾, as amended by Regulation (EC) No 3528/93⁽¹³⁾, 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⁽¹⁴⁾, as amended by Regulation (EC) No 547/94⁽¹⁵⁾,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies to be charged on the compound feedingstuffs covered by Regulation (EEC) No 1619/93 and subject to Regulation (EEC) No 1766/92 shall be as set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 1994.

⁽⁷⁾ OJ No L 109, 1. 5. 1993, p. 1.

⁽⁸⁾ OJ No L 129, 27. 5. 1993, p. 14.

⁽⁹⁾ OJ No L 333, 31. 12. 1993, p. 16.

⁽¹⁰⁾ OJ No L 166, 1. 7. 1994, p. 43.

⁽¹¹⁾ OJ No L 239, 14. 9. 1994, p. 6.

⁽¹²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹³⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽¹⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹⁵⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽¹⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽²⁾ OJ No L 197, 30. 7. 1994, p. 1.

⁽³⁾ OJ No L 155, 26. 6. 1993, p. 24.

⁽⁴⁾ OJ No L 84, 30. 3. 1990, p. 85.

⁽⁵⁾ OJ No L 265, 15. 10. 1994, p. 3.

⁽⁶⁾ OJ No L 263, 19. 9. 1991, p. 1.

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

Done at Brussels, 30 November 1994.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 30 November 1994 fixing the import levies on compound feedingstuffs

(ECU / tonne)

CN code	Levies (1)	
	ACP	Third countries (other than ACP)
2309 10 11	15,15	26,03 (2)
2309 10 13	585,50	596,38 (2)
2309 10 31	47,34	58,22 (2)
2309 10 33	617,69	628,57 (2)
2309 10 51	94,67	105,55 (2)
2309 10 53	665,02	675,90 (2)
2309 90 31	15,15	26,03 (3)
2309 90 33	585,50	596,38
2309 90 41	47,34	58,22 (3)
2309 90 43	617,69	628,57
2309 90 51	94,67	105,55
2309 90 53	665,02	675,90

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

(2) The levy may be reduced in accordance with the Agreement between the Community and Sweden (OJ No L 109, 1. 5. 1993) and Regulation (EEC) No 1267/93 (OJ No L 129, 27. 5. 1993).

(3) The levy may be reduced in accordance with the Agreement between the Community and Bulgaria (OJ No L 333, 31. 12. 1993, p. 16) and Regulation (EC) No 623/94 (OJ No L 78, 22. 3. 1994, p. 7).

COMMISSION REGULATION (EC) No 2908/94

of 30 November 1994

fixing the export refunds on white sugar and raw sugar exported in its unaltered state

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 point (a) of the first subparagraph of Article 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (a) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that when refunds on white and raw sugar, undenatured and exported in its unaltered state are being fixed account must be taken of the situation on the Community and world markets in sugar and in particular of the price and cost factors set out in Article 3 of that Regulation; whereas the same Article provides that the economic aspect of the proposed exports should also be taken into account;

Whereas the refund on raw sugar must be fixed in respect of the standard quality; whereas the latter is defined in Article 1 of Council Regulation (EEC) No 431/68 of 9 April 1968 determining the standard quality for raw sugar and fixing the Community frontier crossing point for calculating cif prices for sugar⁽⁵⁾; whereas, furthermore, this refund should be fixed in accordance with Article 5 (2) of Regulation (EEC) No 766/68; whereas candy sugar is defined in Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁶⁾, as last amended by Regulation (EC) No 2529/94⁽⁷⁾; whereas the refund thus calculated for sugar containing added flavouring or colouring matter must apply to their sucrose content and, accordingly, be fixed per 1 % of the said content;

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

Whereas, in special cases, the amount of the refund may be fixed by other legal instruments;

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

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽⁹⁾, as amended by Regulation (EC) No 3528/93⁽¹⁰⁾, 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⁽¹¹⁾, as amended by Regulation (EC) No 547/94⁽¹²⁾;

Whereas the refund must be fixed every two weeks; whereas it may be altered in the intervening period;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

The export refunds on the products listed in Article 1 (1) (a) of Regulation (EEC) No 1785/81, undenatured and exported in the natural state, are hereby fixed to the amounts shown in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 1994.

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 89, 10. 4. 1968, p. 3.

⁽⁶⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁷⁾ OJ No L 269, 20. 10. 1994, p. 14.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

⁽⁹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽¹⁰⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽¹¹⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽¹²⁾ OJ No L 69, 12. 3. 1994, p. 1.

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

Done at Brussels, 30 November 1994.

For the Commission
René STEICHEN
Member of the Commission

ANNEX

to the Commission Regulation of 30 November 1994 fixing the export refunds on white sugar and raw sugar exported in its unaltered state

Product code	Amount of refund ⁽¹⁾
	— ECU/100 kg —
1701 11 90 100	26,67 ⁽¹⁾
1701 11 90 910	26,24 ⁽¹⁾
1701 11 90 950	⁽²⁾
1701 12 90 100	26,67 ⁽¹⁾
1701 12 90 910	26,24 ⁽¹⁾
1701 12 90 950	⁽²⁾
	— ECU/1 % of sucrose × 100 kg —
1701 91 00 000	0,2899
	— ECU/100 kg —
1701 99 10 100	28,99
1701 99 10 910	28,99
1701 99 10 950	28,99
	— ECU/1 % of sucrose × 100 kg —
1701 99 90 100	0,2899

⁽¹⁾ Applicable to raw sugar with a yield of 92 % ; if the yield is other than 92 %, the refund applicable is calculated in accordance with the provisions of Article 5 (3) of Regulation (EEC) No 766/68.

⁽²⁾ Fixing suspended by Commission Regulation (EEC) No 2689/85 (OJ No L 255, 26. 9. 1985, p. 12), as amended by Regulation (EEC) No 3251/85 (OJ No L 309, 21. 11. 1985, p. 14).

⁽³⁾ 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.

COMMISSION REGULATION (EC) No 2909/94

of 30 November 1994

fixing 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,

Whereas Article 16 (1) of Regulation (EEC) No 1785/81 provides for charging a levy on imports of the products listed in Article 1 (1) of that Regulation ;

Whereas the levy on the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 must be calculated, where appropriate, at a standard rate on the basis of the sucrose content (including other sugars expressed as sucrose) of the product concerned and of the levy on white sugar ; whereas, however, the levies on maple sugar and maple syrup are limited to the amount resulting from application of the rate of duty bound within GATT ;

Whereas Article 7 of Commission Regulation (EEC) No 837/68 of 28 June 1968 on detailed rules for the application of levies on sugar ⁽³⁾, as last amended by Regulation (EEC) No 1428/78 ⁽⁴⁾, provides that the basic amount of the levy for 100 kilograms of product must be fixed per percentage point of sucrose content ;

Whereas the basic amount of the levy must be equal to one-hundredth of the average of the levies applicable to 100 kilograms of white sugar during the first 20 days of the month preceding the month for which the basic amount of the levy is fixed ; whereas, however, the levy applicable to white sugar on the day of the fixing of the basic amount must be substituted for the average of the levies, where that levy differs by at least ECU 0,73 from that average ;

Whereas the basic amount must be fixed each month ; whereas it must, however, be altered during the period

between the day on which it is fixed and the first day of the month following the month for which the basic amount is applicable, if the levy on white sugar differs by at least ECU 0,73 from the average referred to above or from the levy on white sugar used to fix the basic amount ; whereas, in this case, the basic amount must be equal to one-hundredth of the levy on white sugar used to calculate the alteration ;

Whereas the basic amount thus fixed must be adjusted on the basis of variations in the threshold price for white sugar occurring between the month in which the basic amount is fixed and the period of application ; whereas this adjustment, equal to one-hundredth of the difference between these two threshold prices, must be deducted from or added to the basic amount in the circumstances provided for in Article 7 (6) of Regulation (EEC) No 837/68 ;

Whereas the levy on the products referred to in Article 1 (1) (f) and (g) of Regulation (EEC) No 1785/81 comprises, under Article 16 (6) of that Regulation, a variable element and a fixed element, with the latter, per 100 kilograms of dry matter, being equal to one-tenth of the fixed element established pursuant to point B of Article 11 (1) of Council Regulation (EEC) No 1766/92 ⁽⁵⁾, as last amended by Regulation (EC) No 1866/94 ⁽⁶⁾, for the fixing of the import levy on the products falling within CN codes 1702 30 91, 1702 30 99, 1702 40 90 and 1702 90 50, and the variable element, per 100 kilograms of dry matter, being equal to 100 times the basic import levy applicable as from the first of each month in the case of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 ; whereas the levy must be fixed each month ;

Whereas as a consequence of the amendment of Article 1 (2) of Regulation (EEC) No 1785/81 and by virtue of Article 16 thereof, a levy is chargeable on imports of inuline syrup ; whereas the levy is defined in paragraph 6 (a) of the said Article 16 as equal, per 100 kilograms of dry matter, to the levy fixed in accordance with paragraph 6 of that Article multiplied by a coefficient of 1,9 ;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 151, 30. 6. 1968, p. 42.

⁽⁴⁾ OJ No L 171, 28. 6. 1978, p. 34.

⁽⁵⁾ OJ No L 181, 1. 7. 1992, p. 21.

⁽⁶⁾ OJ No L 197, 30. 7. 1994, p. 1.

Whereas, pursuant to Article 101 (1) of Council Decision 91/482/EEC of 25 July 1991 on the association of the overseas countries and territories with the European Economic Community⁽¹⁾, no levies shall apply on imports of products originating in the overseas countries and territories;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽²⁾, as amended by Regulation (EC) No 3528/93⁽³⁾, are used to convert amounts expressed in third country currencies and are used as the basis for determining the agricultural conversion rates of the Member States' currencies; whereas detailed rules on the application and determination of these conversions were set by Commission Regulation (EEC) No 1068/93⁽⁴⁾, as amended by Regulation (EC) No 547/94⁽⁵⁾;

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

Done at Brussels, 30 November 1994.

Whereas it follows from the application of these provisions that the import levies on the products concerned should be as indicated in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The import levies on the products listed in Article 1 (1) (d), (f), (g) and (h) of Regulation (EEC) No 1785/81 shall be as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 263, 19. 9. 1991, p. 1.

⁽²⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽³⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

**to the Commission Regulation of 30 November 1994 fixing 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	0,3395	—
1702 20 90	0,3395	—
1702 30 10	—	43,62
1702 40 10	—	43,62
1702 60 10	—	43,62
1702 60 90 10 ⁽²⁾	—	82,88
1702 60 90 90 ⁽³⁾	0,3395	—
1702 90 30	—	43,62
1702 90 60	0,3395	—
1702 90 71	0,3395	—
1702 90 90 10 ⁽⁴⁾	—	82,88
1702 90 90 90 ⁽⁵⁾	0,3395	—
2106 90 30	—	43,62
2106 90 59	0,3395	—

⁽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.

COMMISSION REGULATION (EC) No 2910/94
of 30 November 1994

**fixing the export refunds on syrups and certain other sugar products exported in
the natural state**

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 19 (4) thereof,

Whereas Article 19 of Regulation (EEC) No 1785/81 provides that the difference between quotations or prices on the world market for the products listed in Article 1 (1) (d) of that Regulation and prices for those products within the Community may be covered by an export refund;

Whereas Article 8 of Council Regulation (EEC) No 766/68 of 18 June 1968 laying down general rules for granting export refunds on sugar⁽³⁾, as last amended by Regulation (EEC) No 1489/76⁽⁴⁾, provides that the export refund on 100 kilograms of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 is equal to the basic amount multiplied by the sucrose content, including, where appropriate, other sugars expressed as sucrose; whereas the sucrose content of the product in question is determined in accordance with Article 13 of Commission Regulation (EEC) No 394/70 of 2 March 1970 on detailed rules for granting export refunds on sugar⁽⁵⁾, as last amended by Regulation (EC) No 2529/94⁽⁶⁾;

Whereas Article 7 of Regulation (EEC) No 766/68 provides that the basic amount of the refund on sorbose exported in the natural state must be equal to the basic amount of the refund less one-hundredth of the production refund applicable, pursuant to Council Regulation

(EEC) No 1400/78 of 20 June 1978 laying down general rules for the production refund on sugar used in the chemical industry⁽⁷⁾, to the products listed in the Annex to the last mentioned Regulation;

Whereas the basic amount of the refund on the other products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81 exported in the natural state must be equal to one-hundredth of an amount which takes account, on the one hand, of the difference between the intervention price for white sugar for the Community areas without deficit for the month for which the basic amount is fixed and quotations or prices for white sugar on the world market and, on the other, of the need to establish a balance between the use of Community basic products in the manufacture of processed goods for export to third countries and the use of third country products brought in under inward processing arrangements;

Whereas the application of the basic amount may be limited to some of the products listed in Article 1 (1) (d) of Regulation (EEC) No 1785/81;

Whereas Article 19 of Regulation (EEC) No 1785/81 makes provision for setting refunds for export in the natural state of products referred to in Article 1 (1) (f) and (g) of that Regulation; whereas the refund must be fixed per 100 kilograms of dry matter, taking account of the export refund for products falling within CN code 1702 30 91 and for products referred to in Article 1 (1) (d) of Regulation (EEC) No 1785/81 and of the economic aspects of the intended exports; whereas the refund is to be granted only for products complying with the conditions in Article 3 of Commission Regulation (EEC) No 1469/77 of 30 June 1977 laying down rules for applying the levy and the refund in respect of isoglucose and amending Regulation (EEC) No 192/75⁽⁸⁾, as amended by Regulation (EEC) No 1714/88⁽⁹⁾;

⁽¹⁾ OJ No L 177, 1. 7. 1981, p. 4.

⁽²⁾ OJ No L 22, 27. 1. 1994, p. 7.

⁽³⁾ OJ No L 143, 25. 6. 1968, p. 6.

⁽⁴⁾ OJ No L 167, 26. 6. 1976, p. 13.

⁽⁵⁾ OJ No L 50, 4. 3. 1970, p. 1.

⁽⁶⁾ OJ No L 269, 20. 10. 1994, p. 14.

⁽⁷⁾ OJ No L 170, 27. 6. 1978, p. 9.

⁽⁸⁾ OJ No L 162, 1. 7. 1977, p. 9.

⁽⁹⁾ OJ No L 152, 18. 6. 1988, p. 23.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾, as amended by Regulation (EC) No 3528/93⁽²⁾, 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⁽³⁾, as amended by Regulation (EC) No 547/94⁽⁴⁾;

Whereas the refunds referred to above must be fixed every month; whereas they may be altered in the intervening period;

Whereas application of these quotas results in fixing refunds for the products in question at the levels given in the Annex to this Regulation;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro);

whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION :

Article 1

The export refunds on the products listed in Article 1 (1) (d), (f) and (g) of Regulation (EEC) No 1785/81, exported in the natural state, shall be set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 30 November 1994 fixing the export refunds on syrups and certain other sugar products exported in the natural state

Product code	Amount of refund
	— ECU/100 kg dry matter —
1702 40 10 100	28,99 ⁽²⁾ ⁽³⁾
1702 60 10 000	28,99 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 60 90 900	0,2899 ⁽¹⁾ ⁽³⁾
	— ECU/100 kg dry matter —
1702 90 30 000	28,99 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
1702 90 60 000	0,2899 ⁽¹⁾ ⁽³⁾
1702 90 71 000	0,2899 ⁽¹⁾ ⁽³⁾
1702 90 90 800	0,2899 ⁽¹⁾ ⁽³⁾ ⁽⁴⁾
	— ECU/100 kg dry matter —
2106 90 30 000	28,99 ⁽²⁾ ⁽³⁾
	— ECU/1 % sucrose × 100 kg —
2106 90 59 000	0,2899 ⁽¹⁾ ⁽³⁾

⁽¹⁾ The basic amount is not applicable to syrups which are less than 85 % pure (Regulation (EEC) No 394/70). Sucrose content is determined in accordance with Article 13 of Regulation (EEC) No 394/70.

⁽²⁾ Applicable only to products referred to in Article 3 of Regulation (EEC) No 1469/77.

⁽³⁾ 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.

⁽⁴⁾ The basic amount is not applicable to the product defined under point 2 of the Annex to Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

NB: The product codes and the footnotes are defined in amended Commission Regulation (EEC) No 3846/87 (OJ No L 366, 24. 12. 1987, p. 1).

COMMISSION REGULATION (EC) No 2911/94
of 30 November 1994

fixing the maximum export refund for white sugar for the 27th partial invitation to tender issued within the framework of the standing invitation to tender provided for in Regulation (EC) No 1021/94

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 the first subparagraph of Article 19 (4) (b) thereof,

Whereas Commission Regulation (EC) No 1021/94 of 29 April 1994 on a standing invitation to tender to determine levies and/or refunds on exports of white sugar⁽³⁾ requires partial invitations to tender to be issued for the export of this sugar;

Whereas, pursuant to Article 9 (1) of Regulation (EC) No 1021/94, a maximum export refund shall be fixed, as the case may be, account being taken in particular of the state and foreseeable development of the Community and world markets in sugar, for the partial invitation to tender in question;

Whereas, following an examination of the tenders submitted in response to the 27th partial invitation to tender, the provisions set out in Article 1 should be adopted;

Whereas Council Regulation (EEC) No 990/93⁽⁴⁾ prohibits trade between the European Community and the

Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. For the 27th partial invitation to tender for white sugar issued pursuant to Regulation (EC) No 1021/94 the maximum amount of the export refund is fixed at ECU 31,530 per 100 kilograms.

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.

Article 2

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 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 112, 3. 5. 1994, p. 13.

⁽⁴⁾ OJ No L 102, 28. 4. 1993, p. 14.

COMMISSION REGULATION (EC) No 2912/94

of 30 November 1994

fixing the reduced levy on imports into Portugal of certain quantities of raw sugar intended for Portuguese refineries

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 (5) thereof,

Whereas Article 16 a (1) of Regulation (EEC) No 1785/81 provides for a reduced rate levy to apply during the 1994/95 marketing year to Portuguese imports of certain quantities of raw sugar originating in specified third countries and for use by Portuguese refineries;

Whereas Article 16 a (2) of Regulation (EEC) No 1785/81 stipulates that this reduced levy is to equal the intervention price for raw sugar as indicated in Article 3 (2) of that Regulation applicable when the sugar is imported, less an amount equal to the average of the spot prices, adjusted where necessary to the cif stage, quoted on the London market during the first 20 days of the month preceding that for which the reduced levy amount is set;

Whereas pursuant to Article 16 a (5) the reduced levy is to be set each month for the following month;

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92 ⁽³⁾, as

amended by Regulation (EC) No 3528/93 ⁽⁴⁾, 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 ⁽⁵⁾, as amended by Regulation (EC) No 547/94 ⁽⁶⁾;

Whereas application of the abovementioned provisions gives a reduced rate import levy for the raw sugar concerned of the amount indicated in this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The reduced levy on imports into Portugal of the quantities of raw sugar for refining (CN codes 1701 11 10 and 1701 12 10) indicated in Article 16 a of Regulation (EEC) No 1785/81 shall, for standard quality, be ECU 21,60 per 100 kg.

Article 2

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 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 108, 1. 5. 1993, p. 106.

⁽⁶⁾ OJ No L 69, 12. 3. 1994, p. 1.

COMMISSION REGULATION (EC) No 2913/94
of 30 November 1994
fixing the rate of the aid for dried fodder

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1117/78 of 22 May 1978 on the common organization of the market in dried fodder⁽¹⁾, as last amended by Commission Regulation (EC) No 3496/93⁽²⁾, and in particular Article 5 (3) thereof,

Whereas, pursuant to Article 5 (1) of Regulation (EEC) No 1117/78, when the guide price is higher than the average world market price, aid is granted for dried fodder as described under Article 1 (b) and (c) of that Regulation and obtained from fodder plants harvested in the Community; whereas that aid takes account of a percentage of the difference between these two prices;

Whereas the guide price in the dried fodder sector was fixed by Council Regulation (EEC) No 1288/93⁽³⁾ and Commission Regulation (EC) No 538/94⁽⁴⁾;

Whereas Council Regulation (EEC) No 2065/92⁽⁵⁾, as amended by Regulation (EEC) No 1288/93, sets the percentage referred to in Article 5 of Regulation (EEC) No 1117/78 for the 1994/95 marketing year at 70 %;

Whereas the average world market price is determined for a bulk pelleted product, delivered to Rotterdam, of the standard quality for which the guide price has been fixed;

Whereas, pursuant to Council Regulation (EEC) No 1417/78 of 19 June 1978 on the aid system for dried fodder⁽⁶⁾, as last amended by Regulation (EEC) No 1110/89⁽⁷⁾, the average world market price for the products described in the first and third indents of Article 1 (b) of Regulation (EEC) No 1117/78 is to be determined on the basis of the most favourable actual purchase possibilities excepting those which cannot be considered representative of the real market trend; whereas offers

and quotations recorded during the first 25 days of the month in question for quantities that can be delivered during the following calendar month are to be used; whereas the average world market price thus determined is used to fix the aid rate applicable on the following month;

Whereas the necessary adjustments must be made in the case of offers and quotations not of the type referred to above; whereas these adjustments were defined in Article 3 of Commission Regulation (EEC) No 1528/78 of 30 June 1978 laying down detailed rules for the application of the system of aid for dried fodder⁽⁸⁾, as last amended by Regulation (EEC) No 1069/93⁽⁹⁾;

Whereas, in accordance with Article 3 of Regulation (EEC) No 1417/78, when no offer or quotation can be used to determine the average world market price, that price is determined on the basis of the sum of the value of competing products; whereas those products are defined in Article 3 (3) of Regulation (EEC) No 1528/78;

Whereas, pursuant to Article 11 of Regulation (EEC) No 1417/78, when forward prices differ from that applying in the month when the application is lodged, the aid rate is adjusted by a correcting amount calculated from the trend of forward prices;

Whereas, where the average world market price is determined in accordance with Article 3 of Regulation (EEC) No 1417/78, the corrective amount must be equal to the difference between the average world market price and the average forward world market price determined by applying the criteria laid down in Article 3 (3) of Regulation (EEC) No 1528/78 and valid for delivery during a month other than that in which the aid is introduced, adjusted by the percentage fixed pursuant to Article 5 (2) of Regulation (EEC) No 1117/78; whereas where the average forward world market price for one or more months cannot be determined by applying the criteria laid down in Article 3(3) of Regulation (EEC) No 1528/78, the corrective amount must be fixed for the month or months in question at a level such that the aid is equal to zero;

⁽¹⁾ OJ No L 142, 30. 5. 1978, p. 1.

⁽²⁾ OJ No L 319, 21. 12. 1993, p. 17.

⁽³⁾ OJ No L 132, 29. 5. 1993, p. 1.

⁽⁴⁾ OJ No L 68, 11. 3. 1994, p. 20.

⁽⁵⁾ OJ No L 215, 30. 7. 1992, p. 48.

⁽⁶⁾ OJ No L 171, 28. 6. 1978, p. 1.

⁽⁷⁾ OJ No L 118, 29. 4. 1989, p. 1.

⁽⁸⁾ OJ No L 179, 1. 7. 1978, p. 10.

⁽⁹⁾ OJ No L 108, 1. 5. 1993, p. 114.

Whereas the representative market rates defined in Article 1 of Council Regulation (EEC) No 3813/92⁽¹⁾, as amended by Regulation (EC) No 3528/93⁽²⁾, 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⁽³⁾, as amended by Regulation (EC) No 547/94⁽⁴⁾;

Whereas the rate of the additional aid must be fixed once per month so as to ensure application of the aid from the first day of the month following the date of its fixing;

Whereas, when adopting the Decision on the reform of the common agricultural policy in 1992, the Council announced its intention of introducing new aid arrangements for the production of dried fodder based on aid fixed per tonne; whereas, during the negotiations on the agricultural prices for the 1994/95 marketing year, this was confirmed and a proposal for a Regulation has been submitted to the Council providing for the establishment of a new organization of the market in the sector in question to take effect from 1 April 1995 based on fixed-rate aid per tonne for specified maximum quantities;

Whereas, given that the new arrangements referred to above are due to apply from 1 April 1995, the aid paid

under the current arrangements for the period 1 April to 31 October 1995 should be fixed at zero;

Whereas, as the result of the applications of all these provisions to the offers and quotations which the Commission has recorded, the rate of the additional aid for dried fodder must be fixed as indicated in the table annexed to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The rate of the aid referred to in Article 5 (3) of Regulation (EEC) No 1117/78 is fixed in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁴⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX

to the Commission Regulation of 30 November 1994 fixing the rate of the aid for dried fodder

Aid applicable from 1 December 1994 to dried fodder:

(ECU/tonne)

	Fodder dehydrated by artificial heat drying Protein concentrates	Fodder otherwise dried
December 1994	64,140	39,460

Aid in case of advance fixing for the month of:

(ECU/tonne)

January 1995	63,274	38,594
February 1995	62,938	38,258
March 1995	62,869	38,189
April 1995	0,000	0,000
May 1995	0,000	0,000
June 1995	0,000	0,000
July 1995	0,000	0,000
August 1995	0,000	0,000
September 1995	0,000	0,000
October 1995	0,000	0,000

COMMISSION REGULATION (EC) No 2914/94
of 30 November 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 2849/94 ⁽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 1 December 1994.

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

Done at Brussels, 30 November 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 302, 25. 11. 1994, p. 30.

ANNEX

to the Commission Regulation of 30 November 1994 fixing the import levies on rice and broken rice

(ECU/tonne)

CN code	Levies (°)		
	Arrangement in Regulation (EEC) No 3877/86 (°)	ACP Bangladesh (°) (°) (°) (°)	Third countries (except ACP and Bangladesh) (°)
1006 10 21	—	146,19	299,58
1006 10 23	—	146,46	300,13
1006 10 25	—	146,46	300,13
1006 10 27	225,10	146,46	300,13
1006 10 92	—	146,19	299,58
1006 10 94	—	146,46	300,13
1006 10 96	—	146,46	300,13
1006 10 98	225,10	146,46	300,13
1006 20 11	—	183,63	374,47
1006 20 13	—	183,98	375,16
1006 20 15	—	183,98	375,16
1006 20 17	281,37	183,98	375,16
1006 20 92	—	183,63	374,47
1006 20 94	—	183,98	375,16
1006 20 96	—	183,98	375,16
1006 20 98	281,37	183,98	375,16
1006 30 21	—	227,82	479,50
1006 30 23	—	272,38	568,54
1006 30 25	—	272,38	568,54
1006 30 27	426,41	272,38	568,54
1006 30 42	—	227,82	479,50
1006 30 44	—	272,38	568,54
1006 30 46	—	272,38	568,54
1006 30 48	426,41	272,38	568,54
1006 30 61	—	242,98	510,67
1006 30 63	—	292,39	609,48
1006 30 65	—	292,39	609,48
1006 30 67	457,11	292,39	609,48
1006 30 92	—	242,98	510,67
1006 30 94	—	292,39	609,48
1006 30 96	—	292,39	609,48
1006 30 98	457,11	292,39	609,48
1006 40 00	—	51,95	109,90

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

(°) 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.

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

(°) 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.

(°) 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.

(°) 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 2915/94
of 30 November 1994
altering the corrective amount applicable to the refund on cereals

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1766/92 of 30 June 1992 on the common organization of the market in cereals ⁽¹⁾, as last amended by Regulation (EC) No 1866/94 ⁽²⁾, and in particular Article 13 ⁽⁴⁾ thereof,

Whereas the corrective amount applicable to the refund on cereals was fixed by Commission Regulation (EC) No 2359/94 ⁽³⁾, as last amended by Regulation (EC) No 2655/94 ⁽⁴⁾;

Whereas, on the basis of today's cif prices and cif forward delivery prices, taking foreseeable developments on the market into account, the corrective amount at present applicable to the refund on cereals should be altered,

HAS ADOPTED THIS REGULATION :

Article 1

The corrective amount referred to in Article 1 (1), points (a), (b) and (c) of Regulation (EEC) No 1766/92 which is applicable to the export refunds fixed in advance in respect of the products referred to, except for malt, is hereby altered to the amounts set out in the Annex hereto.

Article 2

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 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 255, 1. 10. 1994, p. 12.

⁽⁴⁾ OJ No L 284, 1. 11. 1994, p. 18.

ANNEX

to the Commission Regulation of 30 November 1994 altering the corrective amount applicable to the refund on cereals

(ECU / tonne)

Product code	Destination (1)	Current	1st period	2nd period	3rd period	4th period	5th period	6th period
		12	1	2	3	4	5	6
0709 90 60 000	—	—	—	—	—	—	—	—
0712 90 19 000	—	—	—	—	—	—	—	—
1001 10 00 200	—	—	—	—	—	—	—	—
1001 10 00 400	01	0	0	0	0	—	—	—
1001 90 91 000	01	0	0	0	0	0	—	—
1001 90 99 000	01	0	0	0	0	0	—	—
1002 00 00 000	01	0	0	0	0	0	—	—
1003 00 10 000	01	0	0	0	0	0	—	—
1003 00 90 000	01	0	0	0	0	0	—	—
1004 00 00 200	01	0	0	0	0	0	—	—
1004 00 00 400	—	—	—	—	—	—	—	—
1005 10 90 000	—	—	—	—	—	—	—	—
1005 90 00 000	01	0	0	0	0	0	—	—
1007 00 90 000	—	—	—	—	—	—	—	—
1008 20 00 000	—	—	—	—	—	—	—	—
1101 00 00 100	01	0	0	0	0	0	—	—
1101 00 00 130	01	0	0	0	0	0	—	—
1101 00 00 150	01	0	0	0	0	0	—	—
1101 00 00 170	01	0	0	0	0	0	—	—
1101 00 00 180	01	0	0	0	0	0	—	—
1101 00 00 190	—	—	—	—	—	—	—	—
1101 00 00 900	—	—	—	—	—	—	—	—
1102 10 00 500	01	0	0	0	0	0	—	—
1102 10 00 700	—	—	—	—	—	—	—	—
1102 10 00 900	—	—	—	—	—	—	—	—
1103 11 10 200	01	0	0	0	0	0	—	—
1103 11 10 400	01	0	0	0	0	0	—	—
1103 11 10 900	—	—	—	—	—	—	—	—
1103 11 90 200	01	0	0	0	0	0	—	—
1103 11 90 800	—	—	—	—	—	—	—	—

(1) The destinations are identified as follows:

01 all 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 2916/94
of 30 November 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 last amended by Regulation (EC) No 1866/94 ⁽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 1938/94 ⁽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 29

November 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 1 December 1994.

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

Done at Brussels, 30 November 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 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. 39.

ANNEX

to the Commission Regulation of 30 November 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
	12	1	2	3
0709 90 60	0	0	0	0
0712 90 19	0	0	0	0
1001 10 00	0	0	0	0
1001 90 91	0	11,99	9,97	7,94
1001 90 99	0	11,99	9,97	7,94
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	16,80	13,96	11,12
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
	12	1	2	3	4
1107 10 11	0	21,34	17,75	14,13	14,13
1107 10 19	0	15,95	13,26	10,56	10,56
1107 10 91	0	0	0	0	0
1107 10 99	0	0	0	0	0
1107 20 00	0	0	0	0	0

COMMISSION REGULATION (EC) No 2917/94
of 30 November 1994

**fixing the rates of the refunds applicable to certain cereal and rice-products
exported in the form of goods not covered by Annex II to the Treaty**

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 third subparagraph of Article 13 (2) thereof,

Having regard to Council Regulation (EEC) No 1418/76 of 21 June 1976 on the common organization of the market in rice⁽³⁾, as last amended by Regulation (EC) No 1869/94⁽⁴⁾, and in particular the first sentence of the fourth subparagraph of Article 17 (2) thereof,

Whereas Article 13 (1) of Regulation (EEC) No 1766/92 and Article 17 (1) of Regulation (EEC) No 1418/76 provide that the difference between quotations of prices on the world market for the products listed in Article 1 of each of those Regulations and the prices within the Community may be covered by an export refund;

Whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for 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⁽⁵⁾, as last amended by Regulation (EC) No 2296/94⁽⁶⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 as appropriate;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas, now that a settlement has been reached between the European Community and the United States of

America on Community exports of pasta products to the United States and has been approved by Council Decision 87/482/EEC⁽⁷⁾, it is necessary to differentiate the refund on goods falling within CN codes 1902 11 00 and 1902 19 according to their destination;

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

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed either in Article 1 of Regulation (EEC) No 1766/92 or in Article 1 (1) of Regulation (EEC) No 1418/76, exported in the form of goods listed in Annex B to Regulation (EEC) No 1766/92 or in Annex B to Regulation (EEC) No 1418/76 respectively, are hereby fixed as shown in the Annex to this Regulation.

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.

Article 2

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 1994.

For the Commission

Martin BANGEMANN

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 166, 25. 6. 1976, p. 1.

⁽⁴⁾ OJ No L 197, 30. 7. 1994, p. 7.

⁽⁵⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁶⁾ OJ No L 249, 24. 9. 1994, p. 9.

⁽⁷⁾ OJ No L 275, 29. 9. 1987, p. 36.

⁽⁸⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 30 November 1994 fixing the rates of the refunds applicable to certain cereals and rice products exported in the form of goods not covered by Annex II to the Treaty

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1001 10 00	Durum wheat : – used unprocessed : – – on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America – – in all other cases – used in the form of : – – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 – – hulled grains of CN code 1104 and starch of CN code 1108 – – germ of CN code 1104 – – gluten of CN code 1109 – – other (except flours of CN code 1101 and groats and meal of CN code 1103)	— — — — — — —
1001 90 99	Common wheat and meslin : – used unprocessed : – – on exports of goods falling within CN code 1902 11 and 1902 19 to the United States of America – – in all other cases – used in the form of : – – pellets of CN code 1103, or grains otherwise worked (other than hulled, kibbled, or germ) of CN code 1104 – – hulled grains of CN code 1104 and starch of CN code 1108 – – germ of CN code 1104 – – gluten of CN code 1109 – – other (except flours of CN code 1101, and groats and meal of CN code 1103)	1,283 1,974 1,184 1,777 0,691 — 1,974
1002 00 00	Rye : – used unprocessed – used in the form of : – – groats, meal and pellets of CN code 1103, or pearled grains of CN code 1104 – – rolled or flaked grains and hulled grains of CN code 1104 – – germ of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other (except flours of CN code 1102)	5,614 3,368 5,053 2,030 5,800 — 5,614
1003 00 90	Barley : – used unprocessed – used in the form of : – – flours of CN code 1102, groats and meal of CN code 1103, or rolled, flaked or pearled grains of CN code 1104 – – pellets of CN code 1103 – – germs of CN code 1104 – – starch of CN code 1108 19 90 – – gluten of CN code 2303 10 90 – – other	4,916 3,441 2,950 2,030 5,800 — 4,916

CN code	Description of products (1)	Rate of refund per 100 kg of basic product (2)
1004 00 00	Oats :	
	– used unprocessed	6,152
	– used in the form of :	
	– – pellets of CN code 1103, and pearled grains of CN code 1104	3,691
	– – rolled or flaked grains and hulled grains of CN code 1104	5,537
	– – germs of CN code 1104	2,030
	– – starch of CN code 1108 19 90	5,800
	– – gluten of CN code 2303 10 90	—
	– – other	6,152
1005 90 00	Maize (Corn) :	
	– used unprocessed	5,800
	– used in the form of :	
	– – flours of CN codes 1102 20 10 and 1102 20 90	4,060
	– – groats and meal of CN code 1003 and rolled or flaked grains of CN code 1104	4,640
	– – pellets of CN code 1103	3,480
	– – hulled or perled grains of CN code 1104	5,220
	– – germs of CN code 1104	2,030
	– – starch of CN code 1108 12 00	5,800
	– – gluten of CN code 2303 10 11	2,320
	– – glucose, glucose syrup, maltodextrine, maltodextrine syrup of CN codes 1702 30 51, 1702 30 59, 1702 30 91, 1702 30 99, 1702 40 90, 1702 90 50, 1702 90 75, 1702 90 79, 2106 90 55 (3)	5,800
	– – other (3)	5,800
1006 20	Round grain husked rice	21,313
	Medium grains husked rice	18,975
	Long grain husked rice	18,975
ex 1006 30	Round grain wholly-milled rice	27,500
	Medium grain wholly-milled rice	27,500
	Long grain wholly-milled rice	27,500
1006 40 00	Broken rice :	
	– used unprocessed	6,200
	– used in the form of :	
	– – flour of CN code 1102 30, groats and meal or pellets of CN code 1103	6,200
	– – flaked grains of CN 1104 19 91	3,720
	– – starch of CN code 1108 19 10	6,200
	– – other	—
1007 00 90	Sorghum	4,916
1101 00 00	Wheat or meslin flour :	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,578
	– in all other cases	2,428
1102 10 00	Rye flour	7,691
1103 11 10	Groats and durum wheat meal :	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	—
	– in all other cases	—
1103 11 90	Common wheat groats and spelt :	
	– on exports of goods falling within CN codes 1902 11 and 1902 19 to the United States of America	1,578
	– in all other cases	2,428

(1) The quantities of semi-processed products used must be multiplied, as the case may be, by the coefficients shown in Annex I to Commission Regulation (EEC) No 1620/93 (OJ No L 155, 26. 6. 1993, p. 29).

(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) For syrups of CN codes 1702 30 99, 1702 40 90 and 1702 60 90, obtained from mixing glucose and fructose syrup, the export refund may be granted only for the glucose syrup.

COMMISSION REGULATION (EC) No 2918/94

of 30 November 1994

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products ⁽¹⁾, as last amended by Regulation (EC) No 2807/94 ⁽²⁾, and in particular Article 17 ⁽⁴⁾ thereof,

Whereas Article 17 (1) of Regulation (EEC) No 804/68 provides that the difference between prices in international trade for the products listed in Article 1 (a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and criteria for fixing the amount of such refunds ⁽³⁾, as last amended by Regulation (EC) No 2296/94 ⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Article 4 (3) of Regulation (EC) No 1222/94 provides that, when the rate of the refund is being fixed, account should be taken, where necessary, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organization of the market in the product in question to the basic products listed in Annex A to that Regulation or to assimilated products;

Whereas Article 11 (1) of Regulation (EEC) No 804/68 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions set out in Article 1 of Council Regulation (EEC) No 987/68 of 15 July 1968 laying down general rules for granting aid for skimmed milk processed into casein or caseinates ⁽⁵⁾, as last amended by Regulation (EEC) No 1435/90 ⁽⁶⁾;

Whereas Commission Regulation (EEC) No 570/88 of 16 February 1988 on the sale of butter at reduced prices and the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs ⁽⁷⁾, as last amended by Regulation (EC) No 3049/93 ⁽⁸⁾, lay down that butter and cream at reduced prices should be made available to industries which manufacture certain goods;

Whereas Council Regulation (EEC) No 990/93 ⁽⁹⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 of Regulation (EEC) No 804/68, exported in the form of goods listed in the Annex to Regulation (EEC) No 804/68, are hereby fixed as shown in the Annex to this Regulation.

2. No rates of refund are fixed for any of the products referred to in the preceding paragraph which are not listed in the Annex to this Regulation.

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

Article 2

This Regulation shall enter into force on 1 December 1994.

⁽¹⁾ OJ No L 148, 28. 6. 1968, p. 13.

⁽²⁾ OJ No L 298, 19. 11. 1994, p. 1.

⁽³⁾ OJ No L 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 249, 24. 9. 1994, p. 9.

⁽⁵⁾ OJ No L 169, 18. 7. 1968, p. 6.

⁽⁶⁾ OJ No L 138, 31. 5. 1990, p. 8.

⁽⁷⁾ OJ No L 55, 1. 3. 1988, p. 31.

⁽⁸⁾ OJ No L 273, 5. 11. 1993, p. 7.

⁽⁹⁾ OJ No L 102, 28. 4. 1993, p. 14.

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

Done at Brussels, 30 November 1994.

For the Commission
Martin BANGEMANN
Member of the Commission

ANNEX

to the Commission Regulation of 30 November 1994 fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex II to the Treaty

		<i>(ECU/100 kg)</i>
CN code	Description	Rate of refund
ex 0402 10 19	Powdered milk, obtained by the spray process, with a fat content of less than 1,5 % by weight and with a water content of less than 5 % by weight (PG 2):	
	a) On exportation of goods of CN code 3501 b) On exportation of other goods	— 60,00
ex 0402 21 19	Powdered milk, obtained by the spray process, with a fat content of 26 % by weight and a water content of less than 5 % by weight (PG 3):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of other goods	56,13 104,50
ex 0405 00	Butter, with a fat content by weight of 82 % (PG 6):	
	a) Where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EEC) No 570/88 are exported b) On exportation of goods of CN code 2106 90 99 containing 40 % or more by weight of milk fat c) On exportation of other goods	37,00 166,00 160,00

COMMISSION REGULATION (EC) No 2919/94
of 30 November 1994

fixing the rates of the refunds applicable to certain products from the sugar sector exported in the form of goods not covered by Annex II to the Treaty

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 market in sugar⁽¹⁾, as last amended by Regulation (EC) No 133/94⁽²⁾, and in particular Article 19 (4) (a) and (7) thereof,

Whereas Article 19 (1) and (2) of Regulation (EEC) No 1785/81 provides that, for the products listed in Article 1 (1) (a), (c), (d), (f) and (g) of that Regulation, an export refund may be granted when these goods are exported in the form of goods listed in Annex I to that same Regulation; whereas Commission Regulation (EC) No 1222/94 of 30 May 1994 laying down common implementing rules for granting export refunds for 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⁽³⁾, as last amended by Regulation (EC) No 2296/94⁽⁴⁾, specifies the products for which a rate of refund should be fixed, to be applied where these products are exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81;

Whereas, in accordance with the first subparagraph of Article 4 (1) of Regulation (EC) No 1222/94, the rate of the refund per 100 kilograms for each of the basic products in question must be fixed for each month;

Whereas Council Regulation (EEC) No 990/93⁽⁵⁾ prohibits trade between the European Community and the Federal Republic of Yugoslavia (Serbia and Montenegro);

whereas this prohibition does not apply in certain situations as comprehensively listed in Articles 2, 4, 5 and 7 thereof; whereas account should be taken of this fact when fixing the refunds;

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

HAS ADOPTED THIS REGULATION:

Article 1

1. The rates of the refunds applicable to the basic products appearing in Annex A to Regulation (EC) No 1222/94 and listed in Article 1 (1) and (2) of Regulation (EEC) No 1785/81, exported in the form of goods listed in Annex I to Regulation (EEC) No 1785/81, are fixed as shown in the Annex hereto.

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.

Article 2

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 1994.

For the Commission

Martin BANGEMANN

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 136, 31. 5. 1994, p. 5.

⁽⁴⁾ OJ No L 249, 24. 9. 1994, p. 9.

⁽⁵⁾ OJ No L 102, 28. 4. 1993, p. 14.

ANNEX

to the Commission Regulation of 30 November 1994 fixing the rates of the refunds applicable to certain products in the sugar sector exported in the form of goods not covered by Annex II to the Treaty

	<i>— Rate of refund in ECU/100 kg —</i>
White sugar :	28,99
Raw sugar :	26,67
Syrups of beet sugar or cane sugar, other than the syrups obtained by dissolving white or raw sugar in the solid state, containing, in the dry state, 85 % or more by weight of sucrose (including invert sugar expressed as sucrose) :	$28,99^{(*)} \times \frac{S^{(1)}}{100}$ or
	the rate fixed above for 100 kg of white or raw sugar used for the dissolution
For syrups obtained by dissolving white or raw sugar in the solid state, whether or not the dissolving is followed by inversion :	
Molasses :	—
Isoglucose ^(?) :	28,99 ⁽³⁾

(¹) 'S' represents in 100 kilograms of syrup

- the sucrose content (including invert sugar expressed as sucrose) of the syrup in question, where the latter is not less than 98 % pure,
- the extractable sugar content of the syrup in question, where the latter is not less than 85 %, but less than 98 % pure.

(²) Products obtained by isomerization of glucose, which have a content by weight in the dry state of at least 41 % fructose and of which the total content by weight in the dry state of polysaccharides and oligosaccharides, including the di- or trisaccharides content, does not exceed 8,5 %.

(³) Amount of refund per 100 kilograms of dry matter.

(⁴) The basic amount is not applicable to the product defined under point 2 of the Annex to Commission Regulation (EEC) No 3513/92 (OJ No L 355, 5. 12. 1992, p. 12).

COMMISSION REGULATION (EC) No 2920/94
of 30 November 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 2141/94⁽⁴⁾, as last amended by Regulation (EC) No 2903/94⁽⁵⁾;

Whereas it follows from applying the rules and other provisions contained in Regulation (EC) No 2141/94 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 unginning cotton provided for in Article 5 of Regulation (EEC) No 2169/81 shall be ECU 49,090 per 100 kilograms.

2. However, the amount of the aid will be replaced with effect from 1 December 1994 to take account of the amendments to be made to the maximum guaranteed quantity system.

Article 2

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 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 228, 1. 9. 1994, p. 11.

⁽⁵⁾ OJ No L 305, 30. 11. 1994, p. 28.

COMMISSION REGULATION (EC) No 2921/94
of 30 November 1994

amending Regulation (EC) No 1083/94 on the sale on the Portuguese domestic market of 250 000 tonnes of maize held by the Portuguese intervention agency

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 Article 5 thereof,

Having regard to Council Regulation (EC) No 3670/93 of 22 December 1993 on special arrangements for imports of maize into Portugal ⁽³⁾, and in particular Article 3 (2) thereof,

Whereas Commission Regulation (EC) No 1083/94 of 10 May 1994, on the sale on the Portuguese domestic market of 250 000 tonnes of maize held by the Portuguese intervention agency ⁽⁴⁾ provides for the resale of the third instalment of 120 000 tonnes on 2 December 1994; whereas, given the situation with regard to the supply of maize to the Portuguese market and at the request of the Portuguese authorities, the date for the first submission of

applications for that instalment should be adjusted to avoid disturbances on the market;

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

HAS ADOPTED THIS REGULATION:

Article 1

Article 3 (3) of Regulation (EC) No 1083/94 is hereby replaced by the following:

'3. For the third instalment of 120 000 tonnes the time limit for the first submission of applications shall expire at 12 noon (Brussels time) on 16 December 1994. The dates for any subsequent submissions shall be fixed by the INGA until the full quantity has been sold.'

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, 30 November 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 338, 31. 12. 1993, p. 35.

⁽⁴⁾ OJ No L 120, 11. 5. 1994, p. 27.

COMMISSION REGULATION (EC) No 2922/94

of 30 November 1994

on the supply of flour intended for the people of Kyrgyzstan and Tajikistan
pursuant to Council Regulation (EC) No 1999/94

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1999/94 of 27 July 1994 on actions for the free supply of agricultural products to the people of Georgia, Armenia, Azerbaijan, Kyrgyzstan, Tajikistan and Moldova ⁽¹⁾, as amended by Regulation (EC) No 2621/94 ⁽²⁾, and in particular Article 4 (2) thereof,

Whereas, Commission Regulation (EC) No 2065/94 of 16 August 1994 ⁽³⁾, laying down the rules for the application of Council Regulation (EC) No 1999/94 and in particular Article 2 (3) thereof, provides that the tenders for the free supply of processed products may relate to the quantity of basic product to be taken from intervention stocks as payment for the supply, and where applicable, in accordance with Article 5 (2), as payment for the costs of processing, packaging and marking;

Whereas, it is appropriate to open without delay a tendering procedure for the supply of 30 000 tonnes of common wheat flour;

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

HAS ADOPTED THIS REGULATION :

Article 1

A tendering procedure is hereby initiated for the supply costs of 30 000 tonnes (net) of common wheat flour as indicated in Annex I, in accordance with the provisions of Regulation (EC) No 2065/94, and in particular Articles 2 (1) and 2 (3) thereof.

Article 2

The supply shall include :

- (a) delivery of the product specified in Annex I, free on board, stowed on the boat :

Lot No 1 :

15 000 tonnes to be delivered to a Community port situated elsewhere other than the Mediterranean Sea.

Lot No 2 :

15 000 tonnes to be delivered to a Community port situated in the Mediterranean Sea.

The loading rate of the port proposed must be at least 1 000 tonnes per day.

- (b) the packaging and marking of the product in accordance with the instructions set out in Annex I.

The goods must be made available for loading on board ship, for a maximum period of 10 days, at the following dates :

Lot No 1 :

- 5 000 tonnes with effect from 16 January 1995,
- 5 000 tonnes with effect from 23 January 1995,
- 5 000 tonnes with effect from 30 January 1995 ;

Lot No 2 :

- 5 000 tonnes with effect from 16 January 1995,
- 5 000 tonnes with effect from 23 January 1995,
- 5 000 tonnes with effect from 30 January 1995.

Article 3

1. In accordance with Article 4 of Regulation (EC) No 2065/94 the offers shall be presented to the following address :

Commission of the European Communities,
EAGGF-Guarantee,
Division VI/G. 2 (Office 10/05),
120, Rue de la Loi,
B — 1049, Brussels.

The closing date for the lodgement of tenders shall be 12 December 1994 at 5 p.m. (Brussels time).

In the case of non-acceptance of offers on 12 December, a second closing for the lodgement of offers shall be 19 December 1994 at 5 p.m. (Brussels time).

In this case all of the dates referred to in Article 2 shall be carried forward by seven days.

2. The offer of the tenderer shall indicate the quantity of common wheat, to be taken over from the intervention stocks referred to in Annex II as payment for the supply, necessary to cover all costs of the supply as specified in Article 2 to the delivery stage laid down.

⁽¹⁾ OJ No L 201, 4. 8. 1994, p. 1.

⁽²⁾ OJ No L 280, 29. 10. 1994, p. 2.

⁽³⁾ OJ No L 213, 18. 8. 1994, p. 3.

The quantities awarded must leave the stocks within a period of one month from the date of notification of the award. The offer shall be expressed in tonnes of common wheat (net weight) to be exchanged for a tonne of finished product (net weight).

3. By derogation from the amount referred to at Article 6 (1) (f) of Regulation (EC) No 2065/94 the tendering security is fixed at ECU 20 tonne of common wheat flour, to be lodged in national currency.

4. The security referred to at Article 12 (2) of Regulation (EC) No 2065/94 is fixed at ECU 280 per tonne of common wheat flour, to be lodged in national currency.

5. The securities referred to in paragraphs 3 and 4 shall be lodged in favour of the Commission of the European Communities.

Article 4

The take-over certificate referred to in Article 10 (1) (b) of Regulation (EC) No 2065/94 shall be established on the basis of the model in Annex III.

Article 5

By derogation from Article 11 (1) of Regulation (EC) No 2065/94 all of the controls referred to in the said paragraph shall be carried out by the intervention agency of the Member State in which the port of loading is situated.

Article 6

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, 30 November 1994.

For the Commission

René STEICHEN

Member of the Commission

ANNEX I

1. **Product to be supplied** : Common wheat flour.
2. **Characteristics and quality of the goods** ⁽¹⁾ : (OJ No C 114, 29. 4. 1991 (point II.B.1.a)).
3. **Total quantity** : 30 000 tonnes (net weight).
4. **Number of lots** : 2 lots of 15 000 tonnes, each to be delivered to one port only.
5. **Packaging** ⁽²⁾ :
The two lots will be packaged in new mixed jute/polypropylene sacks each containing 50 kilogrammes net. OJ No C 114, 29. 4. 1991 (under II.B.2.c).
Additional requirements :
The sacks must be packed on euro-pallets at the rate of 21 sacks of 50 kilogrammes (net) per pallet. The pallets must be shrink wrapped and fastened by means of straps, twice horizontally and twice vertically. Each pallet shall be covered with polyethylene netting.
6. **Marking** :
The marking of the sacks (information in the Russian language plus European flag) must conform to the requirements laid down in the *Official Journal of the European Communities* No C 114, 29. 4. 1991 (point II.B.3).
7. **Stage of supply** : fob stowed.

⁽¹⁾ The successful tenderer shall deliver to the transporter 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.

⁽²⁾ 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'.

ANNEX II

<i>(tonnes)</i>	
Places of storage	Quantity
Lot No 1	
A. Nielsen & Co A/S Lollands Korn Roløkkegård Oddevej DK-4900 Nakskov	4 500,720
Overgård Gods Fuglsøhus, Hus nr. 3 Fuglsømarkvej DK-8970 Havndal	3 870,580
Egtved Andel Lager 3 C Verstvej 1 DK-6040 Egtved	2 726,280
Napus A/S Dalhavegård Astorpevej 78 DK-6070 Christiansfeld	3 101,900
K.O.F. & G. Lageret Stenderupvej 101 DK-6091 Bjert	2 081,100
Napus A/S Juhlsminde Binderup Søndergade 11 DK-6091 Bjert	2 568,140
DLG Vojens Fabriksvej 5, Blå hal DK-6500 Vojens	3 492,200
DLG Sønderjylland Fabriksvej 5, Store hal DK-6500 Vojens	3 654,520
DLG Mikkelborg Bygade 21 Mikkelborg DK-6630 Rødding	4 029,660
Lot No 2	
FAF Dyregårdsvej 12 Tårup DK-5591 Gelsted	3 261,640
DLG Holsted-Brørup Storegade 113 DK-6670 Holsted	3 164,900
A/S KFK Lageret Kogade 2 DK-6700 Esbjerg	2 798,524
DLG Vejlevej 50 DK-7300 Jelling	3 316,720
Hans Sønniksen A/S Planlager Skårupgård DK-8520 Lystrup	3 408,400

<i>(tonnes)</i>	
Places of storage	Quantity
DLG Bendstrup Afdeling Grimbrovej 20 DK-8530 Hjortshøj	2 485,480
Anders Bundgård Lageret Bjørnbækvej 54 Ørum DK-9320 Hjallerup	3 903,740
Dania Korn Hal 1, Daniavej 62 DK-9550 Mariager	3 959,340
Vrå Andel Høghol, Lager 1 Hørmestedvej 130 DK-9870 Sindal	3 514,280

The characteristics of the lots shall be supplied to the tenderers by the Danish intervention agency.

Address of the intervention agency :

DENMARK

Landbrugsministeriet,

EF-Direktoratet,

26, Nyropsgade,

DK-1602, København V.

Tel. : (45) 33 92 70 00 ; telefax : (45) 33 92 69 48.

ANNEX III

Take-over certificate

I, the undersigned
(name/first name/position)

acting on behalf of

certify the following goods have been taken over :

Product :		
Packaging :		
Number	of sacks :	
	of 'Big Bags'/Pallets :	
Total quantity in tonnes (net) :		
(gross) :		
Place and date of take-over :		
Name of boat :		

Name/address of monitoring agency :

.....
.....

Name and signature of its on-the-spot representative :

.....
.....

Observations or remarks :

.....
.....
.....
.....

Signature and stamp
of transporter

.....

COMMISSION REGULATION (EC) No 2923/94
of 30 November 1994
amending Regulation (EC) No 2810/94 on the supply of fishery 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 Commission Regulation (EC) No 2810/94 ⁽³⁾ issued an invitation to tender for the supply, as food-aid, of ECU 197 000 and 742 tonnes of fishery products; whereas some of the conditions specified in the Annex to the Regulation should be altered,

HAS ADOPTED THIS REGULATION:

Article 1

For lot F of Regulation (EC) No 2810/94, points 22 and 23 of the Annex are replaced by the following:

- '22. Amount of the tendering security: ECU 3 940,
- 23. Amount of delivery security: ECU 19 700.'

Article 2

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, 30 November 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 298, 19. 11. 1994, p. 14.

COMMISSION REGULATION (EC) No 2924/94

of 30 November 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 last amended by Regulation (EC) No 1866/94 ⁽²⁾, and in particular Articles 10 (5) and 11 (3) thereof,

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

Whereas the import levies on cereals, wheat and rye flour, and wheat groats and meal were fixed by Commission Regulation (EC) No 1937/94 ⁽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 29

November 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 1937/94 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 1 December 1994.

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

Done at Brussels, 30 November 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 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. 36.

ANNEX

to the Commission Regulation of 30 November 1994 fixing the import levies on cereals and on wheat or rye flour, groats and meal

(ECU/tonne)

CN code	Third countries ⁽⁸⁾
0709 90 60	90,79 ⁽²⁾ ⁽³⁾
0712 90 19	90,79 ⁽²⁾ ⁽³⁾
1001 10 00	2,52 ⁽¹⁾ ⁽³⁾ ⁽¹¹⁾
1001 90 91	60,22
1001 90 99	60,22 ⁽²⁾ ⁽¹¹⁾
1002 00 00	107,59 ⁽²⁾
1003 00 10	87,09
1003 00 90	87,09 ⁽²⁾
1004 00 00	91,42
1005 10 90	90,79 ⁽²⁾ ⁽³⁾
1005 90 00	90,79 ⁽²⁾ ⁽³⁾
1007 00 90	90,54 ⁽⁴⁾
1008 10 00	31,41 ⁽²⁾
1008 20 00	32,62 ⁽⁴⁾ ⁽²⁾
1008 30 00	2,24 ⁽²⁾
1008 90 10	(7)
1008 90 90	2,24
1101 00 00	122,28 ⁽²⁾
1102 10 00	187,90
1103 11 10	40,11
1103 11 90	144,35
1107 10 11	118,07
1107 10 19	90,97
1107 10 91	165,90 ⁽¹⁰⁾
1107 10 99	126,71 ⁽²⁾
1107 20 00	145,87 ⁽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.
- (11) The levy for the products falling within this code in accordance with Regulation (EC) No 774/94 is restricted under the conditions of this Regulation.

COMMISSION REGULATION (EC) No 2925/94
of 30 November 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 2901/94 ⁽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 29 November 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 1 December 1994.

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

Done at Brussels, 30 November 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 305, 30. 11. 1994, p. 24.

ANNEX

to the Commission Regulation of 30 November 1994 fixing the import levies on white sugar and raw sugar

(ECU/100 kg)

CN code	Levy ⁽¹⁾
1701 11 10	30,06 ⁽¹⁾
1701 11 90	30,06 ⁽¹⁾
1701 12 10	30,06 ⁽¹⁾
1701 12 90	30,06 ⁽¹⁾
1701 91 00	34,77
1701 99 10	34,77
1701 99 90	34,77 ⁽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 2926/94
of 30 November 1994

amending Regulation (EEC) No 2177/92 laying down detailed rules for the application of the specific supply arrangements for the Azores, Madeira and the Canary Islands with regard to sugar and Regulation (EEC) No 1713/93 as regards the agricultural conversion rates 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 1601/92 of 15 June 1992 concerning specific measures for the Canary Islands with regard to certain agricultural products ⁽¹⁾, as last amended by Commission Regulation (EEC) No 1974/93 ⁽²⁾, and in particular Articles 3 (4) and 7 (2) thereof,

Whereas the detailed rules for the application of the specific supply arrangements for the Azores, Madeira and the Canary Islands with regard to sugar are laid down by Commission Regulation (EEC) No 2177/92 ⁽³⁾, as last amended by Regulation (EC) No 1443/94 ⁽⁴⁾;

Whereas the new common detailed rules for implementation of the specific arrangements for the supply of certain agriculture products to the Canary Islands established by Commission Regulation (EC) No 2790/94 ⁽⁵⁾, as amended by Regulation (EC) No 2883/94 ⁽⁶⁾, which enter into force on 1 December 1994, no longer lay down that a security must be lodged before an aid certificate is issued and define a new operative event for the rate to be used for converting supply aid into Spanish pesetas; whereas, therefore, the corresponding amendments with regard to the Canary Islands should be made to Regulation (EEC) No 2177/92 and Regulation (EEC) No 1713/93 of 30

June 1993 establishing special detailed rules for applying the agricultural conversion rate in the sugar sector ⁽⁷⁾, as amended by Regulation (EEC) No 2627/93 ⁽⁸⁾, to take effect from 1 December 1994;

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

HAS ADOPTED THIS REGULATION:

Article 1

The following paragraph 5 is added to Article 5 of Regulation (EEC) No 2177/92:

‘5. The above paragraphs shall not apply in respect of the Canary Islands.’

Article 2

In point XVI (c) of the Annex to Regulation (EEC) No 1713/93, the words ‘and the Canary Islands’ are deleted.

Article 3

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 173, 27. 6. 1992, p. 13.

⁽²⁾ OJ No L 180, 23. 7. 1993, p. 26.

⁽³⁾ OJ No L 217, 31. 7. 1992, p. 71.

⁽⁴⁾ OJ No L 157, 24. 6. 1994, p. 4.

⁽⁵⁾ OJ No L 296, 17. 11. 1994, p. 23.

⁽⁶⁾ OJ No L 304, 29. 11. 1994, p. 18.

⁽⁷⁾ OJ No L 159, 1. 7. 1993, p. 94.

⁽⁸⁾ OJ No L 240, 25. 9. 1993, p. 19.

COMMISSION REGULATION (EC) No 2927/94
of 30 November 1994
fixing the agricultural conversion rates

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

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 ⁽¹⁾, as last amended by Regulation (EC) No 3528/93 ⁽²⁾, and in particular Article 3 (1) thereof,

Whereas the agricultural conversion rates were fixed by Commission Regulation (EC) No 2669/94 ⁽³⁾;

Whereas Article 4 of Regulation (EEC) No 3813/92 provides that the agricultural conversion rate for a floating currency is to be adjusted where the monetary gap between it and the representative market rate exceeds certain levels; whereas, notwithstanding that Article 4, Article 4a of that Regulation applies until 31 December 1994;

Whereas the representative market rates are determined on the basis of reference periods established in accordance with Commission Regulation (EEC) No 1068/93 of 30 April 1993 on detailed rules for determining and applying the agricultural conversion rates ⁽⁴⁾, as amended by Regulation (EC) No 547/94 ⁽⁵⁾;

Whereas, as a consequence of the exchange rates recorded during the reference period 21 to 30 November 1994, it is necessary on the one hand to fix the limits referred to in paragraphs 1 and 3 of Article 4a of Regulation (EEC) No 3813/92 at + 3,603 and - 1,397 and on the other hand to fix a new agricultural conversion rate for the Italian lira;

Whereas Article 15 (3) of Regulation (EEC) No 1068/93 provides that an agricultural conversion rate fixed in advance shall be adjusted if the gap between that rate and the agricultural conversion rate in force at the time of the

operative event applicable for the currency concerned exceeds four points; whereas, in that event, the agricultural conversion rate fixed in advance is brought more closely into line with the rate in force, up to the level of a gap of four points with that rate; whereas the rate which replaces the agricultural conversion rate fixed in advance should be specified,

HAS ADOPTED THIS REGULATION:

Article 1

The agricultural conversion rates are fixed in Annex I hereto.

Article 2

In the case referred to in Article 15 (3) of Regulation (EEC) No 1068/93, the agricultural conversion rate fixed in advance shall be replaced by the ecu rate for the currency concerned, shown in Annex II:

— Table A, where the latter rate is higher than the rate fixed in advance,

or

— Table B, where the latter rate is lower than the rate fixed in advance.

Article 3

Regulation (EC) No 2669/94 is hereby repealed.

Article 4

This Regulation shall enter into force on 1 December 1994.

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

Done at Brussels, 30 November 1994.

For the Commission

René STEICHEN

Member of the Commission

⁽¹⁾ OJ No L 387, 31. 12. 1992, p. 1.

⁽²⁾ OJ No L 320, 22. 12. 1993, p. 32.

⁽³⁾ OJ No L 284, 1. 11. 1994, p. 51.

⁽⁴⁾ OJ No L 108, 1. 5. 1993, p. 106.

⁽⁵⁾ OJ No L 69, 12. 3. 1994, p. 1.

ANNEX I

Agricultural conversion rates

ECU 1 =	49,3070	Belgian and Luxembourg francs
	9,34812	Danish kroner
	2,35418	German marks
	352,829	Greek drachmas
	192,319	Spanish pesetas
	7,98191	French francs
	0,976426	Irish punt
	2 361,74	Italian lire
	2,65256	Dutch guilders
	239,331	Portuguese escudos
	0,953575	Pound sterling

ANNEX II

Agricultural conversion rates fixed in advance and adjusted

Table A			Table B		
ECU 1 =	47,4106	Belgian and Luxembourg francs	ECU 1 =	51,3615	Belgian and Luxembourg francs
	8,98858	Danish kroner		9,73763	Danish kroner
	2,26363	German marks		2,45227	German marks
	339,259	Greek drachmas		367,530	Greek drachmas
	184,922	Spanish pesetas		200,332	Spanish pesetas
	7,67491	French francs		8,31449	French francs
	0,938871	Irish punt		1,01711	Irish punt
	2 270,90	Italian lire		2 460,15	Italian lire
	2,55054	Dutch guilders		2,76308	Dutch guilders
	230,126	Portuguese escudos		249,303	Portuguese escudos
	0,916899	Pound sterling		0,993307	Pound sterling